

Future Nillumbik Committee

held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 13 June 2017.

Minutes

Mark Stoermer
Chief Executive Officer

Wednesday 14 June 2017

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Nillumbik Shire Council

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Nillumbik Shire Council

Minutes of the Future Nillumbik Committee Meeting held Tuesday 13 June 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
Jeremy Livingston	Acting Director Services and Planning
Lisa Pittle	Acting Director Sustainability and Place
Allison Watt	Manager Governance
Suzy Ellingsen	Manager People, Culture and Innovation
Melika Sukunda	Acting Manager Finance
Nichole Johnson	Coordinator Strategy Projects - Community and Leisure
Darko Popovski	Coordinator Tourism and Business
Naomi Ellis	Corporate Planner
Robert Malignaggi	Management Accountant

1. Welcome and apologies

The Mayor, Cr Peter Clarke welcomed everyone to the meeting.

There were no apologies.

2. Disclosure of conflicts of interest

Nil

3. Confirmation of minutes

Confirmation of minutes of the Future Nillumbik Committee Meeting held on Tuesday 16 May 2017.

Motion

Cr Karen Egan
Cr Jane Ashton

That the minutes of the Future Nillumbik Committee Meeting held on Tuesday 16 May 2017 be confirmed.

CARRIED

Change to the order of business

The order of Officers' Reports as listed in the agenda was altered and reports were considered in the following order:

- FN.024/17 Review of the Meeting Procedure Local Law – consideration of submissions
- FN.027/17 Proposed Amended Road Management Plan
- FN.030/17 Draft Sub Regional Indoor Sports Needs analysis
- FN.029/17 Review of built form provisions of the Eltham and Diamond Creek Activity Centre
- FN.028/17Nillumbik Lifetime Play Strategy
- FN.025/17 Draft Budget 2017-2018 – consideration of submissions
- FN.026/17 Special Rate Renewal for Diamond Creek – consideration of submissions
- FN.031/17 Draft Council Plan 2017-2021 – consideration of submissions
- FN.032/17 Hohnes Road Playhouse commercial matter

4. Officers' reports

FN.024/17 Review of the Meeting Procedure Local Law - consideration of submissions

Distribution: Public

Manager: Allison Watt, Manager Governance

Author: Naomi Ellis, Corporate Planner

Portfolio: Finance and Governance

Cr Peter Clarke, as the Councillor responsible for the Finance and Governance Portfolio, chaired the meeting for this report.

Summary

Council at its meeting on 28 March 2017 adopted a draft Meeting Procedure Local Law for the purpose of community consultation, with a further report to be provided to Council following the conclusion of the consultation period.

Three submissions were received during the consultation period. This report presents the submissions received and provides submitters with an opportunity to be heard in respect to their submission.

Speakers

Henry Haszler addressed the Committee with respect to this item.

Motion

Cr Bruce Ranken

Cr Karen Egan

That the Committee (acting under delegation from Council):

- 1. Receives and notes the three submissions received in respect of the draft Meeting Procedure Local Law in accordance with section 223(1)(b) of the *Local Government Act 1989*.**
- 2. Presents a report of its proceedings, including a summary of hearings, to the Ordinary Council meeting on 27 June 2017 in accordance with section 223(1)(c) of the Act, with the following recommendation:**
 - a) That Council notes that three submissions were received on the draft Meeting Procedure Local Law and the submissions were considered and submitters provided with the opportunity to be heard by the Future Nillumbik Committee on 13 June 2017.**
 - b) That Council considers the matters contained in the submissions and the Committee's report during finalisation of the Draft Meeting Procedure Local Law.**
- 3. Notes a further, separate report will be presented to the Ordinary Council Meeting on 27 June 2017 to consider adoption of the draft Meeting Procedure Local Law.**

CARRIED

4. Officers' reports

FN.025/17 Draft Budget 2017-2018 - Consideration of submissions

Distribution: Public

Manager: Melika Sukunda, Acting Manager Finance

Author: Robert Malignaggi, Management Accountant

Portfolio: Finance and Governance

Cr Peter Clarke, as the Councillor responsible for the Finance and Governance Portfolio, chaired the meeting for this report.

Summary

This report considers submissions received from the public regarding the draft Budget 2017-2018.

Council adopted the draft Budget 2017-2018 at the Ordinary Council meeting on 2 May 2017 for the purpose of community consultation. The draft Budget was exhibited for 28 days in line with statutory requirements. Twenty five submissions were received and are summarised in this report. Copies of each individual submission have been circulated to Councillors separately.

It is proposed that the Committee considers the submissions on the draft Budget 2017-2018 and that the matter then be considered by Council on 13 June 2017.

Change to the order of business

The order of Officers' Reports was altered and this report was considered sixth.

Speakers

The following people addressed the Committee with respect to this item:

1. Carlota Quinlan
2. John Graves
3. Sue Dyet on behalf of Eltham Community Action Group
4. Greg Johnson
5. Karen Coulston

Motion

Cr Karen Egan

Cr Bruce Ranken

That the Committee (acting under delegation from Council):

1. **Receives and notes the submissions received in respect of the draft Budget 2017-2018, in accordance with the sections 129 and 223 of the *Local Government Act 1989*.**
2. **Presents a report to the Ordinary Council Meeting on 27 June 2017 in accordance with section 223(1)(c) of *Local Government Act 1989* with the following recommendation:**

4. Officers' reports

FN.025/17 Draft Budget 2017-2018 - Consideration of submissions

- a) That Council notes that twenty five submissions were received on the draft Budget 2017-2018, and the submissions were considered and submitters were provided with the opportunity to be heard by the Future Nillumbik Committee on 13 June 2017.
- b) That Council considers the matters contained in the submissions and the Committee's report during finalisation of the Budget.

CARRIED

4. Officers' reports

FN.026/17 Special Rate Renewal for Diamond Creek – consideration of submissions

Distribution: Public

Manager: Jeremy Livingston, Acting General Manager Environment and Planning

Author: Darko Popovski, Coordinator Tourism and Business

Portfolio: Economic Development and Marketing

Cr Peter Clarke chaired the meeting for this report.

Change to the order of business

The order of Officers' Reports was altered and this report was considered seventh.

Summary

The renewal of the Special Rate Scheme for Diamond Creek will continue to improve the trading climate of the Diamond Creek shopping precinct through the implementation of a series of business improvements and promotional activities including advertising campaigns, a business directory, trader's newsletters, various events and online marketing, including social media.

Following the receipt of a written request from the Diamond Creek Traders Association (DCTA) to renew the special rate scheme, Council at its Ordinary Meeting on 2 May 2017 resolved to give notice of its intention to declare a special rate for that purpose.

In response to the public notice, Council received 85 submissions (of a total of 136 properties liable to pay the special rate); with 13 in support of the special rate scheme and 72 opposing its renewal. The summary of submissions is attached to this report as Attachment 1.

This report recommends that the Committee receives and notes the contents of the submissions and hears from submitters at the Future Nillumbik Committee Meeting on 13 June 2017.

Given the important role that special rate schemes play in supporting local business through marketing and promotion, it is recommended that the Committee defers consideration of the future of the special rate for Diamond Creek to enable Council to engage with the DCTA and submitters.

Speakers

The following people addressed the Committee with respect to this item:

1. Paige Hastings on behalf of Mitre10 and Norm Hastings
2. Tania Carns
3. Carolyn Tsioulos
4. Philip Marendaz

4. Officers' reports

FN.026/17 Special Rate Renewal for Diamond Creek – consideration of Submissions

Motion

Cr Peter Perkins

Cr Karen Egan

That the Committee (acting under delegation from Council):

1. Receives and notes the contents of submissions received in response to Council's formal notification of its intention to declare a Special Rate for marketing and promotion of Diamond Creek.
2. Defers consideration of the Special Rate scheme for a period of at least one month to enable discussions with submitters about the structure of the Special Rate, and/or the promotional and marketing activities to be undertaken with the funds collected.

CARRIED

4. Officers' reports

FN.027/17 Proposed Amended Road Management Plan

Distribution: Public

Manager: Lisa Pittle, Acting Director Sustainability and Place

Author: Joseph Emmanuel, Acting Manager Environment

Portfolio: Infrastructure

Cr John Dumaresq, as the Councillor responsible for the Infrastructure Portfolio, chaired the meeting for this report.

Change to the order of business

The order of Officers' Reports was altered and this report was considered second.

Summary

The purpose of this report is to consider submissions received on the proposed Road Management Plan (RMP) as part of the public consultation process.

The main purpose of the RMP is to establish a management system for Council to inspect, maintain and repair its public roads and footpaths.

In accordance with section 301(3) of the Road Management (General) Regulations 2005, Council is required to have prepared and approve a review of its RMP within the period of six months after each general election or by the next 30 June, whichever is the later.

This is a 'two-step' process with Council required to firstly advertise its intention to review the existing RMP and, following consideration of submissions, subsequently advertise its draft RMP for further public comment.

This report forms part of step two of the consultation process where Council considers the submissions received in response to its proposed amended RMP.

Council received thirteen submissions in response to advertising its proposed amended RMP.

The submissions are presented in this report with advice to Council regarding the effect of submissions on the draft RMP. Submitters also have the opportunity to be heard with respect to their submission.

Speakers

The following people addressed the Committee with respect to this item:

1. Max Garner
2. Garth Foxwell

Motion

Cr Peter Clarke
Cr Bruce Ranken

That the Committee (acting under delegation from Council):

1. **Notes the submissions received following the advertising of Council's intention to review its Road Management Plan.**

4. Officers' reports

FN.027/17 Proposed Amended Road Management Plan

- 2. Amends the Road Management Plan as indicated in the response to the submissions shown in Attachment 1.**
- 3. Receives a further report to consider the amended Road Management Plan at its June 2017 Ordinary Council Meeting.**
- 4. Thanks all submitters and advises them of the further steps to conclude the review of the Road Management Plan.**

CARRIED

4. Officers' reports**FN.028/17 Nillumbik Lifetime Play Strategy**

Distribution: Public**Manager: Naomi Paton, Acting Director Business and Strategy****Author: Nichole Johnson, Coordinator Strategy Projects - Community and Leisure****Nadine Wooldridge, Coordinator Community Leisure****Portfolio: Community Services**

Cr Jane Ashton, as the Councillor responsible for the Community Services Portfolio, chaired the meeting for this report.

Change to the order of business

The order of Officers' Reports was altered and this report was considered fifth.

Summary

The Nillumbik Lifetime Play Strategy will inform Council's provision of play spaces across the Shire as well as facilitate informal opportunities to incorporate play into daily life.

Implementing the Strategy will improve the quality and diversity of play experiences benefiting all residents, further supporting our Living in the Landscape as we pursue the vision of being Australia's Most Liveable Shire.

The Strategy will provide a benchmark tool in which to assess existing play spaces against our aspirations, and identify future play opportunities and their distribution across the Shire. This assessment will inform the preparation of a prioritised 10-year implementation plan.

Preparation of the Lifetime Play Strategy has been informed by extensive community engagement. The draft Nillumbik Lifetime Play Strategy underwent final community consultation over the period 17 May 2017 to 12 June 2017.

This report details the feedback on the draft Nillumbik Lifetime Play Strategy received up until 12 June 2017. All submitters have been invited to present their feedback.

A report recommending the Nillumbik Lifetime Play Strategy be adopted is scheduled for 27 June 2017.

Motion

Cr Jane Ashton**Cr Grant Brooker****That the Committee (acting under delegation from Council):**

- 1. Acknowledges the submissions and presentations to Council on the draft Nillumbik Lifetime Play Strategy.**
- 2. Considers proposed changes to the draft Strategy in response to community feedback.**
- 3. Receives a further report at the 27 June 2017 Ordinary Meeting of Council to consider adopting the final Strategy.**

CARRIED

4. Officers' reports

FN.029/17 Review of built form provisions of the Eltham and Diamond Creek Activity Centres

Distribution: Public

Manager: Jeremy Livingston, Acting Director Services and Planning

**Author: Renae Ahern, Acting Manager Planning and Health Services
 Alison Fowler, Senior Strategic Planner**

Portfolio: Planning

Cr Peter Perkins, as the Councillor responsible for the Planning Portfolio, chaired the meeting for this report.

Change to the order of business

The order of Officers' Reports was altered and this report was considered fourth.

Summary

Council is in receipt of the VCAT decision for 26, 28 and 30 Pryor Street and 27 and 29 Arthur Street, Eltham (construct buildings and carry out works for 100 dwellings; remove trees and reduction of car parking). In Nillumbik terms, this is a substantial development project within the Shire. The approved development will be a prominent one within the Eltham Activity Centre. The application for this apartment development was refused by Council and has been approved by VCAT.

A total of 176 written objections were received to the original planning application concerning this development project. Since the handing down of this VCAT decision, both officers and some Councillors have received a notable adverse reaction to this planning outcome, including from the Eltham Community Action Group (ECAG) and a local architect. Accordingly, it would be prudent for Council to undertake a review of the built form provisions and guidelines in the Nillumbik Planning Scheme concerning the Eltham Activity Centre. In committing to this review, it would also be appropriate to undertake a similar review to the Diamond Creek Activity Centre.

Speakers

Mitzi Tuke, on behalf of Eltham Community Action Group, addressed the Committee with respect to this item:

Motion

Cr Peter Clarke

Cr John Dumaresq

That the Committee (acting under delegation from Council):

- 1. Requests officers to commence an immediate review of the Eltham Town Centre Design Guidelines and Diamond Creek Town Centre Design Guidelines.**
- 2. Endorses the establishment of a reference group that includes an independent urban design consultant and key stakeholders to provide input into the review.**
- 3. Invites the Office of the Victorian Government Architect (OVGA) to provide input into the review.**

CARRIED

4. Officers' reports

FN.030/17 Draft Sub-Regional Indoor Sports Needs Analysis

Distribution: Public

Manager: Naomi Paton, Acting Director Business and Strategy

Author: Howard Scott, Contractor Leisure and Social Infrastructure

Portfolio: Social Infrastructure

Cr Bruce Ranken, as the Councillor responsible for the Social Infrastructure Portfolio, chaired the meeting for this report.

Change to the order of business

The order of Officers' Reports was altered and this report was considered third.

Summary

The Sub-Regional Indoor Sports Needs Analysis project seeks to identify the current and future provision of indoor sports courts across the Shire of Nillumbik and the Cities of Banyule and Darebin.

While 13-courts are provided in Nillumbik, there is an undersupply of venues across the sub-region and a number of sports report waiting lists. Many facilities don't comply with contemporary facility standards.

The draft report recommends a hierarchy of future provision and priority works.

Proposed recommendations relating to Nillumbik include an expansion of the Diamond Valley Sports and Fitness Centre from six to 10 courts, a one court extension to Hurstbridge Stadium and assessment of the demand for the single court stadium at Diamond Creek Community Centre.

Further community consultation is proposed to inform the final study.

Speakers

The following people addressed the Committee with respect to this item:

1. Steve McCabe, president of Diamond Valley Basketball Association
2. Natalie Dawson

Recommendation

That the Committee (acting under delegation from Council):

1. Releases the draft Sub Regional Indoor Sports Needs Analysis for final community consultation.
2. Requests officers to continue discussions with Diamond Valley Basketball Association and Eltham Wildcats Basketball Club on the future facility provision options to meet basketball's needs, including the proposal to locate the Basketball Victoria Centre of Excellence in the Shire.
3. Continues to advocate to State and Federal Government for funding towards the Diamond Valley Sports and Fitness Centre redevelopment.

4. Officers' reports

FN.030/17 Draft Sub-Regional Indoor Sports Needs Analysis

Motion

Cr Peter Clarke

Cr Karen Egan

That the Committee (acting under delegation from Council):

- 1. Releases the draft Sub Regional Indoor Sports Needs Analysis for final community consultation.**
- 2. Requests officers to continue discussions with Diamond Valley Basketball Association and Eltham Wildcats Basketball Club on the future facility provision options to meet basketball's needs, including the proposal to locate the Basketball Victoria Centre of Excellence in the Shire.**
- 3. Continues to advocate to State and Federal Government for funding towards the Diamond Valley Sports and Fitness Centre redevelopment.**
- 4. Requests a report of officers on disability access and compliance issues at Diamond Valley Sports and Fitness Centre and how Council can rectify the issues.**

CARRIED

4. Officers' reports

FN.031/17 Draft Council Plan 2017-2021 - consideration of submissions

Distribution: Public

Manager: Mark Stoermer, Chief Executive Officer

Author: Allison Watt, Manager Governance

Portfolio: Finance and Governance

Cr Peter Clarke, as the Councillor responsible for the Finance and Governance Portfolio, chaired the meeting for this report.

Summary

The Draft Council Plan 2017-2021 was released for the purposes of public consultation at the Ordinary Council Meeting on Tuesday 2 May.

Statutory public notices were published in *The Age* and the *Diamond Valley Leader* newspapers, advising that the Council Plan was available at the Civic Centre and on Council's website, and inviting written submissions.

In addition to the statutory notices, a brochure outlining the content of the Council Plan was posted to all residents. This included some information on the draft 2017-2018 Budget. The brochure also invited residents to make written submissions on the draft Council Plan or the draft Budget.

Two formal consultation sessions were held to provide the opportunity for the public to hear a presentation, ask questions and provide feedback on the draft Council Plan and Budget. These sessions were held at Edendale Community Environment Farm (Wednesday 17 May) and at Community Bank Stadium, Diamond Creek (Monday 22 May). Each session was attended by about 20-30 people.

More informal drop-in information sessions were held at the Town and Country Connect event in Hurstbridge (Saturday 20 May), and at the healthAbility expo in Eltham (Sunday 21 May). Both the draft Council Plan and Budget were also promoted through Council's website, social media and media releases.

At the close of the consultation period, 163 submissions were received on the draft Council Plan.

Speakers

The following people addressed the Committee with respect to this item:

1. Sherrilyn Ballard
2. Sue Dyet on behalf of Eltham Community Action Group
3. Ian Penrose on behalf of himself and Bill Penrose
4. Greg Johnson on behalf of Friends of Nillumbik
5. Alan Thatcher
6. David Nicholls
7. Alan Bonny on behalf of Bend of Islands Conservation Association
8. Carlota Quinlan

4. Officers' reports

FN.031/17 Draft Council Plan 2017-2021 - consideration of submissions

9. Ben Ramcharan on behalf of Nillumbik Greens
10. Ben Ramcharan
11. Betty Russell
12. Mary McDonald on behalf of Ann Stoneman
13. Pam Hayes
14. Brian Murray on behalf of Nillumbik Ratepayers Association
15. Rob Bassett-Smith
16. Rob Bassett-Smith on behalf of Janet Bassett-Smith
17. Oriana Halliwell
18. Luke Mason and Lisa Inman on behalf of Theatre 451
19. Robert Thornton
20. Garry Hayes
21. Jill Chan
22. Ann Rennie on behalf of Friends of Eltham Lower Park

Motion

**Cr Karen Egan
Cr Grant Brooker**

That the Committee (acting under delegation from Council):

- 1. Receives and notes the many public submissions received on the Draft Council Plan 2017-2021 and the issues raised in them.**
- 2. Thanks the submitters for providing Council with feedback on this important document.**
- 3. Presents a report of its proceedings, including a summary of hearings, to the Ordinary Council meeting on 27 June 2017 in accordance with section 223(1)(c) of the Act, with the following recommendation:**
 - a) That Council notes that many submissions were received on the draft Council Plan 2017-2021 and the submissions were considered and submitters provided with the opportunity to be heard by the Future Nillumbik Committee on 13 June 2017.**
 - b) That Council considers the matters contained in the submissions and the Committee's report during finalisation of the Draft Council Plan 2017-2021.**
- 4. Notes a further, separate report will be presented to the Ordinary Council Meeting on 27 June 2017 to adopt the Council Plan.**

CARRIED

Following the vote on item FN.031/17, there was a pause in the meeting at 10.16pm to allow the large number of people in the gallery to vacate. The meeting resumed at 10.24pm.

5. Supplementary and urgent business

Nil

6. Confidential reports

The Meeting may be closed to members of the public to consider confidential matters.

Motion

Cr Bruce Ranken
Cr Karen Egan

That Council closes the meeting to the public pursuant to section 89(2) of the *Local Government Act 1989* to consider the following items, which are confidential for the reasons indicated:

Report No.	Title	Reason for confidentiality
FN.032/17	Hohnes Road Playhouse commercial matter	(d) contractual matters

CARRIED

The meeting closed to the public at 10.25pm.

Future Nillumbik Committee minutes

13 June 2017

The meeting closed at 10.26pm.

Confirmed: _____
Cr Peter Clarke, Mayor