

Ordinary Meeting of Council

held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 26 September 2017.

Minutes

Mark Stoermer
Chief Executive Officer

Wednesday 27 September 2017

Distribution: Public

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Domin je ka

Nillumbik Shire Council

Contents

1. Welcome	1
2. Reconciliation statement	1
3. Prayer	1
4. Apologies	1
5. Presentations	1
6. Confirmation of minutes	1
7. Disclosure of conflicts of interest	2
8. Petitions	2
9. Questions from the gallery	2
10. Reports of Advisory Committees	5
AC.007/17 Advisory Committee Report	5
11. Reports of Special Committees	6
12. Officers' reports	7
OCM.114/17 Bushfire Mitigation Works Program	7
OCM.115/17 Sale of surplus Council land at 22 Luck Street, Eltham	8
OCM.116/17 Community Christmas Decorations	9
OCM.117/17 Assemblies of Councillors	10
13. Notices of Motion	13
14. Delegates' Reports	13
15. Supplementary and urgent business	13
16. Confidential reports	13

Nillumbik Shire Council

Minutes of the Ordinary Meeting of Nillumbik Shire Council held Tuesday 26 September 2017. The meeting commenced at 7pm.

Councillors present:

Cr Peter Clarke	Wingrove Ward (Mayor)
Cr Grant Brooker	Blue Lake Ward
Cr Karen Egan	Bunjil Ward
Cr John Dumaresq	Edendale Ward
Cr Peter Perkins	Ellis Ward
Cr Jane Ashton	Sugarloaf Ward
Cr Bruce Ranken	Swipers Gully Ward

Officers in attendance:

Mark Stoermer	Chief Executive Officer
Rachel Cooper	Director Business and Strategy
Matt Kelleher	Director Services and Planning
Hjalmar Philipp	Director Sustainability and Place
Allison Watt	Manager Governance
Mitch Grayson	Strategic Advisor to Mayor and Councillors
James Martin	Coordinator Corporate Affairs

1. Welcome

2. Reconciliation statement

The reconciliation statement was read by the Mayor, Cr Peter Clarke.

3. Prayer

A prayer was read by Pastor Tim Stringer of the Calvary Lutheran Church, Greensborough.

4. Apologies

Nil

5. Presentations

Nil

6. Confirmation of minutes

Confirmation of minutes of the Council Meeting held on Tuesday 29 August 2017.

Motion

Cr Grant Brooker
Cr John Dumaresq

That the minutes of the Council Meeting held on Tuesday 29 August 2017 be confirmed.

CARRIED

7. Disclosure of conflicts of interest

Nil

8. Petitions

Nil

9. Questions from the gallery

Ben Ramcharan asked Council:

The Nillumbik Greens are concerned that in the lead up to the Government's postal survey on marriage equality, we're already starting to see damaging messages coming from the no campaign. The result is an increase in mental health issues faced by members of the queer community. Mental health organisations such as ReachOut have already seen a 20 per cent surge in queer people seeking help. Given that objective 1.5.7 of the council plan seeks to 'Ensure that the LGBTI community is included and engaged in initiatives that are supported by Council', will Council engage in programs to ensure that local members of the queer community are made to feel comfortable and accepted?

Furthermore, will Nillumbik Council follow the lead of Melbourne City Council in advocating for a YES vote on Marriage Equality?

What is Council doing to ensure that all local residents are encouraged to vote in this survey?

Mayor, Cr Peter Clarke responded that we have an action in the Council Plan to ensure that the LGBTI community is included and engaged in initiatives that are supported by Council. Officers will be working on this over the next six months or so with a view to developing a plan. We have made a commitment to our LGBTI community and will ensure Nillumbik is a safe, welcoming and inclusive place.

Council has received letters, emails and social media posts encouraging us to pledge support for the Yes campaign. Personally I'll be voting Yes.

However, Local Government cannot resolve this. This and other debates such as euthanasia or citizenship ceremonies on Australia Day are matters for the Federal Government.

We are working on things we can change like fixing our roads and footpaths, keeping rates low, protecting our environment and providing safe and connected communities.

While we all may have different opinions, we respect the democratic views and rights of all Australians. The Federal Government's plebiscite will deliver an outcome in the coming months. We will respect this process and the outcome either way.

Multiple questions on Hohnes Road Playhouse

The next four questions all related to Hohnes Road Playhouse and were answered as one. Only Betty Russell's question was read aloud at the meeting.

9. Questions from the gallery (cont)

Betty Russell on behalf of Nillumbik Greens asked Council:

Nillumbik Greens note that Council's published data in the 'Health and Wellbeing Plan 2017-2021' shows that different approaches are needed to better reach the most vulnerable in our community. Yet Council's action in the closure of Hohnes Road Playhouse, Eltham suggests that such services are valued only in economic terms.

Can Council adopt or develop a range of measures which assess the extent to which all Council funded services are reaching the vulnerable, including people who are: on low incomes, unemployed, single parents, indigenous, from language backgrounds other than English, etc? Such measures would illuminate the social values of these services, which are indicative of their future economic value through helping the vulnerable to build their own networks and resilience.

Genevieve Speechley asked Council (not read):

One of the key strategic priorities in your draft Health and Wellbeing Plan 2017 – 2021, is to 'Enhance Mental Wellbeing of the community' with specific goals to: 1) "Identify, support and promote new and existing programs and services that support residents transitioning into key life stages" and 2) "support and promote key community organisations", including playgroups and new parents groups "as important local assets where people can create and maintain social connections and be part of their local community". Hohnes Road Playhouse delivers this and more with a cost-effective, unique and valuable program that has benefited thousands of families, both children and their parents, for 40 years. There is absolutely NO similar program on offer in northern Melbourne, let alone in Nillumbik. With all this in mind, how does Council justify cutting all financial support from Hohnes Road Playhouse?

Melinda Smith asked Council (not read):

Council is on record stating that budget savings were achieved 'without compromising or cutting any services'. How can this be correct given that Hohnes Road Playhouse will be forced to close/modify their offerings based solely on the cutting of council funding?

Will Council renew the Hohnes Road Playhouse lease into 2019 and beyond to assist this unique and important young family support service to continue?

Kimberly Benwell asked Council (not read):

What are your plans for Lot 1 Hohnes Road (land and premises) when the current lease agreement with Hohnes Road Playhouse ends in January 2019?

I understand you are holding a Gala cocktail event to celebrate the redevelopment of Eltham Community and Reception Centre and that this is being managed by an events company with entertainment being provided by Mahlia Barnes and band. I can only imagine how much this must be costing. How can you justify spending ratepayers' contributions on such an event, after communicating that you are in savings mode and are cutting funding to Hohnes Road Playhouse, an affordable, unique and valuable service to local families?

9. Questions from the gallery (cont)

Mayor, Cr Peter Clarke responded that an independent review into Council's funding of the Hohnes Road Playhouse in Eltham found Nillumbik ratepayers' money is being used to subsidise the underutilised service which is made up of 75 per cent of children from neighbouring councils.

Council is continuing to work with the playhouse committee look for alternative ways to continue operating its service without it being subsidised by ratepayers.

At the time of the review 38 children used the facility, about 10 of which lived in the shire. Residents expect Council to spend money wisely and I think ratepayers will make up their own mind if \$50,000 per year is well spent catering for 10 of our children when Council has its own run facilities that could cater for them.

Council is certainly not shutting down this service. We are saying the group will need to look at a model that is not reliant on our ratepayers to continue to operate.

The review found that the centre was underutilised and had no funding agreement to demonstrate accountability or value for ratepayers' money.

Council will continue to support the centre until the end of January 2018 to ensure parents and children have time to secure spots in other nearby facilities if they are unable to change their model.

Carlota Quinlan asked Council:

Have the Mayor and Deputy Mayor recently met and had discussions with an overseas group interested in development, and in the upcoming Planning Scheme Review is council considering changing the zonings to accommodate such developments, e.g. retirement villages, in Eltham and/or our Green Wedge as was indicated in the Draft Council Plan 'including outside the Urban Growth Boundary' despite it not now being in the Council Plan?

Mayor, Cr Peter Clarke responded that the Deputy Mayor, CEO and I recently met with a Chinese delegation which is interested in exploring trade opportunities in Nillumbik, particularly in the space of health services. We did not discuss anything to do with development or the planning scheme review. Council is not reviewing the Urban Growth Boundary – that sits with the State Government and is outside our jurisdiction - however, we will be reviewing the Green Wedge Management Plan as outlined in the Council Plan 2017-2021.

Vicky Shukuroglou on behalf Nillumbik Environment Action Group asked Council:

The Mayor's recent letter to ratepayers highlighted the fact that council has commenced designing an equestrian centre for the old tip site at Kangaroo Ground. \$20,000 has been allocated for this work. Did council conduct a community consultation process about the future use of this site prior to this work commencing?

Were other options put before the community, and if not, when will such a consultation occur?

Mayor, Cr Peter Clarke responded that this is a priority action in the Council Plan 2017-2021 but we are in the very early stages of this project which is yet to be scoped and I don't expect that we will get around to this until the latter stages of next year.

Rest assured that we will engage with the community as part of that planning and you will get an opportunity to have a say.

10. Reports of Advisory Committees

AC.007/17 Advisory Committee Report

Distribution: Public

Manager: Allison Watt, Manager Governance

Author: Tracey Classon, Governance Officer

Council has a range of Advisory Committees which provide a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation. Although they do not make any formal decisions, they provide valuable advice to Council.

In accordance with Advisory Committee Terms of Reference, the minutes of meetings are presented to Council. This month, the following minutes are attached for information:

- Arts Advisory Committee minutes held 7 August 2017
- Open Space Precinct Plan Graysharps Road, Hurstbridge project reference group

Motion

**Cr Jane Ashton
Cr Bruce Ranken**

That Council notes the Arts Advisory Committee meeting minutes of 7 August 2017.

CARRIED

Motion

**Cr Karen Egan
Cr Jane Ashton**

That Council notes the Open Space Precinct Plan Graysharps Road, Hurstbridge project reference group minutes 23 August 2017.

CARRIED

11. Reports of Special Committees

Nil

12. Officers' reports

OCM.114/17 Bushfire Mitigation Works Program

Distribution: Public

Manager: Allison Watt, Manager Governance

Author: Justin Murray, Executive Officer Emergency Management

Summary

Council makes an annual allocation of funding towards works on Council owned and managed land to prepare for the Fire Danger Period. The annual Bushfire Mitigation Works Program (Vegetation Management) has been developed in consultation with the Municipal Fire Management Planning Committee and includes planned work on roadsides and in Council reserves. The majority of works are planned to be completed by the end of December 2017.

Motion

Cr Peter Perkins

Cr Karen Egan

That Council endorses the 2017-2018 Bushfire Mitigation Works Program (Vegetation management) included as Attachment 1 to this report.

CARRIED

12. Officers' reports**OCM.115/17 Sale of surplus Council land at 22 Luck Street, Eltham**

Distribution: Public**Manager: Hjalmar Philipp, Director Sustainability and Place****Author: Natalie Campion, Property Officer****Summary**

At the Ordinary Meeting of Council held on 13 September 2016, Council resolved to undertake the public consultation process required under section 189 of the *Local Government Act 1989* (the Act) in relation to the proposed sale of Council owned land at 22 Luck Street, Eltham. In accordance with section 223 of the Act, it further resolved to consider any submissions received on the matter, prior to making a final decision on the sale.

At the Policy and Services Committee meeting on 6 December 2016, the Committee considered submissions and resolved to sell the land at 22 Luck Street Eltham, with a planning permit allowing for development of the land.

While Council has previously endorsed the sale of land, this report seeks Council's endorsement to authorise the Chief Executive Officer (or his delegate) to sign Contracts of Sale and other documents relating to the sale of the land and authorise the sealing of documents that allow for the transfer of ownership from Council to the new owners once the land is sold.

Motion

**Cr Karen Egan
Cr Grant Brooker**

That Council:

- 1. Authorises the Chief Executive Officer or his delegate to sign the Contract of Sale and other documents relating to the sale of land at 22 Luck Street, Eltham, being the land described as Lot 20 on Plan of Subdivision 007637, Volume 07225/Folio 935 on the condition that the sale price is an amount equal to or above the valuer's written market valuation of the land.**
- 2. Authorises that the transfer of land documents relating to the sale of 22 Luck Street, Eltham to be signed and sealed.**

CARRIED

12. Officers' reports

OCM.116/17 Community Christmas Decorations

Distribution: Public

Manager: Mark Stoermer, Chief Executive Officer

Author: Rachel Cooper, Director Business and Strategy

Summary

This report seeks Council's endorsement to provide a temporary installation to celebrate Christmas across the Diamond Creek, Eltham and Hurstbridge townships. If well received during 2017, the program has the potential to cover other areas of the Shire.

Motion

Cr Karen Egan

Cr John Dumaresq

That Council endorses \$150,000 for a Christmas decorations program, as a trial across Diamond Creek, Eltham and Hurstbridge townships in 2017.

CARRIED

12. Officers' reports

OCM.117/17 Assemblies of Councillors

Distribution: Public

Manager: Allison Watt, Manager Governance

Author: Naomi Ellis, Corporate Planner

Summary

In accordance with section 80A(2) of the *Local Government Act 1989* Council is required to report as soon as practicable to an Ordinary meeting of Council a record of any assemblies of Councillors held.

This report lists assemblies of Councillors forms that have been submitted since the matter was last reported to Council on 29 August 2017.

Motion

Cr Karen Egan
Cr Bruce Ranken

That Council, in accordance with section 80A(2) of the *Local Government Act 1989*, receives the records of the following assemblies of Councillors:

1	Date of assembly	23 August 2017	
	Matters considered	Open Space Precinct Plan Graysharps Road, Hurstbridge	
	Councillors present	Cr Karen Egan	
	Staff present	Nichole Johnson	Paige Macdonald
	Conflict of interest	None declared	

2	Date of assembly	29 August 2017	
	Matters considered	Pre-meet for the Ordinary Council Meeting	
	Councillors present	Cr Grant Brooker Cr Peter Clarke Cr Karen Egan	Cr Bruce Ranken Cr John Dumaresq
	Staff present	Mark Stoermer Allison Watt Hjalmar Philipp Craig Commene Paul Fyffe Phil Lovelace Melika Sukunda Diana Bell	Nadine Wooldridge Jeff Chambers Jonathan Risby Naomi Paton Matt Kelleher Jake Hart Mitch Grayson Lisa Pittle
	Conflict of interest	None declared	

12. Officers' reports

OCM.117/17 Assemblies of Councillors

3	Date of assembly	12 September 2017	
	Matters considered	Officer briefings of Councillors: <ul style="list-style-type: none"> • Short pile synthetic pitch conversion program • Melbourne Polytechnic Greensborough campus precinct masterplan 	
	Councillors present	Cr Peter Clarke Cr Grant Brooker Cr Karen Egan	Cr John Dumaresq Cr Bruce Ranken Cr Peter Perkins
	Staff present	Mark Stoermer Hjalmar Philipp Matt Kelleher Rachel Cooper Jeff Chambers Allison Watt	Naomi Paton Jonathan McNally Jo Massoud Michelle De Pasquale Dr David Martin (Melbourne Polytechnic)
	Conflict of interest	None declared	

4	Date of assembly	12 September 2017	
	Matters considered	Pre-meet for the Future Nillumbik Committee	
	Councillors present	Cr Peter Clarke Cr Grant Brooker Cr Karen Egan	Cr John Dumaresq Cr Bruce Ranken Cr Peter Perkins
	Staff present	Mark Stoermer Hjalmar Philipp Matt Kelleher Rachel Cooper	Allison Watt Jonathan McNally Michelle Zemancheff
	Conflict of interest	None declared	

5	Date of assembly	19 September 2017	
	Matters considered	Officer briefings of Councillors <ul style="list-style-type: none"> • Melbourne Water land rezoning and disposal in Christmas Hills • Aboriginal Cultural Heritage presentation • Nillumbik Digital Agora: funding application to Creative Victoria's grant program • Verbal update on Preventing Violence Against Women Campaign • Verbal update on Plenty Uniting Church and Yan Yean Road duplication 	

12. Officers' reports

OCM.117/17 Assemblies of Councillors

	<ul style="list-style-type: none"> • Verbal update on Civic Drive • Eltham Community and Reception Centre reopening events • Community Christmas decoration installations 														
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Naomi Paton	Lisa Hunt														
Jonathan McNally															
Conflict of interest	None declared														

CARRIED

13. Notices of Motion

Nil

14. Delegates' reports

Nil

15. Supplementary and urgent business

Nil

16. Confidential reports

Nil

The meeting closed at 7.40 pm.

Confirmed: _____

Cr Peter Clarke, Mayor