

## Ordinary Meeting of Council

to be held at the Civic Centre, Civic Drive, Greensborough  
on Tuesday 1 May 2018 commencing at 7.30pm.

## Minutes

**Mark Stoermer**  
**Chief Executive Officer**

Wednesday 2 May 2018

Distribution: Public

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*Domin je ka*

Nillumbik Shire Council

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## Nillumbik Shire Council

### Minutes of the Ordinary Meeting of Nillumbik Shire Council held Tuesday 1 May 2018. The meeting commenced at 7 .30pm

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#### Councillors present:

Cr Peter Clarke	Wingrove Ward (Mayor)
Cr Grant Brooker	Blue Lake Ward
Cr Karen Egan	Bunjil Ward
Cr John Dumaesq	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
Matt Kelleher	Director Services and Planning
Hjalmar Philipp	Director Sustainability and Place
Adrian Cully	Director Business and Strategy
Blaga Naumoski	Executive Manager Governance
Emma Christensen	Governance Officer
Mitch Grayson	Chief of Staff to Mayor and Councillors
Jeremy Livingston	Executive Manager Organisational Performance
Suzy Ellingsen	Manager People Culture and Innovation
Vince Lombardi	Manager Finance
Jon Miller	Manager Assets and Property

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#### 1. Welcome

#### 2. Reconciliation statement

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

#### 3. Prayer

A prayer was read by Father Vlad Sipovac of the Serbian Orthodox Church of St Sava.

#### 4. Apologies

Nil

#### 5. Presentations

1. Mackenzie Harrison (Ellis Ward) received \$200 as a contribution for being selected to participate in the Boys Athletic and Educational Tour 2018 in the UK.

Cr Peter Perkins introduced and made the presentation to Mackenzie. A photo was taken of the Mayor, Cr Peter Clarke, Cr Peter Perkins and Mackenzie.

2. Renee Mackenzie on behalf of Soothplayers presented a photo frame signed by the cast of Shakespeare's, The Dream to Cr Egan, and thanking Council for their support.

Cr Karen Egan introduced Renee, who thanked Council and made the presentation. A photo was taken of the Mayor, Cr Peter Clarke, Cr Karen Egan and Renee.

**6. Confirmation of minutes**

Confirmation of minutes of the Council Meeting held on Tuesday 27 March 2018.

**Council Resolution**

**MOVED: Cr Peter Perkins**

**SECONDED: Cr Bruce Ranken**

**That the minutes of the Council Meeting held on Tuesday 27 March 2018 be confirmed.**

**CARRIED**

**7. Disclosure of conflicts of interest**

Nil

**8. Petitions**

**PT.001/18**

A petition containing **10,000** signatures from the community opposing the sale of 17 community owned reserves in Nillumbik.

**Council Resolution**

**MOVED: Cr Bruce Ranken**

**SECONDED: Cr Karen Egan**

**That Council:**

- 1. Receives the petition signed by the community and others opposing the sale of 17 community reserves in Nillumbik.**
- 2. Considers the petition in conjunction with the 17 reports listed on the Agenda relating to the status reports on the proposed sale of land.**

**CARRIED**

**9. Questions from the gallery**

**Catherine Russell** asked Council:

The minutes of the Ordinary Council Meeting of 27 February 2018 show that the Mayor stated that there were just four redundancies during the organisational restructure which occurred last year. Given that an organisational restructure involves careful planning around employment expenses, please can Council;

Provide clarification as to what factors have caused it to exceed its budgeted expenditure on temporary/agency staff by \$483,862 in the financial year to March 2018.

Advise the number of redundancies in the current year? For the sake of clarity, please could it be confirmed as to whether the figures provided on 27 February, and any provided today, correspond to the calendar or financial year?

**Nerida Kirov** asked Council:

This is related to the quarter financial report;

1. Given that temporary /agency staff have been required to backfill vacancy positions resulting in \$483K over budget, why are salary and wages not well below budget only \$124K under budget? Noting \$124,150 of that amount is reflective of a reduction in the vehicle fleet?
2. Given that you have undertaken a significant organisational restructure, with a number of redundancies in the past 18 months, can you specify the number of people you have been able to redeploy versus those who have exited council staff?

**Chairperson, Mayor Peter Clarke responded to both Catherine Russell and Nerida Kirov:**

1. The variance to budget being referred to is captured under the expense category of external contracts, this variance is being driven by the engagement of temporary/ agency staff which have been engaged to fill positions which are vacant in the interim while permanent staff are recruited to the position. This approach has been taken to maintain service levels and ongoing delivery of Council projects. As the current vacant positions are filled it is anticipated that this expenditure will reduce.
2. As a result of the organisational restructure there were six redundancies which have been accounted for in the current financial year. The figures provided in reports to Council a reflective of the financial year being 1 July – 30 June.
3. The variance between the two line items cannot be directly linked, given the terms of engagement and timing of engagement of resources. This approach to engage temporary/agency staff has been taken to maintain service levels and ongoing delivery of Council projects. As the current vacant positions are filled it is anticipated that this expenditure will reduce.
4. As a result of the organisational restructure there were six redundancies which have been accounted for in the current financial year. The restructure resulted in movement into new Departments and, where possible, re-design of roles in order to retain skilled staff. Seeking the opportunity to re-deploy staff where their position was no longer sustainable formed part of this process. Some staff did not wish to be re-deployed and for others there were no suitable positions available.

**Colleen Hackett for Friends of Nillumbik asked Council:**

1. Friends of Nillumbik ask what is Council's strategy to minimize recyclables going to landfill and how is Council using its influence to help resolve the waste management crisis?
2. We note that as nearby Council has proposed a tree protection bond which is something Friends of Nillumbik has suggested in the past. With this in mind will Council please explain how fining of developers for inappropriate tree removal is progressing?

**Chairperson, Mayor Peter Clarke responded:**

1. Nillumbik Shire Council's current diversion rate of waste to landfill is 66% which is the highest of all Metro Councils. We have education programs in place to reduce the percentage of recoverable material in the red landfill bin.

With respect to the recycling issue, we are working directly with our recycling service provider on the matter. We are also part of a discussion with the broader local government sector, the Metropolitan Waste and Resource Recovery Group and Municipal Association of Victoria. Our recyclable material is still being sent to the provider's recycling sorting facility.

2. Issuing an infringement to a perpetrator is one option, however it is not the only option. It is not only developers that may undertake illegal vegetation removal or destruction, there is generally only limited number of individuals within the community that illegally remove vegetation for development advantage.

Where Council is aware of this, it has taken enforcement action. Each situation is considered on the facts and circumstances of the vegetation removal or destruction. Where a development advantage is potentially gained, in addition to issuing an infringement or seeking prosecution, planning decisions can also include on site replacement planting. Bonds are one mechanism to protect vegetation on development sites, however the Planning Scheme doesn't formally provide for this and VCAT has been known to remove bonds from development permits for this reason.

I wrote to the Minister for Planning on 11 April 2017 expressing Council's and resident concerns that the current planning system does not provide a sufficient deterrent for illegal tree removal. The reply was that they will not increase fines. Despite this, a recent prosecution by Council in the Magistrates Court resulted in a conviction and fine to a developer with previous convictions that was far less than the maximum penalty that could have been imposed.

**Natalie Duffy asked:**

On Wednesday 18 April 2018, Cr Clarke publicly stated the position of Nillumbik Council regarding reserves sales to the community, the Premier and a national news audience, as the spokesperson for Council, without the knowledge of other councillors, before the final Council Officer's report was published and the official vote has been taken. Cr Clarke heckled the Premier in the process.

1. Will Cr Clarke apologise tonight at this meeting for misleading the people of Nillumbik?

**Chairperson, Mayor Peter Clarke responded:**

The Position I stated on behalf of Council will be clarified by resolution tonight.

I only intervened after the Premiers conference was concluded and the Press had completed their questions.

I do not apologise for standing up for our local community which has resulted in:

1. Reinstatement of the full \$50m for the Growing Suburbs Fund.
2. An additional \$400,000 for Eltham Football and Cricket Club Pavilion for which I thanked the Government.

**Sharon Bonga asked Council:**

Regarding appropriate zoning of community space.

1. Will the Councillors commit to working towards community owned reserves throughout the Shire being zoned according to usage?
2. Many public reserves within the Shire are currently zoned GRZ1 General Residential Zone and would be changed to a more appropriate PPRZ Public Park Recreational Zone.
3. Do Councillors agree that the above is in the best interest of the community as a whole?

**Mayor Cr Peter Clarke responded:**

Council will be considering the matter you have raised tonight. This debate should answer your questions.



10. Reports of Advisory Committees

AC.003/18 Advisory Committee Report

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**File:** AC03/18

**Distribution:** Public

**Manager:** Blaga Naumoski, Executive Manager Governance

**Author:** Emma Christensen, 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:

- Economic Development Advisory Committee held on 21 February 2018.
- Activity Centres Urban Design Review – Project Reference Group held on 4 April 2018.
- Open Space Precinct Plan Graysharps Road, Hurstbridge Project Reference Group meeting held on 7 March 2018.

**Council Resolution**

**MOVED:** Cr Karen Egan

**SECONDED:** Cr Peter Perkins

**That Council notes the:**

1. Economic Development Advisory Committee meeting minutes held 21 February 2018.
2. Activity Centres Urban Design Review – Project Reference Group meeting minutes held on 4 April 2018.
3. Open Space Precinct Plan Graysharps Road, Hurstbridge Project Reference Group meeting minutes held on 7 March 2018.

**CARRIED**

**11. Reports of Special Committees**

Nil

12. Officers' reports

OCM.045/18 Draft Budget 2018 - 2019

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**File:**

**Distribution:** Public

**Manager:** Vince Lombardi, Manager Finance

**Author:** Robert Malignaggi, Management Accountant

**Summary**

This report presents the draft Budget for 2018-2019 for Council approval prior to exhibition for public consultation. The Budget provides resources for the ongoing delivery of Council services to the community, and for the development and maintenance of infrastructure throughout the shire.

Rates and charges

- The draft Budget proposes a 1.95 increase to the rate in dollar.
- No increase to the waste management charge.

Capital Works

- A range of major capital works projects have been identified through planning and community consultation. The draft Budget also provides significant resources to maintain and develop existing infrastructure.

Strategic Resource Plan

- In conjunction with the Council Plan, the Strategic Resource Plan has also been prepared for the next ten financial years.

**Council Resolution**

**MOVED:** Cr Peter Clarke

**SECONDED:** Cr Bruce Ranken

**That Council:**

1. **Adopts the draft 2018-2019 Budget for the purposes of Section 127 of the Local Government Act 1989.**
2. **Authorises the Chief Executive Officer to give public notice in accordance with sections 129 and 223 of the Local Government Act 1989 of Council's intention to adopt, at a Council meeting proposed to be held at 7.30 pm on 26 June 2018, the 2018-2019 Budget (Attachment 1) presented to this meeting.**
3. **Notes that any person who makes a written submission in relation to the draft 2018-2019 Budget and requests to be heard in support of the written submission, be heard at the Future Nillumbik Committee meeting to be held in the Council Chamber, Civic Centre, at 7.30 pm on 12 June 2018.**
4. **Authorises the Chief Executive Officer to undertake any and all administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act.**

**CARRIED**

## 12. Officers' report

### OCM.046/18 Status Report on the proposed sale of 18a Citriodora Court, Diamond Creek

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**Portfolio:** Officers' reports

**Distribution:** Public

**Manager:** Hjalmar Philipp, Director Sustainability and Place

**Author:** Jon Miller, Manager Assets and Property

#### Summary

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

The land located at 18a Citriodora Court, Diamond Creek is one of the 17 parcels of land that Councillors are proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Commence the necessary public notification process required under section 189 of the *Local Government Act 1989* (Act) and publicly advertise its intention to sell 18a Citriodora Court, Diamond Creek, comprising of Reserve 1 on Plan of Subdivision 326756Y being the land contained in Certificate of Title Volume 11371 Folio 309 be sold by private treaty to the adjoining land owner of 19 Citriodora Court, Diamond Creek. The sale of the land will be conditional upon Council removing the reserve status from the land. The sale of the land will also be subject to a condition that the purchaser enters into a section 173 agreement under the Planning and Environment Act 1987, which requires the purchaser to consolidate this land title with the purchaser's Adjoining Property known as 19 Citriodora Court, Diamond Creek, at the purchaser/s expense; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 100 public submissions that relate to the proposed sale of this specific parcel. Councillors received hard copies of each of the submissions made. Of the 100 submissions received, 97 (97%) were not supportive of the proposed sale, and 3 (3%) submissions were supportive of the proposed sale.

Council also received 322 general submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) were opposed to any of the proposed sales, and 8 (2.5%) were supportive of the sale of land to fund infrastructure projects.

Five Special Future Nillumbik Committee meetings were held for submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the final two meetings providing additional opportunities for submissions of a general nature or any person who had not been able to attend previous meetings.

12. Officers' reports

**OCM.046/18 Status Report on the proposed sale of 18a Citriodora Court, Diamond Creek**

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At these meetings three submitters spoke on behalf of their submission on the proposed sale of 18a Citriodora Court, Diamond Creek and 31 submitters spoke on behalf of their general land sales submission.

The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed sale of 18a Citriodora Court, Diamond Creek and consider the options provided.

**Recommendation**

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

**Council Resolution**

**MOVED: Cr John Dumaresq**

**SECONDED: Cr Karen Egan**

That Council:

1. **Note the status report prepared by officers.**
2. **Requests Officers to proceed with the sale of 18a Citriodora Court, Diamond Creek by private treaty to the owner of the adjoining property known as 19 Citriodora Court, Diamond Creek.**
3. **Authorises the Chief Executive Officer or his delegate to proceed with legal and planning processes to prepare the land for sale.**
4. **Authorises the Chief Executive or his delegate to sign the Contract of Sale and other documents relating to the sale of land.**
5. **Authorises that the transfer of land documents be signed and sealed.**
6. **Thanks all submitters and advises them of Council's decision on the matter following this meeting.**

**CARRIED UNANAMOUSLY**

## 12. Officers' report

### OCM.047/18 Status Report on the proposed sale of 4 Raglan Court, Research

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**Portfolio:** Officers' reports

**Distribution:** Public

**Manager:** Hjalmar Philipp, Director Sustainability and Place

**Author:** Jon Miller, Manager Assets and Property

#### Summary

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

The land located at 4 Raglan Court, Research, is one of the 17 parcels of land that Councillors are proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Commence the necessary public notification process required under section 189 of the *Local Government Act 1989* (Act) and publicly advertise its intention to sell 4 Raglan Court, Research, comprising of Reserve 1 on Plan of Subdivision 031238 being the land contained in Certificate of Title Volume 08533 Folio 201. The sale of the land will be conditional upon Council removing the reserve status from the land; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 126 public submissions that specifically relate to the proposed sale of this parcel. Councillors received hard copies of each of the submissions made. Of the 126 submissions received, 124 (rounded up to 98.4%) were not supportive of the proposed sale, and 2 (1.6%) submissions were supportive of the proposed sale.

Council also received 322 general submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) were opposed to any of the proposed sales, and 8 (2.5%) were supportive of the sale of land to fund infrastructure projects.

Five Special Future Nillumbik Committee meetings were held for submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for submissions of a general nature or any person who had not been able to attend previous meetings.

The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed sale of 4 Raglan Court, Research and consider the options provided.

12. Officers' reports

OCM.047/18 Status Report on the proposed sale of 4 Raglan Court, Research

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Recommendation

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

Council Resolution

**MOVED: Cr Jane Ashton**

**SECONDED: Cr Karen Egan**

That Council:

1. **Note the status report prepared by officers.**
2. **Council not proceed with the sale of the land at 4 Raglan Court, Research and request that officers proceed with planning processes to rezone the land to Public Park and Recreation.**
3. **Thanks all submitters and advises them of Council's decision on the matter following this meeting.**

**CARRIED**

*Cr Grant Brooker called for a division.*

*For: Cr Peter Perkins, Cr Bruce Ranken, Cr Jane Ashton, Cr Karen Egan, Mayor Peter Clarke and Cr John Dumaresq*

*Against: Cr Grant Brooker*

**12. Officers' report****OCM.048/18 Status Report on the proposed sale of 12 The Eyrie, Eltham**

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**Portfolio: Officers' reports****Distribution: Public****Manager: Hjalmar Philipp, Director Sustainability and Place****Author: Jon Miller, Manager Assets and Property****Summary**

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

The land located at 12 The Eyrie, Eltham, is one of those 17 parcels of land that Councillors are proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Commence the necessary public notification process required under section 189 of the *Local Government Act 1989* (Act) and publicly advertise its intention to sell 12 The Eyrie, Eltham, comprising of Reserve 2 on Plan of Subdivision 218858J being the land contained in Certificate of Title Volume 10072 Folio 102. The sale of the land will be conditional upon Council removing the reserve status from the land; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 213 public submissions that relate to the proposed sale of this specific parcel. Councillors received hard copies of each of the submission made. Of the 213 submissions received, 212 (99.5%) were not supportive of the proposed sale, and 1 (.5%) of submissions was supportive of the proposed sale.

Council also received 322 general submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) were opposed to any of the proposed sales, and 8 (2.5%) were supportive of the sale of land to fund infrastructure projects.

Five Special Future Nillumbik Committee meetings were held for submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for submissions of a general nature or any person who had not been able to attend previous meetings.

At these meetings 19 submitters spoke on behalf of their submission on the proposed sale of 12 The Eyrie, Eltham and 31 submitters spoke on behalf of their general land sales submission.

The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed sale of 12 The Eyrie, Eltham and consider the options provided.



12. Officers' reports

OCM.048/18 Status Report on the proposed sale of 12 The Eyrie, Eltham

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Recommendation

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

Council Resolution

**MOVED: Cr Bruce Ranken**

**SECONDED: Cr Peter Perkins**

That Council:

1. **Note the status report prepared by officers.**
2. **Council not proceed with the sale of the land at 12 The Eyrie, Eltham and request that officers proceed with planning processes to rezone the land to Public Park and Recreation.**
3. **Thanks all submitters and advises them of Council's decision on the matter following this meeting.**

**CARRIED UNANIMOUSLY**

## 12. Officers' report

### OCM.049/18 Status Report on the proposed sale of 46 Symon Crescent, Greensborough

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**Portfolio:** Officers' reports

**Distribution:** Public

**Manager:** Hjalmar Philipp, Director Sustainability and Place

**Author:** Jon Miller, Manager Assets and Property

#### Summary

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

The land located at 46 Symon Crescent, Greensborough, is one of the 17 parcels of land that Councillors are proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Commence the necessary public notification process required under section 189 of the *Local Government Act 1989 (Act)* and publicly advertise its intention to sell 46 Symon Crescent, Greensborough, comprising of Reserve 1 on Plan of Subdivision 337171S, being the land contained in Certificate of Title Volume 10260 Folio 575. The sale of the land will be conditional upon Council removing the reserve status from the land. The sale of the land will also be subject to a condition that the purchaser enters into a section 173 agreement under the *Planning and Environment Act 1987* that allows only a single dwelling on each lot if the land is subsequently subdivided; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 120 public submissions that relate to the proposed sale of this specific parcel. Councillors received hard copies of each of the submissions made. Of the 120 submissions received, 118 (rounded to 98%) were not supportive of the proposed sale, and 2 (2%) of submissions were supportive of the proposed sale.

Council also received 322 submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) are opposed to any of the proposed sales, and 8 (2.5%) are supportive of the sale of land to fund infrastructure projects.

Five Special Future Nillumbik Committee meetings were held for submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for submissions of a general nature or any person who had not been able to attend previous meetings.

12. Officers' reports

**OCM.049/18 Status Report on the proposed sale of 46 Symon Crescent, Greensborough**

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At these meetings 4 submitters spoke on behalf of their submission on the proposed sale of 46 Symon Crescent, Greensborough and 31 submitters spoke on behalf of their general land sales submission.

The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed sale of 46 Symon Crescent, Greensborough and consider the options provided.

**Recommendation**

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

**Motion**

MOVED: Cr Grant Brooker

SECONDED: Cr Peter Perkins

That Council:

1. Notes the status report by officers.
2. Requests officers to proceed with the sale of part of 46 Symon Crescent, Greensborough via expression of interest subject to:
  - a) A section 173 agreement in place to allow only one dwelling per lot on any future subdivision consistent with other residential properties in the area;
  - b) Subdividing the land and retaining the eastern portion of the land adjoining Patrick Close, Greensborough; and
  - c) The portion of land to be retained by Council will be incorporated as part of 35 Patrick Close, Greensborough and request officers proceed with planning processes to rezone to Public Park and Recreation Zone as depicted in the attached drawing.
3. Thanks all submitters and advises them of decision on the matter following this meeting.

THE MOTION WAS PUT AND LOST

12. Officers' reports

**OCM.049/18 Status Report on the proposed sale of 46 Symon Crescent, Greensborough**

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**Alternate Motion**

MOVED: Cr Bruce Ranken  
SECONDED: Cr John Dumaresq

That Council:

1. Note the status report prepared by officers.
2. Council not proceed with the sale of the land at 46 Symon Crescent, Greensborough and request that officers proceed with planning processes to rezone the land to Public Park and Recreation.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

THE ALTERNATE MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

**Council Resolution**

**Cr Bruce Ranken  
Cr John Dumaresq**

That Council:

1. **Note the status report prepared by officers.**
2. **Council not proceed with the sale of the land at 46 Symon Crescent, Greensborough and request that officers proceed with planning processes to rezone the land to Public Park and Recreation.**
3. **Thanks all submitters and advises them of Council's decision on the matter following this meeting.**

**CARRIED**

*Cr Grant Brooker called for a division.*

*For: Cr Bruce Ranken, Cr Jane Ashton, Cr Karen Egan, Cr John Dumaresq*

*Against: Cr Peter Perkins, Mayor Peter Clarke and Cr Grant Brooker*

## 12. Officers' report

### OCM.050/18 Status Report on the proposed road discontinuance and sale of 20A Henry Street, Eltham

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**Portfolio:** Officers' reports

**Distribution:** Public

**Manager:** Hjalmar Philipp, Director Sustainability and Place

**Author:** Jon Miller, Manager Assets and Property

#### Summary

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

The land located at 20A Henry Street, Eltham, is one of the 17 parcels of land that Councillors are proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Gives public notice of the proposed road discontinuance and sale of land under Section 206 and Schedule 10, Clause 3 of the *Local Government Act 1989 (Act)* of 20A Henry Street, Eltham, comprising of Road R2 on Plan of Subdivision LP9335 as Roseo Street and being part of the land contained in Certificate of Title Volume 11820 Folio 477; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 160 public submissions that relate to the proposed sale of this specific parcel. Councillors received hard copies of each of the submissions made. Of the 160 submissions received, 157 (rounded to 98%) were not supportive of the proposed sale, and 3 (2%) of submissions were supportive of the proposed sale.

Council also received 322 general submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) were opposed to any of the proposed sales, and 8 (2.5%) were supportive of the sale of land to fund infrastructure projects.

Five Special Future Nillumbik Committee meetings were held for those submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for those submissions of a general nature or any person who had not been able to attend previous meetings.

At these meetings 11 submitters spoke on behalf of their submission on the proposed sale of 20A Henry Street, Eltham and 31 submitters spoke on behalf of their general land sales submission.

The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed road discontinuance and sale of 20A Henry Street, Eltham and consider the options provided.

12. Officers' reports

**OCM.050/18 Status Report on the proposed road discontinuance and sale of 20A Henry Street, Eltham**

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**Recommendation**

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

**Council Resolution**

**MOVED: Cr Peter Clarke**

**SECONDED: Cr Karen Egan**

That Council:

1. **Note the status report prepared by officers.**
2. **Not proceed with the sale of the 20a Henry Street, Eltham and requests that officers proceed with the:**
  - a) **road discontinuance; and**
  - b) **planning process to rezone the land to Public Park and Recreation.**
3. **Thanks all submitters and advises them of Council's decision on the matter following this meeting.**

**CARRIED UNANIMOUSLY**

*Cr Jane Ashton temporarily left the meeting during discussion of the item at 8:58pm and returned at 9.03pm prior to the vote.*

12. Officers' report

OCM.051/18 Status Report on the proposed sale of 34 Glen Park Road, Eltham North

**Portfolio:** Officers' reports

**Distribution:** Public

**Manager:** Hjalmar Philipp, Director Sustainability and Place

**Author:** Jon Miller, Manager Assets and Property

**Summary**

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

Part of the land located at 34 Glen Park Road, Eltham North was one of those 17 parcels. that Councillors are proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Commence the necessary public notification process required under section 189 of the *Local Government Act 1989* (Act) and publicly advertise its intention to sell that part of 34 Glen Park Road, Eltham North (approximately 1,002 sqm) shown as Lot 1 on proposed Plan of Subdivision no. PS 813392W prepared by Lawlor and Loy P/L in **Attachment 2**, comprising part of the land contained in Certificate of Title Volume 9010 Folio 263; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 200 public submissions that specifically relate to the proposed sale of this parcel. Councillors received hard copies of each of the submissions made. Of the 200 submissions received, 100 (rounded to 99%) were not supportive of the proposed sale, and 1 (1%) submission was supportive of the proposed sale.

Council also received 322 submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) were opposed to any of the proposed sales, and 8 (2.5%) were supportive of the sale of land to fund infrastructure projects.

Five Special Future Nillumbik Committee meetings were held for submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for submissions of a general nature or any person who had not been able to attend previous meetings.

At these meetings 19 submitters spoke on behalf of their submission on the proposed sale of 34 Glen Park Road, Eltham North and 31 submitters spoke on behalf of their general land sales submission.

**12. Officers' reports**

**OCM.051/18 Status Report on the proposed sale of 34 Glen Park Road, Eltham North**

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The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed sale of part of 34 Glen Park Road, Eltham North and consider the options provided.

**Recommendation**

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

**Council Resolution**

**MOVED: Cr John Dumaresq**

**SECONDED: Cr Karen Egan**

That Council:

1. **Note the status report prepared by officers.**
2. **Council not proceed with the sale of the land at 34 Glen Park Road, Eltham North and request that officers proceed with planning processes to rezone the land to Public Park and Recreation.**
3. **Thanks all submitters and advises them of Council's decision on the matter following this meeting.**

**CARRIED UNANIMOUSLY**



## 12. Officers' report

### OCM.052/18 Status Report on the proposed road discontinuance and sale of 34 Raglan Road, Research

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**Portfolio:** Officers' reports

**Distribution:** Public

**Manager:** Hjalmar Philipp, Director Sustainability and Place

**Author:** Jon Miller, Manager Assets and Property

#### Summary

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

The land located at 34 Raglan Road, Research, is one of the 17 parcels of land that Councillors are proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Gives public notice of the proposed road discontinuance and sale of land under Section 206 and Schedule 10, Clause 3 of the *Local Government Act 1989 (Act)* of 34 Raglan Road, Research, shown on Plan of Subdivision LP31238 as Doney Road and being part of the land contained in Certificate of Title Volume 6917 Folio 340; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 153 public submissions that specifically relate to the proposed sale of this parcel. Councillors received hard copies of each of the submissions made. Of the 153 submissions received, 149 (rounded to 97.4%) were not supportive of the proposed sale, and 4 (2.6%) submissions were supportive of the proposed sale.

Council also received 322 general submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) are opposed to any of the proposed sales, and 8 (2.5%) are supportive of the sale of land to fund infrastructure projects.

Five Special Future Nillumbik Committee meetings were held for those submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for those submissions of a general nature or any person who had not been able to attend previous meetings.

At these meetings 17 submitters spoke on behalf of their submission on the proposed sale of 34 Raglan Road, Research and 31 submitters spoke on behalf of their general land sales submission.

The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed road discontinuance and sale of 34 Raglan Road, Research and consider the options provided.

12. Officers' reports

**OCM.052/18 Status Report on the proposed road discontinuance and sale of 34 Raglan Road, Research**

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**Recommendation**

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

**Council Resolution**

**MOVED: Cr Jane Ashton**

**SECONDED: Cr Bruce Ranken**

That Council:

1. **Note the status report prepared by officers.**
2. **Not proceed with the sale of the 34 Raglan Road, Research and requests that officers proceed with the:**
  - a) **road discontinuance; and**
  - b) **planning process to rezone the land to Public Park and Recreation.**
3. **Thanks all submitters and advises them of Council's decision on the matter following this meeting.**

**CARRIED UNANAMOUSLY**

12. Officers' report

OCM.053/18 Status Report on the proposed sale of 251 - 259 Yan Yean Road, Plenty

**Portfolio:** Officers' reports

**Distribution:** Public

**Manager:** Hjalmar Philipp, Director Sustainability and Place

**Author:** Jon Miller, Manager Assets and Property

**Summary**

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

Part of the land located at 251-259 Yan Yean Road, Plenty, is one of the 17 parcels of land that Councillors to proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Commence the necessary public notification process required under section 189 of the *Local Government Act 1989* (Act) and publicly advertise its intention to sell part of 251-259 Yan Yean Road, Plenty shown as Lot 246 on survey plan no. SP23502 registered in dealing no. AN956089N (shown in **Attachment 2**), (being a parcel of approximately 1,917 sqm remaining following VicRoads' land acquisition), comprising part of the land formerly known as Lot 1 on Title Plan 336376Q and contained in Certificate of Title Volume 8055 Folio 980; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 107 public submissions that relate to the proposed sale of this specific parcel. Councillors received hard copies of each of the submissions made. Of the 107 submissions received, 100 (93.5%) were not supportive of the proposed sale, and 7 (6.5%) submission were supportive of the proposed sale.

Council also received 322 general submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) were opposed to any of the proposed sales, and 8 (2.5%) were supportive of the sale of land to fund infrastructure projects.

Five Special Future Nillumbik Committee meetings were held for those submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for those submissions of a general nature or any person who had not been able to attend previous meetings.

At these meetings 1 submitter spoke on behalf of their submission on the proposed sale of part of 251-259 Yan Yean Road, Plenty and 31 submitters spoke on behalf of their general land sales submission.

12. Officers' reports

**OCM.053/18 Status Report on the proposed sale of 251 - 259 Yan Yean Road, Plenty**

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The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed sale of 251-259 Yan Yean Road, Plenty and consider the options provided.

**Recommendation**

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

**Council Resolution**

**MOVED: Cr Grant Brooker**

**SECONDED: Cr Jane Ashton**

That Council:

1. **Note the status report prepared by officers.**
2. **Requests officers to proceed with the sale of part of 251-259 Yan Yean Road, Plenty via expression of interest.**
3. **Authorises the Chief Executive or his delegate to sign the Contract of Sale and other documents relating to the sale of land.**
4. **Authorises that the transfer of land documents be signed and sealed.**
5. **Thanks all submitters and advises them of Council's decision on the matter following this meeting.**

**CARRIED**

*Cr Grant Brooker called for a division.*

*For: Cr Peter Perkins, Cr Jane Ashton, Cr Karen Egan, Cr Grant Brooker and Mayor Peter Clarke*

*Against: Cr Bruce Ranken, and Cr John Dumaresq*

## 12. Officers' report

### OCM.054/18 Status Report on the proposed sale of 60 David Hockney Drive, Diamond Creek

**Portfolio:** Officers' reports

**Distribution:** Public

**Manager:** Hjalmar Philipp, Director Sustainability and Place

**Author:** Jon Miller, Manager Assets and Property

#### Summary

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

The land located at 60 David Hockney Drive, Diamond Creek, is one of the 17 parcels of land that Councillors are proposing to sell. It is depicted in **Attachment 1**.

At 30 January 2018 OCM, Councillors resolved to:

- Commence the necessary public notification process required under section 189 of the *Local Government Act 1989 (Act)* and publicly advertise its intention to sell 60 David Hockney Drive, Diamond Creek, comprising of Reserve 1 on Plan of Subdivision 414298N being the land contained in Certificate of Title Volume 11371 Folio 361 and Reserve 2 on Plan of Subdivision 421549Y being the land contained in Certificate of Title Volume 11371 Folio 370. The sale of the land will be conditional upon Council removing the reserve status from the land; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 118 public submissions that relate to the proposed sale of this specific parcel. Councillors received hard copies of each of the submissions made. Of the 118 submissions received, 115 (97.5%) were not supportive of the proposed sale, and 3 (2.5%) submissions were supportive of the proposed sale.

Council also received 322 submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) are opposed to any of the proposed sales, and 8 (2.5%) are supportive of the sale of land to fund infrastructure projects.

At these meetings 6 submitters spoke on behalf of their submission on the proposed sale of 60 David Hockney Drive, Diamond Creek and 31 submitters spoke on behalf of their general land sales submission.

Five Special Future Nillumbik Committee meetings were held for submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for submissions of a general nature or any person who had not been able to attend previous meetings.

12. Officers' reports

**OCM.054/18 Status Report on the proposed sale of 60 David Hockney Drive, Diamond Creek**

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The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed sale of 60 David Hockney Drive, Diamond Creek consider the options provided.

Recommendation

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

Motion

MOVED: Cr John Dumaresq

SECONDED: Cr Peter Perkins

That Council:

1. Note the status report prepared by officers.
2. Council not proceed with the sale of the land at 60 David Hockney Drive, Diamond Creek and request that officers proceed with planning processes to rezone the land to Public Park and Recreation.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

*The seconder of the motion Cr Peter Perkins proposed that an additional recommendation be added as follows:*

3. Request officers to plant a minimum of 10 canopy trees on this site.

Amended Motion

That Council:

1. Note the status report prepared by officers.
2. Council not proceed with the sale of the land at 60 David Hockney Drive, Diamond Creek and request that officers proceed with planning processes to rezone the land to Public Park and Recreation.
3. Request officers to plant a minimum of 10 canopy trees on this site.
4. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

*This was accepted by cr john dumaresq.*

THE AMENDED MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

12. Officers' reports

OCM.054/18 Status Report on the proposed sale of 60 David Hockney Drive,  
Diamond Creek

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**Council Resolution**

**MOVED:** Cr John Dumaresq

**SECONDED:** Cr Peter Perkins

**That Council:**

1. Note the status report prepared by officers.
2. Council not proceed with the sale of the land at 60 David Hockney Drive, Diamond Creek and request that officers proceed with planning processes to rezone the land to Public Park and Recreation.
3. Request officers to plant a minimum of 10 canopy trees on this site.
4. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

**CARRIED**

*Cr Grant Brooker called for a division.*

*For: Cr Peter Perkins, Cr Bruce Ranken, Cr Jane Ashton, Cr Karen Egan, Cr John Dumaresq and Mayor Peter Clarke*

*Against: Cr Grant Brooker*

*The meeting was temporarily adjourned at 9.39pm and resumed at 9.43pm.*

*Cr Bruce Rankin returned at 9.44pm.*

## 12. Officers' report

### OCM.055/18 Status Report on the proposed sale of 26 Renshaw Drive, Eltham

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**Portfolio:** Officers' reports

**Distribution:** Public

**Manager:** Hjalmar Philipp, Director Sustainability and Place

**Author:** Jon Miller, Manager Assets and Property

#### Summary

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

The land located at 26 Renshaw Drive, Eltham, is one of the 17 parcels of land that Councillors are proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Commence the necessary public notification process required under section 189 of the *Local Government Act 1989* (Act) and publicly advertise its intention to sell 26 Renshaw Drive, Eltham, comprising of Reserve 1 on Plan of Subdivision 114619 being the land contained within Certificate Volume 09325 Folio 281 and Reserve 2 on Plan of Subdivision 086304 being the land contained within Certificate of Title Volume 08967 Folio 320. The sale of the land will be conditional upon Council removing the reserve status from the land; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 178 public submissions that relate to the proposed sale of this specific parcel. Councillors received hard copies of each of the submissions made. Of the 178 submissions received, 176 (rounded to 98.9%) were not supportive of the proposed sale, and 2 (1.1%) submissions were supportive of the proposed sale.

Council also received 322 submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) are opposed to any of the proposed sales, and 8 (2.5%) are supportive of the sale of land to fund infrastructure projects.

Five Special Future Nillumbik Committee meetings were held for submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for submissions of a general nature or any person who had not been able to attend previous meetings.

At these meetings 10 submitters spoke on behalf of their submission on the proposed sale of 26 Renshaw Drive, Eltham and 31 submitters spoke on behalf of their general land sales submission.



12. Officers' reports

**OCM.055/18 Status Report on the proposed sale of 26 Renshaw Drive, Eltham**

---

The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed sale of 26 Renshaw Drive, Eltham and consider the options provided.

**Recommendation**

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting

**Council Resolution**

**MOVER: Cr Karen Egan**  
**SECONDER: Cr Bruce Ranken**

That Council:

1. **Note the status report prepared by officers.**
2. **Council not proceed with the sale of the land at 26 Renshaw Drive, Eltham and request that officers proceed with planning processes to rezone the land to Public Park and Recreation.**
3. **Thanks all submitters and advises them of Council's decision on the matter following this meeting.**

**CARRIED**

*Cr Grant Brooker called for a division.*

*For: Cr Peter Perkins, Cr Bruce Ranken, Cr Jane Ashton, Cr Karen Egan, Cr John Dumaresq and Mayor Peter Clarke*

*Against: Cr Grant Brooker*

**12. Officers' report****OCM.056/18 Status Report on the proposed sale of 120 Arthur Street, Eltham**

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**Portfolio: Officers' reports****Distribution: Public****Manager: Hjalmar Philipp, Director Sustainability and Place****Author: Jon Miller, Manager Assets and Property****Summary**

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

The land located at 120 Arthur Street, Eltham, is one of the 17 parcels of land that Councillors are proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Commence the necessary public notification process required under section 189 of the *Local Government Act 1989 (Act)* and publicly advertise its intention to sell 120 Arthur Street, Eltham, comprising of Reserve 1 on Plan of Subdivision 097424 being the land contained in Certificate of Title 09168 Folio 411. The sale of the land will be conditional upon Council removing the reserve status from the land. The sale of the land will be subject to a condition that the purchaser enters into a section 173 agreement under the *Planning and Environment Act 1987* that will protect significant existing trees on the land; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 221 public submissions that relate to the proposed sale of this specific parcel. Councillors received hard copies of each of the submissions made. Of the 221 submissions received, 218 (98.6%) were not supportive of the proposed sale, and 3 (1.4%) submissions were supportive of the proposed sale.

Council also received 322 submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) were opposed to any of the proposed sales, and 8 (2.5%) were supportive of the sale of land to fund infrastructure projects.

Five Special Future Nillumbik Committee meetings were held for submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for submissions of a general nature or any person who had not been able to attend previous meetings.

At these meetings 13 submitters spoke on behalf of their submission on the proposed sale of 120 Arthur Street, Eltham and 31 submitters spoke on behalf of their general land sales submission.

12. Officers' reports

**OCM.056/18 Status Report on the proposed sale of 120 Arthur Street, Eltham**

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The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed sale of 120 Arthur Street, Eltham and consider the options provided.

**Recommendation**

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

**Council Resolution**

**MOVED: Cr Peter Clarke**

**SECONDED: Cr Karen Egan**

That Council:

1. **Note the status report prepared by officers.**
2. **Council not proceed with the sale of the land at 120 Arthur Street, Eltham and request that officers proceed with planning processes to rezone the land to Public Park and Recreation.**
3. **Thanks all submitters and advises them of Council's decision on the matter following this meeting.**

**CARRIED UNANAMOUSLY**

**12. Officers' report****OCM.057/18 Status Report on the proposed sale of 17a Ruskin Court, Eltham**

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**Portfolio: Officers' reports****Distribution: Public****Manager: Hjalmar Philipp, Director Sustainability and Place****Author: Jon Miller, Manager Assets and Property****Summary**

At the Ordinary Council Meeting, on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

The land located at 17A Ruskin Court, Eltham is one of the 17 parcels of land that Councillors are proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Commence the necessary public notification process required under section 189 of the *Local Government Act 1989* (Act) and publicly advertise its intention to sell 17A Ruskin Court, Eltham (on title as 120 Arthur Street, Eltham), comprising of Reserve 1 on Plan of Subdivision 096223 being the land contained in Certificate of Title Volume 09168 Folio 410. The sale of the land will be conditional upon Council removing the reserve status from the land; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 166 public submissions that specifically relate to the proposed sale of this parcel. Councillors received hard copies of each of the submissions made. Of the 166 submissions received, 164 (rounded to 99%) were not supportive of the proposed sale, and 2 (1%) submissions were supportive of the proposed sale.

Council also received 322 submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) were opposed to any of the proposed sales, and 8 (2.5%) were supportive of the sale of land to fund infrastructure projects.

Five Special Future Nillumbik Committee meetings were held for submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for submissions of a general nature or any person who had not been able to attend previous meetings.

At these meetings 10 submitters spoke on behalf of their submission on the proposed sale of 17a Ruskin Court, Eltham and 31 submitters spoke on behalf of their general land sales submission.

The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed sale of 17A Ruskin Court, Eltham and consider the options provided.

12. Officers' reports

OCM.057/18 Status Report on the proposed sale of 17a Ruskin Court, Eltham

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**Recommendation**

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

**Council Resolution**

**MOVED: Cr Peter Clarke**

**SECONDED: Cr Karen Egan**

That Council:

1. **Note the status report prepared by officers.**
2. **Council not proceed with the sale of the land at 17a Ruskin Court, Eltham and request that officers proceed with planning processes to rezone the land to Public Park and Recreation.**
3. **Thanks all submitters and advises them of Council's decision on the matter following this meeting.**

**CARRIED UNANIMOUSLY**

**12. Officers' report****OCM.058/18 Status Report on the proposed sale of 1307 Main Road, Eltham**

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**Portfolio: Officers' reports****Distribution: Public****Manager: Hjalmar Philipp, Director Sustainability and Place****Author: Jon Miller, Manager Assets and Property****Summary**

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

The land located at 1307 Main Road, Eltham is one of the 17 parcels of land that Councillors are proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Commences the necessary public notification process required under section 189 of the *Local Government Act 1989* (Act) and publicly advertise Council's intention to sell 1307 Main Road, Eltham, comprising of Reserve 1 on Plan of Subdivision 213452R, being the land contained in Certificate of Title Volume 9879 Folio 829 and Reserve 2 on Plan of Subdivision 134133, being the land contained within Certificate of Title Volume 09434 Folio 620 with the sale being conditional upon removing the reserve status and rezoning of the land; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 186 public submissions that relate to the proposed sale of this specific parcel. Councillors received hard copies of each of the submissions made. Of the 186 submissions received, 182 (rounded to 98%) were not supportive of the proposed sale, and 4 (2%) submissions were supportive of the proposed sale.

Council also received 322 general submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) were opposed to any of the proposed sales, and 8 (2.5%) were supportive of the sale of land to fund infrastructure projects.

Five Special Future Nillumbik Committee meetings were held for submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for submissions of a general nature or any person who had not been able to attend previous meetings.

At these meetings 14 submitters spoke on behalf of their submission on the proposed sale of 1307 Main Road, Eltham and 31 submitters spoke on behalf of their general land sales submission.

**12. Officers' reports**

**OCM.058/18 Status Report on the proposed sale of 1307 Main Road, Eltham**

---

The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed sale of 1307 Main Road, Eltham and consider the options provided.

**Recommendation**

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

**Council Resolution**

**MOVED: Cr Bruce Ranken**

**SECONDED: Cr Grant Brooker**

**That Council:**

1. **Note the status report prepared by officers.**
2. **Council not proceed with the sale of the land at 1307 Main Road, Eltham.**
3. **Thanks all submitters and advises them of Council's decision on the matter following this meeting.**

**CARRIED UNANIMOUSLY**

12. Officers' report

**OCM.059/18 Status Report on the proposed sale of 8-9 Cosham Court, Greensborough**

**Portfolio: Officers' reports**

**Distribution: Public**

**Manager: Hjalmar Philipp, Director Sustainability and Place**

**Author: Jon Miller, Manager Assets and Property**

**Summary**

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

The land located at sell 8-9 Cosham Court, Greensborough, is one of the 17 parcels of land that Councillors are proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Commence the necessary public notification process required under section 189 of the *Local Government Act 1989 (Act)* and publicly advertise its intention to sell 8-9 Cosham Court, Greensborough, comprising of Reserve 1 on Plan of Subdivision 212411M being the land contained in Certificate of Title Volume 09880 Folio 853 and Lot C Plan on Subdivision 211669A being the land contained within Certificate of Title Volume 09844 Folio 182. The sale of the land will be conditional upon Council removing the reserve status from the land; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 134 public submissions that relate to the proposed sale of this specific parcel. Councillors received hard copies of each of the submissions made. Of the 134 submissions received, all were not supportive of the proposed sale.

Council also received 322 submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) were opposed to any of the proposed sales, and 8 (2.5%) were supportive of the sale of land to fund infrastructure projects.

Five Special Future Nillumbik Committee meetings were held for submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for submissions of a general nature or any person who had not been able to attend previous meetings.

At these meetings 10 submitters spoke on behalf of their submission on the proposed sale of 8-9 Cosham Court, Greensborough and 31 submitters spoke on behalf of their general land sales submission.



12. Officers' reports

**OCM.059/18 Status Report on the proposed sale of 8-9 Cosham Court, Greensborough**

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The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed sale of 8-9 Cosham Court, Greensborough and consider the options provided.

**Recommendation**

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

**Council Resolution**

**MOVED: Cr Grant Brooker**

**SECONDED: Cr Karen Egan**

That Council:

1. **Note the status report prepared by officers.**
2. **Council not proceed with the sale of the land at 8-9 Cosham Court, Greensborough and request that officers proceed with planning processes to rezone the land to Public Park and Recreation.**
3. **Thanks all submitters and advises them of Council's decision on the matter following this meeting.**

**CARRIED UNANIMOUSLY**

12. Officers' report

**OCM.060/18 Status Report on the proposed sale of 14 Ripon Close, Diamond Creek**

**Portfolio:** Officers' reports

**Distribution:** Public

**Manager:** Hjalmar Philipp, Director Sustainability and Place

**Author:** Jon Miller, Manager Assets and Property

**Summary**

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

The land located at 14 Ripon Close, Diamond Creek is one of the 17 parcels of land that Councillors are proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Commence the necessary public notification process required under section 189 of the *Local Government Act 1989* (Act) and publicly advertise its intention to sell 14 Ripon Close, Diamond Creek (on title as 21-29 Everleigh Drive, Diamond Creek) comprising of Lot 63 on Plan of Subdivision 115979 being the land contained in Certificate of Title Volume 09229 Folio 535. The sale of the land will be subject to a condition that the purchaser enters into a section 173 agreement under the Planning and Environment Act 1987 that allows only a single dwelling, up to two levels, to be constructed on the land; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 120 public submissions that relate to the proposed sale of this specific parcel. Councillors received hard copies of each of the submissions made. Of the 120 submissions received, 116 (rounded to 97%) were not supportive of the proposed sale, and 4 (3%) submission were supportive of the proposed sale.

Council also received 322 general submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) were opposed to any of the proposed sales, and 8 (2.5%) were supportive of the sale of land to fund infrastructure projects.

Five Special Future Nillumbik Committee meetings were held for submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for submissions of a general nature or any person who had not been able to attend previous meetings.

At these meetings 7 submitters spoke on behalf of their submission on the proposed sale of 14 Ripon Close, Diamond Creek and 31 submitters spoke on behalf of their general land sales submission.

12. Officers' reports

**OCM.060/18 Status Report on the proposed sale of 14 Ripon Close, Diamond Creek**

---

The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed sale of 14 Ripon Close, Diamond Creek and consider the options provided.

Recommendation

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

Motion

MOVED: Cr Peter Perkins

SECONDED: Cr Bruce Ranken

That Council:

1. Note the status report prepared by officers.
2. Council not proceed with the sale of the land at 14 Ripon Close, Diamond Creek and request that officers proceed with planning processes to rezone the land to Public Park and Recreation.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

*The mover of the Motion Cr Peter Perkins proposed that an additional recommendation which was accepted by the seconder be added as follows:*

3. Request officers to plant a minimum of 15 canopy trees on this site.

Alternate Motion

MOVED: Cr Peter Perkins

SECONDED: Cr Bruce Ranken

That Council:

1. Note the status report prepared by officers.
2. Council not proceed with the sale of the land at 14 Ripon Close, Diamond Creek and request that officers proceed with planning processes to rezone the land to Public Park and Recreation.
3. Request officers to plant a minimum of 15 canopy trees on this site.
4. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

THE ALTERNATE MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

12. Officers' reports

OCM.060/18 Status Report on the proposed sale of 14 Ripon Close, Diamond Creek

---

**Council Resolution**

**MOVED:** Cr Peter Perkins

**SECONDED:** Cr Bruce Ranken

**That Council:**

1. Note the status report prepared by officers.
2. Council not proceed with the sale of the land at 14 Ripon Close, Diamond Creek and request that officers proceed with planning processes to rezone the land to Public Park and Recreation.
3. Request officers to plant a minimum of 15 canopy trees on this site.
4. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

**CARRIED**

*Cr Grant Brooker called for a division.*

*For: Cr Peter Perkins, Cr Bruce Ranken, Cr Jane Ashton, Cr Karen Egan, Cr John Dumaresq and Mayor Peter Clarke*

*Against: Cr Grant Brooker*

12. Officers' report

OCM.061/18 Status Report on the proposed sale of 62 Frank Street, Eltham

---

**Portfolio:** Officers' reports

**Distribution:** Public

**Manager:** Hjalmar Philipp, Director Sustainability and Place

**Author:** Jon Miller, Manager Assets and Property

**Summary**

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

The land located at 62 Frank Street, Eltham, is one of the 17 parcels of land that Councillors are proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Commences the necessary public notification process required under section 189 of the *Local Government Act 1989* (Act) and publicly advertise Council's intention to sell 62 Frank Street, Eltham, comprising of Reserve 2 on Plan of Subdivision 120103 being the land contained in Certificate of Title Volume 9350 Folio 020 with the sale being conditional upon removing the reserve status and rezoning of the land; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 294 public submissions that relate to the proposed sale of this specific parcel. Councillors received hard copies of each of the submissions made. Of the 294 submissions received, 293 (99.7%) were not supportive of the proposed sale, and 1 (.3%) submission was supportive of the proposed sale.

Council also received 322 general submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) were opposed to any of the proposed sales, and 8 (2.5%) were supportive of the sale of land to fund infrastructure projects.

Five Special Future Nillumbik Committee meetings were held for submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for submissions of a general nature or any person who had not been able to attend previous meetings.

At these meetings 31 submitters spoke on behalf of their submission on the proposed sale of 62 Frank Street, Eltham and 31 submitters spoke on behalf of their general land sales submission.

The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed sale of 62 Frank Street, Eltham and consider the options provided.

12. Officers' reports

OCM.061/18 Status Report on the proposed sale of 62 Frank Street, Eltham

---

Recommendation

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

Council Resolution

**MOVED: Cr Bruce Ranken**

**SECONDED: Cr Grant Brooker**

That Council:

1. **Note the status report prepared by officers.**
2. **Council not proceed with the sale of the land at 62 Frank Street, Eltham.**
3. **Thanks all submitters and advises them of Council's decision on the matter following this meeting.**

**CARRIED UNANIMOUSLY**

## 12. Officers' report

### OCM.062/18 Status Report on the proposed sale of 303 Plenty River Drive, Greensborough

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**Portfolio:** Officers' reports

**Distribution:** Public

**Manager:** Hjalmar Philipp, Director Sustainability and Place

**Author:** Jon Miller, Manager Assets and Property

#### Summary

At the Ordinary Council Meeting, held on 30 January 2018, Councillors considered the details of 17 parcels of Council owned land that are being proposed for future sale, in order to fund construction of various new sporting pavilions, upgrades to a number of existing sporting pavilions and to acquire 19 hectares (approx) of private land to facilitate the extension to the Diamond Creek Trail, from Diamond Creek to Hurstbridge.

The land located at 303 Plenty River Drive, Greensborough is one of the 17 parcels of land that Councillors are proposing to sell. It is depicted in **Attachment 1**.

Councillors resolved to:

- Commence the necessary public notification process required under section 189 of the *Local Government Act 1989* (Act) and publicly advertise its intention to sell 303 Plenty River Drive, Greensborough comprising of Reserve 2 on Plan of Subdivision 121686 being the land contained in Certificate of Title Volume 09491 Folio 629 be sold by private treaty to the adjoining childcare centre operator. The sale of the land will be conditional upon Council removing the reserve status from the land. The sale of the land will also be subject to a condition that the purchaser enters into a section 173 agreement under the *Planning and Environment Act 1987* which requires the purchaser to:
  - consolidate this land title with the title to the purchaser's Adjoining Property known as 299-301 Plenty River Drive, Greensborough at the purchaser/s expense; and
  - only use the land for the childcare purposes; and
- In accordance with section 223 of the Act, consider any submissions on the proposed sale at a Special Committee of Council meeting, prior to making any final decision on whether to proceed with the sale of the land.

In response to publicly advertising its intention to sell the 17 parcels of land, Council received 95 public submissions that relate to the proposed sale of this specific parcel. Councillors received hard copies of each of the submissions made. Of the 95 submissions received, 92 (rounded to 97%) were not supportive of the proposed sale, and 3 (3%) submissions were supportive of the proposed sale.

Council also received 322 general submissions that contain commentary and opinion on the land sales program as a whole, but not specifically linked to the proposed sale of any particular parcel. Of these submissions, 314 (97.5%) were opposed to any of the proposed sales, and 8 (2.5%) are supportive of the sale of land to fund infrastructure projects.

At these meetings no submitters spoke on behalf of their submission on the proposed sale of 303 Plenty River Drive, Greensborough and 31 submitters spoke on behalf of their general land sales submission.

12. Officers' reports

**OCM.062/18 Status Report on the proposed sale of 303 Plenty River Drive, Greensborough**

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Five Special Future Nillumbik Committee meetings were held for submitters who wished to speak on behalf of their submission. Meetings were allocated to hear submitters for specific properties, with the two last meetings providing additional opportunities for submissions of a general nature or any person who had not been able to attend previous meetings.

The purpose of this meeting (1 May 2018) is for Councillors to review the status report prepared by officers on the proposed sale of 303 Plenty River Drive, Greensborough and consider the options provided.

**Recommendation**

That Council:

1. Note the status report prepared by officers.
2. Considers and decides on one of the options outlined by officers in this status report.
3. Thanks all submitters and advises them of Council's decision on the matter following this meeting.

**Council Resolution**

**MOVED: Cr Grant Brooker**

**SECONDED: Cr Karen Egan**

That Council:

1. **Note the status report prepared by officers.**
2. **Requests Officers to proceed with the sale of 303 Plenty River Drive, Greensborough by private treaty to the property owner and operator of the adjoining childcare facility at 299-301 Plenty River Drive, Greensborough.**
3. **Authorises the Chief Executive Officer or his delegate to proceed with legal and planning processes to prepare the land for sale.**
4. **Authorises the Chief Executive or his delegate to sign the Contract of Sale and other documents relating to the sale of land.**
5. **Authorises that the transfer of land documents be signed and sealed.**
6. **Thanks all submitters and advises them of Council's decision on the matter following this meeting.**

**CARRIED UNANIMOUSLY**



12. Officers' reports

OCM.063/18 Assemblies of Councillors

**File:** 10/30/002

**Distribution:** Public

**Manager:** Mark Stoermer, Chief Executive Officer

**Author:** Blaga Naumoski, Executive Manager Governance

**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 27 March 2018.

**Council Resolution**

**MOVED:** Cr Karen Egan

**SECONDED:** Cr Grant Brooker

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

<b>Date of assembly</b>	<b>Pre-meet to discuss Ordinary Council Meeting - 27 March 2018</b>	
<b>Matters considered</b>	<ul style="list-style-type: none"> <li>Informal discussion on items listed on the agenda</li> </ul>	
<b>Councillors present</b>	Cr Karen Egan Cr John Dumaresq Cr Jane Ashton	Cr Grant Brooker Cr Peter Perkins Cr Bruce Ranken
<b>Staff present</b>	Mark Stoermer Matt Kelleher Hjalmar Philipp Adrian Cully Blaga Naumoski Vince Lombardi Nicole Johnson Melanie Porqueddu Naomi Paton	Jeff Lawler Frances Duncan Rebecca Burton James Martin Matt Deayton Lance Clark Suzy Ellingsen (arrived at 5.25pm) Jeremy Livingston (arrived at 6.35pm)
<b>Conflict of interest</b>	None declared	

<b>Date of assembly</b>	<b>Officer Briefing of Councillors – 3 April 2018</b>	
<b>Matters considered</b>	<ul style="list-style-type: none"> <li>Nillumbik Mudbrick</li> <li>State Government Sports Infrastructure Fund</li> <li>Open Space Precinct Plan</li> </ul>	
<b>Councillors present</b>	Cr Karen Egan Cr John Dumaresq	Cr Grant Brooker Cr Peter Perkins

12. Officers' reports

OCM.063/18 Assemblies of Councillors

	Cr Jane Ashton	Cr Bruce Ranken
<b>Staff present</b>	Mark Stoermer Matt Kelleher Hjalmar Philipp Adrian Cully Michelle	Blaga Naumoski Vince Lombardi Mitch Grayson Paige McDonald Melanie Holt
<b>Others</b>	Michael Young Barry Pearce Robin Bliem	Keryn Herriman Craig Byatt Jane Hanson – Keddie Partnerships
<b>Conflict of interest</b>	None declared	
<b>Comments</b>	Cr Dumaresq noted that he previously worked with Michael Young however there was no conflict disclosed on this matter.	

<b>Date of assembly</b>	<b>Project Reference Group for the Activity Centres Urban Design Review – 4 April 2018</b>	
<b>Matters considered</b>	<ul style="list-style-type: none"> <li>• Introductions</li> <li>• Members expectations</li> <li>• Procedural matters</li> <li>• Context for the review</li> <li>• Design elements for Eltham and Diamond Creek</li> </ul>	
<b>Councillors present</b>	Cr Peter Clarke	Cr Peter Perkins
<b>Staff present</b>	Naomi Paton Paul Fyffe	Anthony Calthorpe Fae Ballingall
<b>Conflict of interest</b>	None declared	

<b>Date of assembly</b>	<b>Officer Briefing of Councillors and pre-meet to Future Nillumbik Committee – 17 April 2018</b>	
<b>Matters considered</b>	<ul style="list-style-type: none"> <li>• Land sales</li> <li>• 2019/20 draft budget</li> <li>• Informal discussion on items listed on the agenda</li> </ul>	
<b>Councillors present</b>	Cr Peter Clarke Cr Karen Egan Cr John Dumaresq Cr Jane Ashton	Cr Grant Brooker Cr Peter Perkins Cr Bruce Ranken
<b>Staff present</b>	Mark Stoermer Hjalmar Philipp Matt Kelleher Adrian Cully	Blaga Naumoski Vince Lombardi Mitch Grayson James Martin

12. Officers' reports

OCM.063/18 Assemblies of Councillors

	Kylie Lethbridge Suzy Ellingsen (left at 6pm)	Jon Miller Jeremy Livingston (left at 6.30pm)
<b>Conflict of interest</b>	None declared	

<b>Date of assembly</b>	<b>Municipal Public Health and Wellbeing Reference Group – 17 April 2018</b>	
<b>Matters considered</b>	<ul style="list-style-type: none"> <li>• Members and apologies</li> <li>• Welcome and acknowledgement of Country</li> <li>• Conflict of interest and Assembly of Councillors forms</li> <li>• Introductions and governance</li> <li>• Terms of Reference</li> <li>• Health and Wellbeing Action Plan and Outcomes Framework</li> <li>• Health and Wellbeing Plan – progress on actions: Gender equity and respectful relationships</li> <li>• Member updates</li> </ul>	
<b>Councillors present</b>	Cr Jane Ashton	
<b>Staff present</b>	Adrian Cully Izzy Abuleela Jodie Leahy	Yasmin Green Diana Bell
<b>Conflict of interest</b>	None declared	

<b>Date of assembly</b>	<b>Environment and Sustainability Advisory Committee – 18 April 2018</b>	
<b>Matters considered</b>	<ul style="list-style-type: none"> <li>• Conflicts of interest</li> <li>• Green Wedge Management Plan Review Process</li> <li>• Energy and Climate Change</li> <li>• Biodiversity</li> <li>• Sustainable Water Management</li> </ul>	
<b>Councillors present</b>	Cr Grant Brooker	
<b>Staff present</b>	Joseph Emmanuel	Ian Culbard
<b>Conflict of interest</b>	None declared	
<b>Apologies</b>	Cr Jane Ashton	

**CARRIED**

**12. Officers' reports****OCM.064/18 LGBTI consultation and future initiatives**

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**File:** 0**Distribution:** Public**Manager:** Melanie Holt, Place Activation Coordinator**Author:** Angela Lampard, Community Inclusion Coordinator**Summary**

The purpose of this report is for Council to consider preliminary feedback in response to Council's motion carried on 19 December 2017 to better understand the needs of the lesbian, gay, bi, trans and intersex (LGBTI) community through community consultation activities.

The intention is to guide Council's budget allocation, resourcing and support of initiatives that deliver on specific actions within the Council Plan 2017-2021 and the Nillumbik Health and Wellbeing Plan 2017-2021.

A grant program will be established and used as a means to further explore community partnerships (Attachment 1) with LGBTI organisations and Nillumbik's broader LGBTI community. The grant program will enable the broader community to identify projects/events/programs that will respond to the needs and aspirations of the LGBTI community.

Members of Council's internal LGBTI Working Group, together with Council's Community Engagement Officer devised an initial series of questions to be used as a conversational tool with service providers (Attachment 2).

<b>Council Resolution</b>
---------------------------

**MOVED:** Cr Jane Ashton**SECONDED:** Cr John Dumaresq**That Council:**

- 1. Authorises further consultation regarding the development and implementation of a pilot grant program from 2018 onward emphasising the need to work with, understand and respond to the LGBTI community in greater depth.**
- 2. Ensure relevant plans, policies and services or events (new or existing) are responsive to the needs of the LGBTI community.**
- 3. Encourages promotion of and partnerships with specialised healthcare and other targeted services that support LGBTI individuals.**

**CARRIED**

**12. Officers' reports**

**OCM.065/18 Nillumbik Community Fund Annual Grant Recommendations 2017-2018**

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**File: 0**  
**Distribution: Public**  
**Manager: Adrian Cully, Director Business and Strategy**  
**Author: Melanie Holt, Place Activation Coordinator**

**Summary**

The purpose of this report is to seek Council approval for the 2017-2018 annual grant recommendations provided by the Nillumbik Community Fund (NCF) Assessment Panels, which met on 26 March 2018. The recommendations are included as Attachment 1.

Applications received:

- 5 for Community Projects stream
- 6 for Arts and Culture stream

The Assessment Panel recommends a total of four applications for full funding as requested across both streams, totalling \$14,509.

The Assessment Panel recommends redirecting \$5,491 in unallocated funds to the Quick Response Grant fund.

All unsuccessful applicants will be contacted to thank them for their application and to provide suggestions to help them develop their projects and seek alternative funding. In some cases, applicants will be eligible to apply for a Quick Response Grant.

**Council Resolution**

**MOVED: Cr Karen Egan**

**SECONDED: Cr Peter Perkins**

**That Council:**

- 1. Endorses the 2017-2018 annual grant applications as outlined in Attachment 1.**
- 2. Endorses the redirection of remaining funds being \$4,491 from the Arts and Culture, and \$1,000 from the Community Projects categories to the Quick Response Grants for 2017-2018.**

**CARRIED**

**12. Officers' report**

**OCM.066/18 Eltham Trader / Business Parking Permit Review**

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**Portfolio: Officers' reports**

**Distribution: Public**

**Manager: Hjalmar Philipp, Director Sustainability and Place**

**Author: Jonathan Risby, Coordinator Transport and Development**

**Summary**

Council has received significant feedback regarding the limited ability for permit holder to obtain a parking space within the permit zones in Circulatory Road and the Dudley Street carparks.

A higher fee for parking permits in Circulatory Road was originally proposed at a Special Meeting of Council on 23 December 2008, however Council revoked the permit fee and set the parking permit fee at \$10 for one year. These fees have progressively increased over the past nine years to the current fee for a business / trader parking permit in Eltham of \$21 for one year.

There are 149 businesses in the special rate area (town centre) of Eltham and 141 permit parking spaces in Circulatory Road and the Dudley Street carpark. There are currently 543 trader permits issued for these spaces.

There are no obvious areas to accommodate additional permit spaces. Eltham Central Oval, Panther Place or Library Place have been suggested but these areas are close to capacity with free commuter parking. Although the creation of additional trader parking is not recommended, some additional spaces could be created in Panther Place and /or Library Place which is likely to shift commuter parking to around Eltham Central Oval.

It is recommended that the annual permit fee be set at \$250 per year to reduce the demand for parking permits, to cover maintenance costs and to encourage the use of other forms of transport.

Consultation with permit holders and the Eltham Chamber of Commerce is recommended prior to a final decision being made.

Subject to consultation, the new permit system should commence on 1 July 2018. All existing permits should be recognised until the new system is implemented.

**Council Resolution**

**MOVED: Cr John Dumaresq**

**SECONDED: Cr Bruce Ranken**

**That Council:**

- 1. Endorses the changes to the Eltham Business Parking Permit Scheme as detailed in this report, for the purpose of commencing consultation.**
- 2. Seek feedback regarding the proposed operational changes to the parking permit scheme with permit holders and the Eltham Chamber of Commerce.**
- 3. Receive a report for the formal approval of the scheme responding to any feedback.**

**CARRIED**

**Motion to Extend the Meeting**

In accordance with the Meeting Procedure Local Law, Clause 2.1, an Ordinary or Special Committee must not continue after 10.30pm unless a majority of Councillors present vote in favour of the meeting continuing.

**Council Resolution**

**MOVED: Cr Peter Perkins**  
**SECONDED: Cr Bruce Ranken**

**That the Council meeting continue after 10:30pm for 30 minutes.**

**CARRIED**

12. Officers' reports

**OCM.067/18 Camelot Close Special Charge Scheme, Research - Intention to declare**

**File:** 1

**Distribution:** Public

**Manager:** Hjalmar Philipp, Director Sustainability and Place

**Author:** Matthew Theuma, Engineer

**Summary**

On 20 January 2016, Council received a petition signed by property owners in Camelot Close, Research requesting that Council investigate road sealing.

After conducting a survey and determining that more than 60 per cent of property owners support road sealing, Council resolved on 26 July 2016 to proceed with the consultation process for the Camelot Close, Research, Special Charge Scheme. (Item OCM.121/16). This has now been completed.

At the Ordinary Meeting of Council on 28 November 2018, Council deferred its decision on giving notice of its intention to declare a Special Charge Scheme until April 2018. This was due to a review of Council's Special Charge Scheme Policy which may have been relevant to Camelot Close.

The review of Council's Special Charge Scheme Policy is still in progress and it is too early to determine if the findings of the review will have any relevance to the proposed Special Charge Scheme. On this basis it is recommended Council further defers its intention to declare a Special Charge Scheme, until the completion of the policy review.

**Council Resolution**

**MOVED:** Cr Jane Ashton

**SECONDED:** Cr John Dumaresq

**That Council further defers its decision on giving notice of its intention to declare a Special Charge Scheme in accordance with Part 8 of the *Local Government Act 1989*, for the construction of Camelot Close, Research until the completion of the Special Charge Scheme Policy review.**

**CARRIED**



**12. Officers' reports****OCM.068/18 2018 Annual Community Survey**

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**File:** 25/65/007**Distribution:** Public**Manager:** Mark Stoermer, Chief Executive Officer**Author:** Jeremy Livingston, Executive Manager Organisational Performance**Summary**

This report outlines the results of the 2018 Annual Community Survey, which was conducted on Council's behalf by Metropolis Research in January 2018. The survey results attached to this report will be made available to the public on Council's website and reported in the 2017-2018 Annual Report.

This seventh annual survey is designed to measure community satisfaction with a range of Council services, facilities and activities, and to measure community sentiment on key issues affecting the community. The survey also assists Council in meeting State Government performance reporting requirements by measuring community satisfaction in a number of areas covered by this survey.

Among its findings, community satisfaction with Council's overall performance is rated at 6.46 out of 10, a substantial increase of five per cent compared to the 6.15 result in 2017. This overall performance rating compares very similarly to satisfaction levels of other councils, with northern region councils and metropolitan Melbourne councils rating an average of 6.47 and 6.53 respectively. This level of performance is categorised by Metropolis Research as 'solid'.

With the level of data and information provided in this survey, Council officers will be able to analyse the results as they apply to individual service areas, and identify service improvement opportunities. The survey's findings can also be used by Council when undertaking future service planning and making budgetary decisions.

**Council Resolution****MOVED:** Cr Grant Brooker**SECONDED:** Cr Jane Ashton**That Council:**

- 1. Receives and notes the results of the 2018 Annual Community Survey.**
- 2. Makes the report's findings available to the public on Council's website.**

**CARRIED**

12. Officers' reports

OCM.069/18 Council Plan Quarterly Performance Report

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**File:** 25/10/002

**Distribution:** Public

**Manager:** Mark Stoermer, Chief Executive Officer

**Author:** Jeremy Livingston, Executive Manager Organisational Performance

**Summary**

The purpose of this report is to present the Council Plan Quarterly Performance Report for Council's consideration. The attached Quarterly Performance Report provides an update on the progress achieved during the third quarter of the financial year (January-March) on the priority actions contained in the Council Plan 2017-2021.

Of the 104 priority actions, two are complete, 98 are 'in progress' and a further four actions are not yet scheduled to commence.

The overall position as outlined in the report suggests that in the third quarter Council continued working towards delivering on the priority actions and significant outcomes for the community.

**Council Resolution**

**MOVED:** Cr Karen Egan

**SECONDED:** Cr Bruce Ranken

**That Council receives the Council Plan Quarterly Performance Report for the period ending 31 March 2018.**

**CARRIED**

12. Officers' reports

OCM.070/18 March Quarter Financial Report

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**File:** 20/10/004

**Distribution:** Public

**Manager:** Vince Lombardi, Manager Finance

**Author:** Robert Malignaggi, Management Accountant  
Lyn Jones, Assistant Accountant

**Summary**

This report outlines Council's financial performance and financial position for the period ending 31 March 2018.

The Income Statement shows an overall favourable year to date (YTD) variance of \$816,251 representing 5.2 per cent of YTD Budget. This reflects the combined result of higher-than-budgeted operating income of \$1,615,653 and higher-than-budgeted operating expenses of \$799,402.

Council's overall financial position at the end of this quarter is sound, and continues to be actively monitored.

**Council Resolution**

**MOVED:** Cr Karen Egan

**SECONDED:** Cr Bruce Ranken

**That Council receives and notes the Financial Report for the period ended 31 March 2018.**

**CARRIED**

12. Officers' reports

OCM.071/18 Tender Report - 1718-110 Eltham North Adventure Playground Rebuild

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**File:** 01

**Distribution:** Public

**Manager:** Hjalmar Philipp, Director Sustainability and Place

**Author:** Melissa Houselander, Project Officer

**Summary**

This report recommends the awarding of the contract for Design and Construction of the Eltham North Adventure Playground.

The project objective is to deliver a playground that best meets the community expectations and aspirations within budget parameters.

The Tender Evaluation panel has assessed all submissions and this report outlines their evaluation in recommending the awarding of the contract for Design and Construction of the Eltham North Adventure Playground.

**Council Resolution**

**MOVED:** Cr John Dumaresq

**SECONDED:** Cr Bruce Ranken

**That Council:**

1. Notes the report.
2. Makes public the decision regarding this contract but the tender evaluation remain confidential.

**CARRIED**

12. Officers' reports

**OCM.072/18 Tender Report - Contract 1718-113 - Research Park Pavilion Redevelopment - Building Works**

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**File: 1718-113**

**Distribution: Public**

**Manager: Hjalmar Philipp, Director Sustainability and Place**

**Author: Jake Hart, Project Management Officer**

**Summary**

This report recommends the awarding of the contract for the Research Park Pavilion Redevelopment Building Works.

The works will involve the extension and refurbishment of the existing pavilion (floor level) to deliver female friendly player, umpire and spectator facilities and the construction of a second story community facility, available for sports clubs and wider community use.

The Tender Evaluation panel has assessed all submissions and this report outlines their evaluation in recommending the awarding of the contract for the Research Park Pavilion Redevelopment Building Works.

Pursuant to the Instrument of Delegation to the Chief Executive Officer the value of this contract exceeds the specified financial limits and a Council resolution is therefore required to award the contract/s.

**Council Resolution**

**MOVED: Cr Bruce Ranken**

**SECONDED: Cr Jane Ashton**

**That Council:**

- 1. Notes the report.**
- 2. Makes public the decision regarding this contract but the tender evaluation remain confidential.**

**CARRIED**

- 13. Notices of Motion
- 14. Delegates' Reports
- 15. Supplementary and urgent business

Nil

**16. Confidential reports**

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

<b>Council Resolution</b>
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**MOVED:** Cr John Dumaresq

**SECONDED:** Cr Bruce Ranken

**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:**

<b>Report No.</b>	<b>Title</b>	<b>Reason for confidentiality</b>
OCM.073/18	Tender Report - 1718-110 Eltham North Adventure Playground Rebuild	(d) contractual matters
OCM.074/18	Tender Report - Contract 1718- 113 - Research Park Pavilion Redevelopment - Building Works	(d) contractual matters

**CARRIED**

The meeting was closed to the public at 10.52pm.

The meeting was reopened to the public at 10.56pm

The meeting closed at 10.56pm.

Confirmed: \_\_\_\_\_  
Cr Peter Clarke, Mayor