

Council Meeting

held virtually on Tuesday 27 July 2021 commenced at 7:06pm.

Minutes

Carl Cowie
Chief Executive Officer

Friday 30 July 2021

Distribution: Public

Civic Drive, Greensborough
PO Box 476, Greensborough 3088
Telephone 9433 3111
Facsimile 9433 3777
Website www.nillumbik.vic.gov.au
Email nillumbik@nillumbik.vic.gov.au

Nillumbik Shire Council

Contents

1.	Welcome by the Mayor	1
2.	Acknowledgement of Country	1
3.	Good Governance Pledge	1
3.	Prayer	1
4.	Apologies	2
5.	Presentations	2
6.	Confirmation of minutes	2
7.	Disclosure of conflicts of interest	2
8.	Petitions	2
9.	Questions from the gallery	3
10.	Officers' reports	
AC.009/21	Advisory Committee Report - 27 July 2021	11
11.	Officers' reports	12
CM.099/21	Draft Community Vision - Nillumbik 2040	12
CM.100/21	Draft Council Plan 2021-2025	13
CM.101/21	Draft Financial Plan 2021-2031	15
CM.102/21	Draft Nillumbik Health and Wellbeing Plan 2021 - 2025	17
CM.103/21	Council Plan Quarterly Performance Report - 2020-2021 - Quarter 4	19
CM.104/21	Interim Financial Report - June 2021	21
CM.105/21	Municipal Planning Strategy Engagement	23
CM.106/21	Nillumbik Planning Scheme Amendment C131 - Earthworks in the Greenwedge	25
CM.107/21	Committee of Management for Crown Land at 728 Main Road Eltham	27
OB.122/21	Flagpole Proposal at Civic Centre	29
CM.108/21	Inclusive Sports Pavilion Plan	31
CM.109/21	Instrument of Delegation to the Chief Executive Officer	33
CM.110/21	Instrument of Sub-Delegation to Members of Council Staff Under the Environment Protection Act 2017	35
CM.111/21	Tender Report - Contract 1920-023 Pavement and Line Marking	37
CM.112/21	CEO Employment Matters Committee	39
CM.113/21	Informal Meetings of Councillors Records - 27 July 2021	41
12.	Notices of Motion	42
13.	Delegates' Reports	42

Council Meeting Minutes

27 July 2021

14. Supplementary and urgent business	42
15. Confidential reports	42
CM.114/21 Tender Report - Contract 2021-034 Diamond Valley Library Upgrade Works Contract Variations	42
CM.115/21 CEO Employment Matters Committee	42
16. Close of Meeting	43

Nillumbik Shire Council

**Minutes of the Meeting of Nillumbik Shire Council held Tuesday 27 July 2021.
The meeting commenced at 7.06pm.**

Councillors present:

Cr Richard Stockman	Blue Lake Ward
Cr Karen Egan	Bunjil Ward
Cr Natalie Duffy	Edendale Ward
Cr Peter Perkins	Ellis Ward (Mayor)
Cr Ben Ramcharan	Sugarloaf Ward
Cr Frances Eyre	Swipers Gully Ward (Deputy Mayor)
Cr Geoff Paine	Wingrove Ward

Officers in attendance:

Carl Cowie	Chief Executive Officer
Vince Lombardi	Chief Financial Officer
Hjalmar Philipp	Director Operations and Infrastructure
Blaga Naumoski	Executive Manager Governance, Communications and Engagement
Corrienne Nichols	Executive Manager Communities
Jeremy Livingston	Executive Manager Business Transformation and Performance
Rosa Zouzoulas	Executive Manager Planning and Community Safety
Eddie Cheng	Manager, Information Technology
Nik Mistriotis	Lead Systems Architect
Katia Croce	Governance Lead

1. Welcome by the Mayor

Members of the public were advised the meeting will be livestreamed and recorded and the live stream and video recording will be made publicly available on YouTube and Council's website. Whilst every effort will be made to ensure the livestreaming and website are accessible to our community, Council may encounter technical issues beyond its control. Technical issues may include, but are not limited to, the availability of the internet connection, device failure or malfunction, unavailability of social media platforms or power outages.

Should this occur, the meeting will be temporarily adjourned and every effort will be made to continue the Council tonight. If we are unable to recommence the meeting, Council will defer those items on the agenda that have not been considered to a later date.

2. Acknowledgement of Country

Acknowledgement of Country was read by the Mayor, Cr Peter Perkins.

3. Good Governance Pledge

The Good Governance Pledge was ready by Cr Geoff Paine.

3. Prayer

A prayer was read by the Mayor Cr Peter Perkins.

4. Apologies

Nil

Mayor Cr Peter Perkins read the following statement:

Council notes that notwithstanding the leave of absence previously granted to Cr Natalie Duffy at the 29 June Council Meeting until the 20 July 2021, Cr Duffy continued to perform her role as a Councillor during this period and would have attended the 29 June 2021 Council Meeting had remote participation been provided to her.

5. Presentations

Nil

6. Confirmation of minutes

Confirmation of minutes of the Council Meeting held on Tuesday 29 June 2021.

Council Resolution

MOVED: Cr Frances Eyre
SECONDED: Cr Ben Ramcharan

That the minutes of the Council Meeting held on Tuesday 29 June 2021 be confirmed. (Attachment 1).

CARRIED UNANIMOUSLY

7. Disclosure of conflicts of interest

Nil

8. Petitions

Nil

9. Questions from the gallery

Graham Fildes asked the following questions:

Question 1

I note from the minutes of Council's Meeting on 29th June 2021 that Cr Stockman's Notice of Motion Heritage Overlay Application for 14 Browns Lane, Plenty was carried unanimously.

Has it become an individual, single Heritage Overlay application rather than one of many bundled applications (Stage A of the Nillumbik Heritage Review)?

Response 1

In accordance with Council's resolution on 29 June 2021, Council has sought approval from the Minister for Planning for Amendment C137 to the Nillumbik Planning Scheme. This amendment introduces the Heritage Overlay to 14 Browns Lane Plenty on an interim basis under Section 20(4) of the Planning & Environment Act 1987, until such time as Council progresses a further planning scheme amendment to introduce the Heritage Overlay permanently. Council is finalising the heritage citation in order to seek authorisation from the Minister for Amendment C138 to begin a full amendment process to apply the heritage Overlay permanently. Amendments C137 and C138 apply only to 14 Browns Lane Plenty and not any other properties of heritage significance.

Question 2

Further to Council's intention to apply the Heritage Overlay to the Eltham War Memorial Complex - which is supported by a large number of local residents and has a high level of public interest and sensitivity - could a similarly prepared motion for Heritage Overlay to the Eltham War Memorial Complex also be supported, and considered singly in its own right?

Response 2

The Eltham War Memorial Complex is a complex of buildings that are Council owned and identified by various heritage consultants as being of heritage significance. Council's resolution on 29 June 2021 adopted Stage A of the Heritage Study and resolved to include the complex as a site to be included in a broader Amendment at the conclusion of Stage B of the Heritage Study. It is understood that there is a high level of interest and sensitivity and Council is committed to applying the Heritage Overlay to the complex in accordance with its resolution.

Julia Drew asked the following question:

Question

Cr Stockman referenced in the recent Blue Lake Ward meeting that the Council had the opportunity to nominate sites to the VHBA for consideration. Can you please confirm the list of sites proposed, the selection criteria and if the area proposed by the VHBA was included on the consideration list from Nillumbik Shire Council?

Response

Council received a request from DHHS and VHBA in April 2019, requesting that Council propose some potential sites for its review of siting the Eltham Area Community Hospital.

The selection criteria was to include; 4-5 hectares in size to future proof the hospital for future expansion if necessary, are easily accessible and well placed to service long term population growth and to support the network of other health facilities and services.

Nillumbik Council Facilities Complex (Civic Drive), being all the area and inclusive of the Council offices, through to the Diamond Valley Sports and Fitness Centre, car parking areas and open space adjacent to the Greensborough bypass was identified on the list of sites proposed by Council on the basis of its (4-5ha) size and was to be considered on the condition that should it be chosen, that Council's Shire offices be relocated to the old shire office site in Eltham to provide for a new hospital building.

Council further stated in its reply to DHHS that options within the Eltham Major Activity Centre were preferred on the basis:

- placing a major community facility into an activity centre
- providing an anchor employer for the activity centre and one befitting the predominant skills of the local workforce
- supporting synergies with surrounding services, retail etc.
- placing the hospital in close proximity to a public transport hub
- making high-use of a key development site in the activity centre.

The above outcomes are highly consistent with State and Council Activity Centre Policy.

Potential sites put forward included:

1. Former Eltham Shire Offices Site and abutting Council/State Land, Eltham
2. Car Parking and Stabling, Station Precinct, Eltham
3. St Vincent's Care Services, Diamond Street, Eltham
4. Nillumbik Council Facilities Complex, Civic Drive, Greensborough
5. Bus Depot Site, 103 Main Hurstbridge Road, Diamond Creek
6. Andrew Park, Eltham.

Rachael Bye asked the following questions:

Question 1

Could council please clarify if the land announced as preferred by the VHBA for the Eltham Area Community Hospital in Apollo Parkways was suggested by council? Did the VBHA approach council for the land or did council put forward the site as an option without any local consultation?

Response 1

The Eltham Area Community Hospital is a State Government project undertaken by VHBA who have currently commenced community consultation.

Question 2

What were the other site options, and were these rejected by the VHBA or by council and are you now able to share the selection criteria and reasons for site rejections?

Response 2

Potential sites put forward included:

1. Former Eltham Shire Offices Site and Abutting Council/State Land, Eltham
2. Car Parking and Stabling, Station Precinct, Eltham
3. St Vincent's Care Services, Diamond Street, Eltham
4. Nillumbik Council Facilities Complex, Civic Drive, Greensborough
5. Bus Depot Site, 103 Main Hurstbridge Road, Diamond Creek
6. Andrew Park, Eltham.

The decision on where to site the Eltham Area Community Hospital was a decision made solely by the State Government.

Rosemary Burdett asked the following questions:

Question 1

Given that the Civic Circuit car park is already at capacity when the sports stadium activity is at a maximum, even before the new netball courts are open, does the Council agree that the proposed hospital with paid carparking will make it almost impossible for local people to access parking for the stadium, council offices, library and play space?

Question 2

If so, will the council support the local residents and users of the civic space, and oppose the sale of the carpark and adjacent green space to the VHBA for the 'Eltham Hospital'?

Response

Council has not yet resolved a formal position on whether to support the proposal or not.

Council will need to gain a more comprehensive understanding of the proposal and its impacts before a decision can be made.

Dr Svetlana Ryzhikh - President of Friends of Apollo Parkways asked the following questions:

Question 1

Why was the Civic Drive Development Masterplan 2015 not provided to the VHBA during their investigation into possible sites for the Eltham Area Community Hospital?

Question 2

I personally contributed to the content of 2015's Masterplan: exhaustive reference groups, consultations, workshops, and funding submissions over a 6-year period.

What measures will Nillumbik Shire undertake to ensure this vision is not devalued, downgraded and ultimately destroyed?

Response

Council officers have informed VHBA of the community's use and shared vision of the Nillumbik Council Facilities Complex (Civic Drive) site.

Council officers advised VHBA of the preference to locate the proposed Eltham Area Community Hospital in the Eltham Major Activity Centre (the old shire office site) for reasons stated above and as stated in adopted positions of Council in its Eltham Major Activity Centre Structure Plan.

Liz Arthur asked the following questions:

Question 1

Why is the Eltham Hospital being built in Greensborough when old Eltham Shire Office was originally proposed?

Question 2

Where will cars park for fitness & sports centre if Hospital built on current car park, plus this doesn't answer question regarding traffic on Brentwick Drive, only exacerbates it?

Response

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

Jo Conlon asked the following questions:

Question 1

How can the Civic Drive community space be considered for the site of the new Eltham hospital given that it does not fulfil many of the requirements named in the community consultation process; in particular, being near public transport, potential for expansion and sufficient parking for staff and patients?'

Question 2

Is it possible for Council to propose a more suitable site that is near a train station?

Response

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

Carol Doherty asked the following questions:

Question 1

When the VHBA approached Council to buy the Civic Drive Precinct site why did Council not advise them that this site was not for sale because it was covered by Community Facilities Upgrade Masterplan - October 2015 and was rezoned to Public Park and Recreation Zone at a Council meeting on 26th March 2019?

Response 1

Council was not approached to sell land, it was approached to provide possible sites for a community hospital. Council has advised the VHBA of the precinct's values, planning zone and utilisation to the local community.

Question 2

Has Council advised the developer(s) who recently purchased the Whittingham Circuit estate that the townhouses will not be overlooking a peaceful, green park, but instead a hospital with an asphalted car park with noisy, bustling patrons every night and all weekend?

Response 2

Council has not resolved to sell land to the State Government for the Eltham Area Community Hospital.

Greg Ryjikh asked the following questions:

Question 1

The proposed Hospital will take away 58 out of 77 car parks that are currently reserved for Council's staff. Where will you guys park?

Question 2

Do the CEO and Councillors care that the officers and visitors will be disadvantaged by the loss of 3/4 of the reserved Council car park?

Response

Council as a key stakeholder in the Nillumbik Council Facilities Complex is seeking further detail on the proposed hospital and advice on its potential economic, social and environmental impacts on the precinct.

Sahan Fernando asked the following questions:

Question 1

What is the impact on parking and traffic in the area with proposed development of the Eltham area hospital? Currently, the parking in the Civic Drive area is not sufficient (especially during school times) and the traffic is very bad during school times. Development of a new hospital will increase accidents in the area. Also, development of town houses on the recently sold land will not help with traffic in the area

Question 2

How ambulances can access proposed hospital? The Civic drive cannot cater fast moving ambulances. Especially during school times. This will again increase the risk of school children facing accidents in the area.

Response

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

Nicole Triep asked the following questions:

Question 1

Will council be conducting their own community consultations with residents in addition to the VHBA "Information session?"

Question 2

If not, how do council plan to advocate for the local community?

Response

Council is keen to understand the community view on the proposed development and will be seeking community feedback in the near future.

Margaret McKenzie asked the following questions:

Question 1

Why do you think that Apollo Parkways don't deserve the same open park recreational space compared to other communities?

Response 1

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

Question 2

Has NDIS been consulted regarding there is no Train Station & Bus service which would meet the needs for the disabled?

Response 2

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

Graeme Schultz asked the following questions:

Question 1

How busy is the drug rehabilitation facility of the hospital envisaged to be and what part of the drug rehabilitation facility will be purposed towards the safe injecting room?

Question 2

What makes Greensborough a better choice than council land in Susan Street and Bell Street?

Response

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

Chris Wales asked the following question:

Question 1

With the extended sports facility, new housing, council offices, library, popular playground, polytechnic and school with 700+ students adjacent to the proposed cottage hospital - how does council plan to guarantee the effective traffic management and safety of residents, students, sports patrons, vulnerable visitors and others?

Response

Council takes its responsibility for community safety very seriously and as such would seek to discuss such matters with the VHBA. Council has and will continue to advocate for an efficient and safe road network in all discussions and communications with government.

Stacie Wang asked the following questions:

Hello Nillumbik Council,

I'm a resident on Brentwick Drive, just down the road to Apollo Parkways Primary.

This question is regarding to the Eltham Community Hospital, and the traffic/parking issues it may cause. I'm sure many other residents to Apollo parkways are also very interested in this topic.

Question 1

Pre COVID, when all facilities are open, the carpark that is used for the gym, library, council office, playground and even school pick-ups (which the Eltham Community Hospital is wanting to build over/on top) is always full in capacity. Will the hospital build additional FREE carparks to facilitate the increase of staff and public visitors? – the least we want to see is MORE CARS filling up the sides of our street, especially during school pickup hour.

Response 1

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

Question 2

The roundabout. It is the main entry/exit to our estate, the congestion and chaos during peak hours are already very difficult to deal with. With the increase in traffic the hospital will bring, this problem really needs the attention it deserves. Are there any proposed solution to this?

Response 2

Council takes its responsibility for community and road safety very seriously and as such would seek to discuss such matters with the VHBA. Council has and will continue to advocate for an efficient and safe road network in all discussions and communications with government.

Kate Fleet asked the following questions:

Question 1

Is the council aware or does the council have a copy of the traffic modelling completed by the VHBA, and when was this data compiled? As the library has been closed for renovations, school has been on/off with remote learning or staggered start and finish times and the council have had working from home conditions. In addition to all of this the expanded DVSFC has been closed and upgraded with additional courts during this time.

Question 2

If the council has not been made aware of the traffic modelling by the VHBA, why was this not requested by council for discussion with the VHBA prior to the site selection being made.

Response

Council was neither consulted nor privy to the ultimate site selection of the Eltham Area Community Hospital. Council has not decided on the State Government project. Council has and will continue to advocate for an efficient and safe road network in all discussions and communications with the VHBA.

Tim Fleet asked the following questions:

Question 1

How many sites for Eltham Area Community Hospital did Nillumbik suggest to VHBA?

Response 1

Six proposals were put to DHHS in April 2019. Six proposals were presented on their ability to meet the criteria put forward by DHHS. Of the six proposals, Council reinforced its preferred, the former Eltham Shire Council office site for reasons outlined earlier.

Question 2

Was Apollo Parkways parkland one of the Nillumbik nominated sites?

Response 2

Apollo Parkways parkland is part of the entire Nillumbik Council Facilities Complex, so as to comply with the 4-5ha site selection criteria but was never proposed by officers as a site for the Eltham Area Community Hospital.

Dianne Brooker asked the following questions:

Question 1

If Nillumbik Shire agree to sell Civic Drive land, will Nillumbik be reimbursed for the cost of site levelling, landscape works, tree planting & irrigation for the passive recreation area in 2018 approx. \$300,000

Question 2

Given it is not vacant land but protected parkland and will result in loss of amenity into perpetuity. What price will sufficiently compensate Nillumbik residents for this loss?

Response

Council has not yet resolved a formal position on whether to support the proposal or not.

Council will need to gain a more comprehensive understanding of the proposal and its impacts before a decision can be made.

Trish Turco provided a statement and asked the following questions:

Continuing along the line of planning for the Eltham Community Hospital in Apollo Parkways .. Looking at the existing bus routes to civic drive. There are currently none that go down Civic Drive (except for the school busses). The 3 bus routes 343, 901 and 385 stop near Civic Drive, they do not travel along the Civic Drive.

Question 1

My question is, will there be a new bus routes added to drive down Civic Drive to stop on the street?

Question 2

And given the natural incline of the land, will the busses go directly to the hospital? The walk from Civic Drive to the proposed hospital location, can be awkward to walk for the elderly and those pushing prams (lot of undulating land).

Response

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

10. Reports of Advisory Committees

AC.009/21 Advisory Committee Report - 27 July 2021

Distribution: Public

Manager: Blaga Naumoski, Executive Manager Governance, Communications and Engagement

Author: Janet Taylor, Governance Officer

Summary

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 following minutes of Advisory Committee meetings are attached (**Attachment 1**) and presented to Council for noting:

1. Environment & Sustainability Advisory Committee Meeting held 28 April 2021;
2. Youth Council Formal Advisory Committee Meeting held 7 June 2021; and
3. Panton Hill Bushland Reserve System User Group Advisory Committee Meeting held 17 June 2021.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Frances Eyre

That the minutes of the Advisory Committee meetings reported be noted (**Attachment 1**).

CARRIED UNANIMOUSLY

11. Officers' reports

CM.099/21 Draft Community Vision - Nillumbik 2040

Distribution: Public**Manager: Jeremy Livingston, Executive Manager Business Transformation and Performance****Author: Yasmin Green, Strategy and Policy Advisor****Summary**

This report presents the Draft Community Vision – Nillumbik 2040 (the Draft Community Vision) for approval prior to exhibition for public consultation.

The Draft Community Vision (**Attachment 1**) is a requirement under section 88 of the *Local Government Act 2020* (the Act) and must be adopted by 31 October 2021. The document seeks to capture the essence of what is most valued about our community and the Shire, reflecting the collective aspirations of our community.

The information and community feedback gathered through the Our People, Our Place, Our Future community engagement program undertaken in February and March of this year has helped inform the development of the Draft Community Vision.

The Draft Community Vision will be used to inform future Council strategic planning, budgeting, service delivery and advocacy to ensure Council is acting in the best interests of the community, and is advocating to all levels of government and agencies.

As detailed in this report, community consultation is due to commence on 29 July 2021 through to 26 August 2021. Public submissions will close on 26 August 2021 and will be considered by the Planning and Consultation Committee on 14 September 2021. The finalised Community Vision – Nillumbik 2040 is due to be adopted at the Council Meeting on 26 October 2021.

Council Resolution

MOVED: Cr Frances Eyre**SECONDED: Cr Ben Ramcharan****That Council:**

1. Endorses the Draft Community Vision – Nillumbik 2040 (**Attachment 1**) for the purposes of public exhibition.
2. Invites written submissions on the Draft Community Vision – Nillumbik 2040 to Council by 26 August 2021.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 14 September 2021.
4. Notes that any person who makes a written submission in relation to the Draft Community Vision – Nillumbik 2040 and requests to be heard in support of the written submission, be heard at the September 2021 Planning and Consultation Committee meeting.

CARRIED UNANIMOUSLY

11. Officers' reports

CM.100/21 Draft Council Plan 2021-2025

Distribution: Public**Manager: Jeremy Livingston, Executive Manager Business Transformation and Performance****Author: Yasmin Green, Strategy and Policy Advisor****Summary**

This report presents the Draft Council Plan 2021-2025 (the Draft Plan) for approval prior to exhibition for public consultation.

The Council Plan is the Council's primary strategic document for its four year term. The Draft Council Plan (**Attachment 1**) is a requirement under section 90 of the *Local Government Act 2020* (the Act) and must be adopted by 31 October 2021.

The Draft Council Plan identifies Council's objectives and strategies, along with indicators to monitor the achievement of the objectives and strategies. The information and community feedback gathered through the Our People, Our Place, Our Future community engagement program undertaken in February and March of this year has helped inform the development of the Plan. As required by the Act, the Council Plan also aligns with the draft Community Vision – Nillumbik 2040 document.

As detailed in this report, community consultation is due to commence on 29 July 2021 through to 26 August 2021. Public submissions will close on 26 August 2021 and will be considered by the Planning and Consultation Committee on 14 September 2021. The finalised Council Plan is due to be adopted at the Council Meeting on 26 October 2021.

Motion

MOVED: Cr Ben Ramcharan**SECONDED: Cr Natalie Duffy****That Council:**

1. Endorses the Draft Council Plan 2021-2025 (**Attachment 1**) for the purposes of public exhibition.
2. Invites written submissions on the Draft Council Plan to Council by 26 August 2021.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 14 September 2021.
4. Notes that any person who makes a written submission in relation to the Draft Council Plan 2021-2025 and requests to be heard in support of the written submission, be heard at the September 2021 Planning and Consultation Committee meeting.

CARRIED UNANIMOUSLY

11. Officers' reports

CM.101/21 Draft Financial Plan 2021-2031

Distribution: Public**Manager: Vince Lombardi, Chief Financial Officer****Author: Melika Sukunda, Finance Manager****Summary**

This report presents the Draft Financial Plan 2021-2031 (the Draft Plan) for Council approval prior to exhibition for public consultation. The Draft Financial Plan 2021-2031 is a requirement under section 91 of the *Local Government Act 2020* (the Act) and must be adopted by 31 October 2021.

The purpose of the Draft Plan is to demonstrate Council's financial sustainability in order to fund the aspirations of the Community Vision and the Council Plan.

This Draft Plan has been prepared in compliance with the *Local Government Act 2020*, the Department of Jobs, Precincts and Regions Financial Plan Better Practice Guide and Model and the Australian Accounting Standards Board standards.

The information and community feedback gathered through the Our People, Our Place, Our Future community engagement program has been considered throughout the development of the Draft Plan.

Recommendation**That Council:**

1. Endorses the draft Financial Plan 2021-2031 (**Attachment 1**) for the purposes of public exhibition.
2. Invites written submissions on the Draft Financial Plan to Council by 26 August 2021.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 14 September 2021.
4. Notes that any person who makes a written submission in relation to the Draft Financial Plan 2021-2025 and requests to be heard in support of the written submission, be heard at the September 2021 Planning and Consultation Committee meeting.

Motion**MOVED: Cr Geoff Paine****SECONDED: Cr Natalie Duffy****That Council:**

1. Endorses the draft Financial Plan 2021-2031 (**Attachment 1**) for the purposes of public exhibition.
2. Invites written submissions on the Draft Financial Plan to Council by 26 August 2021.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 14 September 2021.
4. Notes that any person who makes a written submission in relation to the Draft Financial Plan 2021-2031 and requests to be heard in support of the written submission, be heard at the September 2021 Planning and Consultation Committee meeting.

12. Officers' reports

CM.101/21 Draft Financial Plan 2021-2031

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

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Natalie Duffy

That Council:

1. Endorses the draft Financial Plan 2021-2031 (**Attachment 1**) for the purposes of public exhibition.
2. Invites written submissions on the Draft Financial Plan to Council by 26 August 2021.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 14 September 2021.
4. Notes that any person who makes a written submission in relation to the Draft Financial Plan 2021-2031 and requests to be heard in support of the written submission, be heard at the September 2021 Planning and Consultation Committee meeting.

CARRIED UNANIMOUSLY

11. Officers' reports

CM.102/21 Draft Nillumbik Health and Wellbeing Plan 2021 - 2025

Distribution: Public**Manager: Corrienne Nichols, Executive Manager Communities****Author: Nichole Johnson, Manager Community Partnerships****Summary**

The development of the Municipal Public Health and Wellbeing Plan (MPHWP) is a legislative requirement under the Victorian *Public Health and Wellbeing Act 2008*. All Victorian councils must develop a MPHWP within 12 months of the election of a new Council.

The Draft Nillumbik Public Health and Wellbeing Plan 2021-2025 (the Draft Plan) is informed by: a review of available data on the health status of the Nillumbik community; a review of current local, state and national health planning context; consultation that has been completed with community, local partners, Councillors and staff, and a review of the Nillumbik Health and Wellbeing Plan 2017-2021.

The Draft Plan aims to 'protect, improve and promote public health and wellbeing within the municipality'. Annual implementation plans and progress reports will outline how the plan is operationalised and monitor progress throughout the life of the plan.

The purpose of this report is to present the Draft Plan to Council for endorsement for public exhibition from 29 July - 26 August 2021.

Council Resolution

MOVED: Cr Richard Stockman**SECONDED: Cr Frances Eyre****That Council:**

1. Endorses the Draft Nillumbik Health and Wellbeing Plan 2021–2025 (**Attachment 1**) for the purposes of public exhibition.
2. Invites written submissions on the Draft Nillumbik Health and Wellbeing Plan 2021-2025 to Council by 26 August 2021.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 14 September 2021.
4. Notes that any person who makes a written submission in relation to the Draft Nillumbik Health and Wellbeing Plan 2021-2025 and requests to be heard in support of the written submission, be heard at the September 2021 Planning and Consultation Committee meeting.

CARRIED UNANIMOUSLY

11. Officers' reports

CM.103/21 Council Plan Quarterly Performance Report - 2020-2021 - Quarter 4

Distribution: Public

Manager: Jeremy Livingston, Executive Manager Business Transformation and Performance

Author: James Hartigan, Business Performance Analyst

Summary

The purpose of this report is to present the Council Plan Quarterly Performance Report for Council's consideration. The Council Plan Quarterly Performance Report (**Attachment 1**) provides the fourth and final update on delivery progress and performance of the 2020-2021 Annual Action Plan priority actions, which aligns to delivery of the final year of the Council Plan 2017-2021.

Of the 18 actions in the 2020-2021 Annual Action Plan, 4 actions are 'complete', 9 actions are 'on track' (ongoing items) and 5 actions have been 'rescheduled' for completion in the 2021-2022 financial year. The overall position reflected in the report suggests that Council has made solid progress in delivering on the priority actions of the Council Plan and significant outcomes for the community.

The entire year's performance against the delivery of the Council Plan will be published in the Annual Report 2020-2021, which will be presented to the community later in 2021.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Ben Ramcharan

That Council receives the Council Plan Quarterly Performance Report (**Attachment 1**) for the fourth quarter of 2020-2021, being the period ending 30 June 2021.

CARRIED UNANIMOUSLY

11. Officers' reports

CM.104/21 Interim Financial Report - June 2021

Distribution: Public

Manager: Vince Lombardi, Chief Financial Officer

Author: Melika Sukunda, Finance Manager

Summary

This report outlines Council's interim financial performance for the period ended 30 June 2021.

The June draft interim financial report is the fourth report presented to Council on the year-to-date performance against the adopted 2020-2021 Budget, which includes changes resulting from the Mid-Year Financial Review process.

Quarterly reports are presented to Council for the September, December and March quarters. However due to the timing and preparation of the Annual Report, an interim quarterly report is prepared for the June quarter. This is to comply with the provisions of the Local Government Act 2020 which requires that a financial report be presented to Council every three months.

The interim financial report shows a draft net profit of \$18.660 million. This is a decrease of \$9.111 million compared to the Mid-Year Financial Review in December 2020, when a profit of \$27.771 million was forecast. This decrease is largely attributable to Australian Accounting Standard (AASB 1058) which requires grant income to be recognised when contractual obligations have been met rather than on receipt (\$12,858,000).

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Natalie Duffy

That Council receives and notes the Draft Interim Financial Report for the period ended 30 June 2021 (**Attachment 1**).

CARRIED UNANIMOUSLY

11. Officers' reports

CM.105/21 Municipal Planning Strategy Engagement

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Leigh Northwood, Strategic Planning Lead

Summary

This report outlines 'Phase 2' of community consultation, for 4 weeks through August/September 2021, for Council's Municipal Planning Strategy (MPS).

The MPS provides an overview of important local planning issues and sets out the vision and strategic directions for future land use and development for the municipality.

The proposed consultation will build on broad feedback received already from the recent Our People, Our Place, Our Future (OPOPOF) consultation and Climate Action Plan (CAP) Survey, which is referred to as 'Phase 1' of community consultation.

Council Resolution

MOVED: Cr Ben Ramcharan

SECONDED: Cr Geoff Paine

That Council:

1. Endorses Phase 2 of public consultation to occur over 4 weeks from 23 August to 19 September 2021, as outlined in this report for the Municipal Planning Strategy of the Nillumbik Planning Scheme.
2. Notes that, following Phase 2 of public consultation, the next scheduled milestones for the project include:
 - a) The November 2021 meeting of Council's Planning and Consultation Committee will consider the outcomes of the Phase 2 of public consultation.
 - b) The February 2022 Council Meeting will consider a draft of the Municipal Planning Strategy and a recommendation that it be endorsed for Phase 3 community consultation.

CARRIED UNANIMOUSLY

11. Officers' reports

CM.106/21 Nillumbik Planning Scheme Amendment C131 - Earthworks in the Greenwedge

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Leigh Northwood, Strategic Planning Lead

Summary

Council recently exhibited Amendment C131 (the Amendment) to the Nillumbik Planning Scheme, which seeks to amend the schedule(s) to the Green Wedge Zone and Rural Conservation Zone to require a planning permit trigger for earthworks which involve the receipt, importation, stockpiling or placement of more than 100 cubic metres of fill on land within those specified zones.

The Amendment is intended to assist Council to manage large earthworks and the placement of fill within the Green Wedge and Rural Conservation Zones, by allowing Council to assess and mitigate future risks and fill activities that have the potential to create significant environmental and amenity impacts in the Shire.

This report outlines the exhibition undertaken for this Amendment and summarises the submissions received to the exhibition of the Amendment.

The Amendment was placed on exhibition pursuant to the requirements of the *Planning and Environment Act 1987* (the Act), from 22 April to 3 June 2021. Council received ten (10) submissions in total.

Submitters were invited to attend the 13 July 2021 Planning & Consultative Committee Meeting (PCC) to speak to their submissions.

Where a submission raises an issue regarding the proposed amendment that cannot be resolved, the Act sets out the process for the Amendment. In accordance with Section 22 of the Act, Council must consider all submissions received. Section 23 of the Act, requires that Council after considering the submissions which request a change to the Amendment, that the planning authority, (Council), must:

- (a) change the amendment in the manner requested; or
- (b) refer the submission to an independent planning panel be appointed under Part 8 by the Minister for Planning; or
- (c) abandon the amendment or part of the amendment.

This report will recommend that Council resolve to refer unresolved submissions to an independent Planning Panel and ask the Minister for Planning to appoint the Panel in accordance with Part 8 of the Act.

12. Officers' reports

CM.106/21 Nillumbik Planning Scheme Amendment C131 - Earthworks in the Greenwedge

Council Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Ben Ramcharan

That Council:

1. Notes the submissions to Amendment C131 to the Nillumbik Planning Scheme.
2. Request the Minister for Planning appoint an independent planning panel to consider Amendment C131 pursuant to Section 23(1)(b) of the *Planning and Environment Act 1987*.
3. Requests that Officers notify submitters to the proposed Amendment C131 of the Committee's resolution.
4. Requests that Officers provide an update on Participate Nillumbik in regard to next stages for Amendment C131.

CARRIED UNANIMOUSLY

11. Officers' reports

CM.107/21 Committee of Management for Crown Land at 728 Main Road Eltham**Distribution: Public****Manager: Hjalmar Philipp, Director Operations and Infrastructure****Author: Natalie Campion, Coordinator Property****Summary**

Council manages two adjoining parcels of Crown Land located at 728 and 730 Main Road, Eltham. These parcels are depicted in **Attachment 1** – Plan of Land.

Together, the land is known locally as the Eltham Justice Precinct. It is the site of the historic Old Eltham Court House, former Police Residence, Police Stables and some sundry modern and period replica structures.

Whilst Council manage the land and maintain the buildings on behalf of the Crown (Department of Environment, Land, Water and Planning, DELWP), there is an inconsistency in the management arrangement between the two parcels.

Council is the appointed Committee of Management (CoM) for 730 Main Road, whilst 728 Main Road, Eltham is leased to Council under a 21 year agreement, which was negotiated with Parks Victoria who managed the land on behalf of the Crown until the mid-2000s.

The 21 year lease for 728 Main Road Eltham expired on 30 June 2021.

DELWP have requested Council consider being appointed Committee of Management (CoM) for on-going management of the land, rather than entering into a further long-term lease.

Council Resolution

MOVED: Cr Geoff Paine**SECONDED: Cr Natalie Duffy**

That Council formally requests from Department of Environment, Land, Water and Planning to be appointed Committee of Management for Crown land at 728 Main Road, Eltham being Crown Allotment 1, Section 4, Parish of Nillumbik, Certificate of Title Volume 11371 Folio 540.

CARRIED

11. Officers' reports

OB.122/21 Flagpole Proposal at Civic Centre

Distribution: Public

Manager: Corrienne Nichols, Executive Manager Communities

**Author: Lauren Treby, Coordinator Social Planning and Equity
Nichole Johnson, Manager Community Partnerships**

Summary

As part of Council's ongoing commitment to Access, Equity and Inclusion, Officers are seeking Council endorsement for the installation of additional flag poles in the Shire to sit alongside the Australian Flag and the Australian Aboriginal Flag.

Benchmarking across neighbouring Local Government Areas (LGAs) indicates that other Councils have at least three or four flagpoles at the front of their Council Office Buildings and at a minimum fly the Australia, Aboriginal and Torres Strait islander flags.

Five options with accompanying budget implications are presented within this report.

Recommendation

That Council endorses Option 5 installation of two additional new flagpoles at the Eltham Community & Reception Centre (budget estimate \$18,000-\$19,000)

Motion

**MOVED: Cr Natalie Duffy
SECONDED: Cr Richard Stockman**

That Council;

- 1. Endorses Option 2 installation of two additional new flagpoles at Civic Centre and notes the flag poles will be the same height and colour as existing (budget estimate \$18,000-\$19,000).**
- 2. Refers the item to the mid-year financial review for the 2021-2022 financial year.**

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

Council Resolution

**MOVED: Cr Natalie Duffy
SECONDED: Cr Geoff Paine**

That Council

- Endorses Option 2 installation of two additional new flagpoles at Civic Centre and notes the flag poles will be the same height and colour as existing (budget estimate \$18,000-\$19,000).
- Refers the item to the mid-year financial review for the 2021-2022 financial year.

CARRIED UNANIMOUSLY

12. Officers' reports

OB.122/21 Flagpole Proposal at Civic Centre

Cr Karen Egan temporarily left the meeting during discussion of this item at 8:15pm.

The Mayor Cr Peter Perkins adjourned the meeting at 8:17pm to give Cr Karen Egan an opportunity to re-join the meeting.

The meeting resumed at 8:19pm.

Cr Karen Egan returned to the meeting at 8:20pm during discussion of this item.

11. Officers' reports

CM.108/21 Inclusive Sports Pavilion Plan

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Heath Gillett, Manager Recreation and Leisure

Summary

This report presents to Council for noting an Inclusive Sports Pavilion Framework (ISPF), (**Attachment 1**) which has prepared by a consultant for Council as part of a grant with Sports and Recreation Victoria. Formal acknowledgement of the framework is required under the grant funding agreement for acquittal of this project by Sport and Recreation Victoria (SRV).

The objective of this framework is to inform the renewal and upgrade of existing sport pavilions, to ensure inclusiveness and accessibility at Nillumbik sport and recreation facilities are appropriately considered.

This piece of work will inform another key document (equity and inclusion), to be implemented as part of suite of frameworks supporting the current draft Recreation and Leisure Strategy 2021-30.

Council Resolution

MOVED: Cr Natalie Duffy

SECONDED: Cr Frances Eyre

That Council formally notes the Inclusive Sport Pavilion Framework presented in **Attachment 1**

CARRIED UNANIMOUSLY

11. Officers' reports

CM.109/21 Instrument of Delegation to the Chief Executive Officer

Distribution: Public

Manager: Blaga Naumoski, Executive Manager Governance, Communications and Engagement

Author: Katia Croce, Governance Lead

Summary

The current Instrument of Delegation of powers, duties and functions to the Chief Executive Officer (CEO) was approved by Council on 25 August 2020.

The *Local Government Act 2020* (the Act) provides for each Council to establish a delegation of power. The Act also requires Council to review the delegation within one year of each general election. This report meets Councils obligations under the Act.

The delegation of powers is considered essential to enable day-to-day decisions to be made to ensure the operations of Council are enacted efficiently and effectively. Delegations are standard practice across all Councils. Delegations should be regularly updated to reflect any legislative changes and or a more appropriate level of accountability.

The review of the Instrument of Delegation to the Chief Executive Officer in this instance does not recommend any changes apart from minor formatting changes to recognise the most recent review date.

Recommendation

That Council:

1. In the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020* (the Act), Nillumbik Shire Council (Council) resolves that:
 - a) There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, **(Attachment 1)** subject to the conditions and limitations specified in that Instrument.
 - b) The instrument comes into force immediately the common seal of Council is affixed to the instrument.
 - c) On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
 - d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

12. Officers' reports

CM.109/21 Instrument of Delegation to the Chief Executive Officer

Motion**MOVED: Cr Ben Ramcharan****SECONDED: Cr Natalie Duffy****That Council:**

1. In the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020* (the Act), Nillumbik Shire Council (Council) resolves that:
 - a) There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, **(Attachment 1 with an amendment to the financial component in 3.1 and 3.2 to read \$300,000 instead of \$500,000)** subject to the conditions and limitations specified in that Instrument.
 - b) The instrument comes into force immediately the common seal of Council is affixed to the instrument.
 - c) On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
 - d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

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

Council Resolution**MOVED: Cr Ben Ramcharan****SECONDED: Cr Natalie Duffy****That Council:**

1. In the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020* (the Act), Nillumbik Shire Council (Council) resolves that:
 - a) There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, **(Attachment 1 with an amendment to the financial component in 3.1 and 3.2 to read \$300,000 instead of \$500,000)** subject to the conditions and limitations specified in that Instrument.
 - b) The instrument comes into force immediately the common seal of Council is affixed to the instrument.
 - c) On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
 - d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED UNANIMOUSLY

11. Officers' reports

CM.110/21 Instrument of Sub-Delegation to Members of Council Staff Under the Environment Protection Act 2017

Distribution: Public

Manager: Blaga Naumoski, Executive Manager Governance, Communications and Engagement

Author: Katia Croce, Governance Lead

Summary

Council is empowered under various legislation to undertake duties and functions in accordance with that legislation. To undertake these duties and functions, it is necessary for Council to delegate relevant powers to the administration of the Council.

It is also necessary for Council to delegate some of its other functions to the administration for reasons of efficiency and to prevent Council from having to make many operational decisions at Council meetings.

The S18 Instrument of Sub-Delegation is a new Instrument introduced as a result of legislative changes to the *Environment Protection Act 2017* which commenced on 1 July 2021.

This report requests that Council resolves to adopt the new Instrument of Delegation to reflect legislative changes.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Ben Ramcharan

That Council, in the exercise of the power conferred by section 437(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, Nillumbik Shire Council (Council) resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Sub-Delegation to members of Council staff (**Attachment 1**), the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument.
2. The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.
3. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED UNANIMOUSLY

11. Officers' reports

CM.111/21 Tender Report - Contract 1920-023 Pavement and Line Marking

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Lance Clark, Senior Procurement Specialist

Summary

This report recommends the awarding of contract 1920-023 for the provision of Pavement and Line Marking Services. This contract replaces a previous contract.

The contract term is for an initial period of three years, with two x one year options to extend the contract. The total duration of the contract, including the exercise of any options, shall not exceed five years.

The tender for services was via a collaborative tender run by a group of nine councils of which Nillumbik Shire Council was one.

Monash City Council was appointed to act as 'Agent' on behalf of the other eight councils.

The participating Councils in the tender process were Banyule City, City of Boroondara, Knox City, City of Manningham, Monash City, Nillumbik Shire, Whitehorse City and Shire of Yarra Ranges.

Each individual Council reserved the right to appoint an individual preferred supplier or a single preferred supplier for all Councils.

Each council undertook individual tender assessments of each shortlisted tenderer.

The Tender Evaluation Panel (TEP) has assessed all submissions and this report provides a summary of their evaluation in recommending the awarding of the contract for 1920-023 for provision of Pavement and Line Marking Services.

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.

Recommendation

That Council:

1. Accept the tender submitted by the **preferred tenderer** for the schedule of rates disclosed in (**Attachment 1**) and enter into the following contract:
Number: 1920-023
Title: Pavement and Line Marking Services
Term: 1 April 2020 to 30 March 2023
Options: Term extensions up to two additional years.
2. Authorises the Director Operations and Infrastructure to finalise and execute the contract documentation.
3. Authorises the Director Operations and Infrastructure to approve contract term extensions.
4. Advises all tenderers accordingly.
5. Makes public the decision regarding this contract but the Tender Evaluation Report (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

12. Officers' reports

CM.111/21 Tender Report - Contract 1920-023 Pavement and Line Marking

Council Resolution

MOVED: Cr Natalie Duffy

SECONDED: Cr Ben Ramcharan

That Council:

1. Accept the tender submitted by the **preferred tenderer** Roadside Services and Solutions Pty Ltd for the schedule of rates disclosed in (**Attachment 1**) and enter into the following contract:
Number: 1920-023
Title: Pavement and Line Marking Services
Term: 1 April 2020 to 30 March 2023
Options: Term extensions up to two additional years.
2. Authorises the Director Operations and Infrastructure to finalise and execute the contract documentation.
3. Authorises the Director Operations and Infrastructure to approve contract term extensions.
4. Advises all tenderers accordingly.
5. Makes public the decision regarding this contract but the Tender Evaluation Report (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

CARRIED UNANIMOUSLY

11. Officers' reports

CM.112/21 CEO Employment Matters Committee

Distribution: Public

Manager: Blaga Naumoski, Executive Manager Governance, Communications and Engagement

Author: Blaga Naumoski, Executive Manager Governance, Communications and Engagement

Summary

This report is an overview of a separate confidential report to consider the Chief Executive Officer's (CEO's) performance plan 2020/2021.

Council Resolution

MOVED: Cr Ben Ramcharan

SECONDED: Cr Frances Eyre

That Council notes this report.

CARRIED UNANIMOUSLY

11. Officers' reports

CM.113/21 Informal Meetings of Councillors Records - 27 July 2021

Distribution: Public

Manager: Blaga Naumoski, Executive Manager Governance, Communications and Engagement

Author: Janet Taylor, Governance Officer

Summary

In accordance with *Item 19 of Council's Governance Rule – Meeting Procedure*, adopted on 25 August 2020, Council is required to report as soon as practicable to a Council Meeting a record of each Informal Meetings of Councillors held.

This report lists Informal Meetings of Councillors records submitted since the matter was last reported to Council on 29 June 2021.

An Informal Meetings of Councillors Record was kept for the following meetings (**Attachment 1**):

1. Climate Action Plan Development Meeting held 15 June 2021.
2. RTAC Meeting held 23 June 2021.
3. Inclusion Advisory Committee Meeting held 23 June 2021.
4. Pre-Meet to Council Meeting held 29 June 2021.
5. Councillor Briefing held 6 July 2021.
6. Councillor Briefing and Pre-meet to Planning and Consultation Committee Meeting held 13 July 2021.
7. Councillor Briefing 2 held 13 July 2021.

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Ben Ramcharan

That Council, in accordance with *Item 19 of Council's Governance Rule – Meeting Procedure*, receives the Informal Meetings of Councillors Records (**Attachment 1**) for the meetings held.

CARRIED UNANIMOUSLY

12. Notices of Motion

Nil

13. Delegates' Reports

The Mayor Cr Peter Perkins advised he recently attended the Parks and Leisure Australia Vic/Tas Region Awards Ceremony where the Diamond Creek Regional Playspace was announced the recipient of the Parks and Leisure Australia Playspace Award (>\$0.5M).

All VIC/TAS award recipients are now National Finalists for the 2021 National Awards of Excellence to be announced at the National Awards of Excellence in Sydney on 14 September 2021.

More information about the award together with the trophy will be hopefully brought to the August Council Meeting.

14. Supplementary and urgent business

Nil

15. Confidential reports

Pursuant to section 66(2) of the *Local Government Act 2020* (the Act), the meeting of the Council be closed to members of the public for the consideration of the following confidential items:

CM.114/21 Tender Report - Contract 2021-034 Diamond Valley Library Upgrade Works Contract Variations

This item is confidential because it is private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets pursuant to paragraph (g(i)) of the definition of confidential information under section 3(1) of the *Local Government Act 2020*. This ground is applied because it is information that, if publicly released at the time, is likely to be inappropriately detrimental to the Council or any person (natural or corporate).

CM.115/21 CEO Employment Matters Committee

This item is confidential because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs pursuant to paragraph (f) of the definition of confidential information under section 3(1) of the *Local Government Act 2020*. This ground is applied because it is information that, if publicly released at the time, is likely to be inappropriately detrimental to the Council or any person (natural or corporate).

Council Resolution

MOVED: Cr Natalie Duffy
SECONDED: Cr Richard Stockman

That in accordance with section 66(2) of the *Local Government Act 2020*, Council resolves to close the meeting to members of the public to consider confidential items.

CARRIED UNANIMOUSLY

The meeting closed to the public at 8.43pm.

The meeting re-opened to the public at 8.47pm.

16. Close of Meeting

The meeting closed at 8:47pm.

Confirmed: _____
Cr Peter Perkins, Mayor