

# Council Meeting

to be held at the Civic Centre, Civic Drive, Greensborough  
on Wednesday 26 April 2023 commencing at 7:00pm.

## Agenda

**Carl Cowie**  
**Chief Executive Officer**

Thursday 20 April 2023

Distribution: Public

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# Council ChamberCouncil Meeting seating plan

<b>Cr Natalie Duffy</b> Edendale Ward				<b>Cr Peter Perkins</b> Ellis Ward
<b>Cr Karen Egan</b> Bunjil Ward				<b>Cr Frances Eyre</b> Swipers Gully Ward
<b>Cr Richard Stockman</b> Blue Lake Ward				<b>Cr Geoff Paine (Deputy Mayor)</b> Wingrove Ward
<b>Katia Croce</b> Governance and Property Lead	<b>Blaga Naumoski</b> Director Governance Communications and Community Safety	<b>Cr Ben Ramcharan (Mayor)</b> Sugarloaf Ward	<b>Carl Cowie</b> Chief Executive Officer	



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**Nillumbik Shire Council**

**Agenda of the Meeting of Nillumbik Shire Council to be held  
Wednesday 26 April 2023 commencing at 7:00pm**

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**1. Welcome by the Mayor**

Members of the public are advised the meeting will be livestreamed and recorded and the livestream recording will be made publicly available on YouTube and Council's website.

**2. Acknowledgement of Country by the Mayor**

Nillumbik Shire Council respectfully acknowledges the Wurundjeri Woi-wurrung people as the Traditional Owners of the Country on which Nillumbik is located, and we value the significance of the Wurundjeri people's history as essential to the unique character of the shire. We pay tribute to all First Nations People living in Nillumbik, give respect to Elders past, present and future, and extend that respect to all First Nations People.

We respect the enduring strength of the Wurundjeri Woi-wurrung and acknowledge the ongoing impacts of past trauma and injustices from European invasion, massacres and genocide committed against First Nations People. We acknowledge that sovereignty was never ceded.

Wurundjeri Woi-wurrung people hold a deep and ongoing connection to this place. We value the distinctive place of our First Nations People in both Nillumbik and Australia's identity; from their cultural heritage and care of the land and waterways, to their ongoing contributions in many fields including academia, agriculture, art, economics, law, sport and politics.

**3. Good Governance Pledge**

As Councillors, we are mindful of our civic responsibilities and obligations. We pledge to take them seriously, and to carry them out with diligence and integrity.

We know the decisions we take will affect the people and environment of Nillumbik, now and in the future. We undertake, therefore, to make sound and principled decisions of lasting value, in a spirit of fairness and for the good of all.

We also pledge to serve the needs and wellbeing of the community and the environment, in an open and honest manner and to the best of our abilities.

**4. Prayer**

A prayer will be read.

**5. Apologies**

To accept apologies from any Councillors not in attendance at the meeting.

<b>Recommendation</b>
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**That** the apologies be noted.

7. Confirmation of Minutes

COM.001/23 Confirmation of Minutes Council Meeting held Tuesday 28 March 2023

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6. Presentations

**Sporting Presentations 26 April 2023**

**Lahna Meadows (Blue Lake Ward)** receives \$200 as a contribution for being selected to represent Australia at the World Skate Inline Speed Championships in Italy.

**Ilse Dunell (Swipers Gully Ward)** receives \$150 as a contribution for being selected to represent Victoria at the Australian U15 Hockey National Championships in Darwin.

Nillumbik Shire Council wishes them every success with their future sporting pursuits.

7. Confirmation of Minutes

Confirmation of the minutes of the Council Meeting held on Tuesday 28 March 2023.

<b>Recommendation</b>
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**That** Council confirms the minutes of the Council Meeting held on Tuesday 28 March 2023 (**Attachment 1**).

**Attachments**

1. Minutes of Council Meeting held 28 March 2023

**8. Disclosure of conflicts of interest**

Councillors should note that any conflicts of interest should also be disclosed immediately before the relevant item.

**9. Petitions**

**10. Questions from the gallery**

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11. Reports of Advisory Committees

AC.003/23      Advisory Committee Report - 26 April 2023

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**Distribution:**    Public

**Manager:**        Blaga Naumoski, Director Governance, Communications and  
Community Safety

**Author:**          Katia Croce, Governance and Property Lead

**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.    Positive Ageing Advisory Committee Meeting held 3 March 2023; and
2.    Youth Advisory Committee meeting held 3 April 2023.

**Attachments**

1.    Advisory Committee Meeting Minutes reported 26 April 2023

<b>Recommendation</b>
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**That** Council notes the Minutes of the Advisory Committee meetings reported (**Attachment 1**).

**11. Reports of Advisory Committees**

**AC.003/23      Advisory Committee Report - 26 April 2023**

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## 12. Officers' reports

**CM.025/23      Positive Ageing Advisory Committee - 2023 Membership Endorsement****Distribution:    Public****Manager:        Corrienne Nichols, Director Communities****Author:          Narelle Hart, Manager Community Programs****Summary**

The Positive Ageing Advisory Committee (PAAC) provides a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation in the development, implementation and evaluation of activities to promote Positive Ageing in our community.

Following the endorsement of the Terms of Reference for the Positive Ageing Advisory Committee (PAAC) at Council meeting on 13 December 2022, recruitment for the PAAC opened on 20 December 2022 and closed on Wednesday 12 February 2023.

A total of fifteen applications were received, assessed and shortlisted against the selection criteria by an internal assessment panel.

This report updates Council on the proposed ten community nominees and four service provider nominees (**Attachment 1**) and seeks formal endorsement of the recommended new members.

<b>Recommendation</b>
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**That Council:**

1. Endorses the fourteen recommended applicants listed for appointment to the 2023-2025 Positive Ageing Advisory Committee (**Attachment 1**) as a Positive Ageing Advisory Committee member:
  - a. Applicant 1 \_\_\_\_\_.
  - b. Applicant 2 \_\_\_\_\_.
  - c. Applicant 3 \_\_\_\_\_.
  - d. Applicant 4 \_\_\_\_\_.
  - e. Applicant 5 \_\_\_\_\_.
  - f. Applicant 6 \_\_\_\_\_.
  - g. Applicant 7 \_\_\_\_\_.
  - h. Applicant 8 \_\_\_\_\_.
  - i. Applicant 9 \_\_\_\_\_.
  - j. Applicant 10 \_\_\_\_\_.
  - k. Applicant 11 \_\_\_\_\_.
  - l. Applicant 12 \_\_\_\_\_.
  - m. Applicant 13 \_\_\_\_\_.; and
  - n. Applicant 14 \_\_\_\_\_.

**12. Officers' reports**

**CM.025/23      Positive Ageing Advisory Committee - 2023 Membership Endorsement**

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2. Acknowledges and thanks all community members and local agencies who submitted expressions of interest to the Positive Ageing Advisory Committee.
3. Resolves that the Panel Recommendations and Scoring (**Attachment 1**) to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the *Local Government Act 2020*.
4. Resolves that the successful applicants be named.

**Attachments**

1. Evaluation - Positive Ageing Advisory Committee - April 2023 - *CONFIDENTIAL*

**Discussion**

1. The Positive Ageing Advisory Committee (PAAC) was established as a reference group in August 2012, and became formally endorsed as an advisory committee by Council in 2018.
2. The PAAC was established to provide a formal mechanism for Council to consult with community representatives, and provides a mechanism whereby community representatives can discuss, advise on and action ideas that support positive ageing in Nillumbik.
3. The current committee was formally endorsed in April 2021 for a 2 year term, with the term expiring in April 2023.
4. In December 2022 Council endorsed changes to the Terms of Reference (TOR) and membership structure of the PAAC.
5. Under the newly endorsed structure there can be 10 community members, and up to four representatives of local aged care service providers, or community organisations, for a two year term. Current committee members are able to reapply for an additional two year term irrespective of their previous years of membership.
6. The newly endorsed committee will meet bi-monthly on the first Friday of every second month from 10.30am until 1.30pm.
7. Expressions of Interest (EOI) for the committee were open from 20 December 2022 to 12 February 2023, inviting applications from current committee members, members of the public, and organisations who provide services to the local community.
8. A formal evaluation process was undertaken by the Manager, Community Programs and the Coordinator, Community Support Services and it is recommended that the 10 community members and four organisations (**Attachment 1**) be appointed to the Positive Ageing Advisory Committee for the upcoming two year term.

**Related Council decisions**

9. On 15 November 2022 a Councillor Briefing report outlined the proposed changes to the PAAC ToR and committee structure was provided.

**12. Officers' reports**

**CM.025/23      Positive Ageing Advisory Committee - 2023 Membership Endorsement**

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10. On 13 December 2022 a report was presented to Council whereby Council:
- acknowledged and thanked members of the PAAC for their advice and contribution to Council's work to create an Age-Friendly Nillumbik.
  - endorsed the revised ToR for the PAAC.
  - endorsed the timeline and process for seeking EOIs for the PAAC membership to renew the committee by May 2023.
  - instructed officers to provide a report on nominations to the PAAC to Council for endorsement on completion of the EOI.

**Options**

11. That Council formally endorses the fourteen nominees recommended for appointment to the 2023-25 Positive Ageing Advisory Committee (**Attachment 1**).
12. That Council note all applications received from past committee members and new community members have been recommended for acceptance. One application from a local service provider was not accepted due to it having been received some time after the EOI closing date

**Council plans and policies**

13. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
- We actively engage people of all ages and stages in decisions that affect them, ensuring that initiatives meet current and emerging needs.

**Access, Equity and Inclusion**

14. A Gender Impact Assessment was not applied, however Council's Access, Equity and Inclusion Policy has been considered. In particular the following areas of the Policy were applied:
- Community - The Expression of Interest process was broadly advertised and promoted to both individuals and agencies across the municipality.
  - Equity - Where appropriate and required, individuals were provided with assistance to complete the application process.
  - Human Rights – Active promotion of the PAAC to agencies serving the community in Nillumbik Shire Council, to encourage participation in the Advisory Committee.

**Sustainability implications**

15. Not applicable.

**Community engagement**

16. Nominations were sought via multiple channels including:
- a. Online: via Council website and social media platforms
  - b. The Ageing Well in Nillumbik Newsletter and other Council department e-newsletters
  - c. Positive Ageing networks and community groups

**12. Officers' reports**

**CM.025/23      Positive Ageing Advisory Committee - 2023 Membership Endorsement**

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- d. Word of mouth: phone calls, emails and conversations with participants, volunteers and community groups.

**Innovation and continuous improvement**

- 17. The inclusion of local service providers into the membership will bring new ideas, new partnership opportunities, and greater opportunities for providers to connect and understand the needs of residents, while responding to these needs in a more coordinated manner.
- 18. Having service providers in the membership also provides opportunities for the PAAC to learn about programs and services, current trends and matters related to the aged care sector

**Collaboration**

- 19. The Committee will support ongoing and new partnerships, information sharing and alignment of strategies and programs that contribute to positive ageing across the Nillumbik community.

**Budget implications**

- 20. All costs associated with the facilitation of the PAAC are accounted for within the Community Support Services operational budget.

**Relevant law**

- 21. Not applicable.

**Regional, state and national plans and policies**

- 22. Not applicable.

**Conflicts of interest**

- 23. All officers involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report

**12. Officers' reports****CM.026/23      March 2023 Quarter Financial Report**

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**Distribution:    Public****Manager:        Vince Lombardi, Chief Operating Officer****Author:          Melika Sukunda, Manager Finance, Assets and Procurement****Summary**

This report outlines Council's financial performance and financial position for the period ended 31 March 2023.

The Income Statement shows an overall favourable year to date (YTD) variance of \$6.3 million representing 20.97 percent of YTD Budget. This reflects the combined result of higher than budgeted operating income of \$6.5 million and higher than budgeted operating expenses of \$210,321.

Council's overall financial position at the end of this quarter is sound.

The Chief Executive Officer has reviewed the quarterly report and the mid-year forecast and has determined that a revised budget is not required.

<b>Recommendation</b>
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**That** Council receives and notes the Financial Report for the period ended 31 March 2023 (**Attachment 1**).

**Attachments**

1. Quarterly Finance Report March 2023

**Discussion**

1. In May 2022, Council adopted the 2022-2023 Budget.
2. Budgeted surplus reflects the amount by which operating revenue exceeds operating expenses, in accordance with relevant accounting standards.
3. Operating expenditure excludes non-operating transactions such as capital works and investments, which are separately detailed in the report.
4. The report compares actual performance to budgeted targets at this stage of the financial year.

**Income statement**

5. Council closed the period ending 31 March 2023 with a favourable YTD variance of \$6.3 million based on operating revenue and costs. This represents 20.97 percent of the YTD Budget.

**12. Officers' reports****CM.026/23      March 2023 Quarter Financial Report**

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6. The overall variance is made up of the following:

- Income – \$6.5 million (6.3 percent) favourable variance. This includes new/additional grant funding \$6.5 million, interest income \$679,823 and developer contributions \$350,654, offset by a reduction in user fees (\$1.5 million) largely resulting from a reduction in membership uptake after COVID along with a reduction in swimming lessons due to teacher shortages as detailed on page 6 of **Attachment 1**.
- Expenditure – \$210,321 (0.33 percent) unfavourable, mainly attributed to reduced employee benefits expenditure \$1.2 million due to current vacancies and external contracts expenditure \$594,271, offset by additional spend across materials and related costs \$991,010, costs associated with storm event recovery \$650,690 and lower operational expenditure associated with the leisure facilities. Additional details on variances are detailed on page 7 of **Attachment 1**.

**Balance sheet**

7. The balance sheet reflects Council's financial position at 31 March 2023 and is prepared in compliance with the Australian Accounting Standards.
8. Council's balance sheet as detailed on page 4 of **Attachment 1** continues to show a strong net position. This is represented by one billion of assets which is largely made up of Council's Property, Plant and Equipment. Council's total liabilities are \$48.3 million, which results in net assets of \$954.3 million.

**Statement of cash flows**

9. The statement of cash flows as detailed on page 5 of **Attachment 1** captures Council's actual cash transactions for the period.
10. Council is showing a cash position of \$8.6 million after all cash transactions for the period to date.
11. The \$8.6 million does not include \$39 million held in investments for a period of 90 days or greater as detailed on page 9 of **Attachment 1**.

**Capital works**

12. The capital works report detailing YTD spend by asset class is detailed on page 9 of **Attachment 1**.
13. This shows an unfavourable variance of (\$672,800) million relative to YTD budget, largely driven by new (unbudgeted) additional works and commitments raised for upcoming works.

**Related Council decisions**

14. Council adopted the 2022-2023 Budget at the Council Meeting held on 24 May 2022.

**Options**

15. The detailed Financial Report for the period ended 31 March 2023 is provided in **Attachment 1**. This report is an analysis of Council's financial performance and financial position as at 31 March 2023. The report also includes an analysis of budget variances.

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**CM.026/23      March 2023 Quarter Financial Report**

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**Council plans and policies**

16. This report directly supports the achievement of Council Plan 2021-2025 strategy:

- Ensure responsible and efficient management of Council's financial resources.

**Access, Equity and Inclusion**

17. A Gender Impact Assessment has been conducted on the budget process and Gender Responsive Budgeting included within the guidelines as a priority consideration throughout the development of the draft 2023-2024 budget.

**Sustainability implications**

18. Council's financial sustainability is informed by the indicators set by the Victorian Auditor General's Office (VAGO). These indicators comprise of both short term and longer term measures. This is monitored through the annual external audit and presented to the Audit and Risk Committee.

19. The quarterly financial statements are used as an ongoing mechanism to monitor Council's financial position during the year.

**Community engagement**

20. The budget was subject to public exhibition prior to its final adoption by Council.

**Innovation and continuous improvement**

21. Not applicable.

**Collaboration**

22. Not applicable.

**Budget implications**

23. The Chief Executive Officer has reviewed the quarterly report and the mid-year forecast and has determined that a revised budget is not required.

24. This is a standard reporting item to Council, the associated costs for which are included in the current budget.

**Relevant law**

25. *Local Government Act 2020*, section 101 Financial Management Principles.

26. *Local Government Act 2020*, section 97 Quarterly Budget Report

27. Australian Account Standards.

**Regional, state and national plans and policies**

28. Not applicable.

**Conflicts of interest**

29. No officer involved in the preparation of this report has declared a conflict of interest.

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**CM.026/23      March 2023 Quarter Financial Report**

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**12. Officers' reports****CM.027/23      Draft Onsite Wastewater Management Plan 2024-2029**

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**Distribution:    Public****Manager:        Rosa Zouzoulas, Director Planning, Environment and Strategy****Author:          Renae Ahern, Manager Planning Services****Summary**

The Draft Onsite Wastewater Management Plan has been brought to Council as a statutory document which is to be developed with the consultation of water corporations, the community and other stakeholders.

Building on the success of the previous Domestic Wastewater Management Plan, the most significant objective of the Draft Onsite Wastewater Management Plan (OWMP) 2024-2029, is to develop a risk management assessment for managing the ongoing wastewater requirements throughout the Shire.

The purpose of this report is to seek Council resolution to put the Draft Onsite Wastewater Management Plan out for public consultation.

<b>Recommendation</b>
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**That Council:**

1. Endorses the Draft Onsite Wastewater Management Plan shown at **Attachment 1** for public consultation from 30 April 2023 to 28 May 2023;
2. Invites written submissions regarding the Draft Onsite Wastewater Management Plan (**Attachment 1**) by 28 May 2023; and
3. Considers public submissions at a future Planning and Consultation Committee meeting.

**Attachments**

1. Draft Onsite Wastewater Management Plan 2024-2029

**Discussion**

1. Council's existing Domestic Wastewater Management Plan (DWMP) was adopted in 2019 and covers the period 2019-2023. Since adopting the existing plan, there have been a number of changes in regulatory guidance relating to domestic onsite wastewater management that have broaden the responsibilities for wastewater management, in particular the introduction of the General Environmental Duty (GED).
2. The GED requires that businesses and land owners are responsible to reduce the risk to human health and the environment. This means that people must manage their activities to reduce the risk of harm from pollution or waste.
3. The *Environment Protection Act 2017*, the *Environment Protection Regulations 2021* and the transitional provisions for Clause 29 of SEPP (Waters), mean that Council is obligated to provide a 5 yearly review of the Onsite Wastewater Management Plan (OWMP), formerly the Domestic Wastewater Management Plan (DWMP).

**12. Officers' reports****CM.027/23      Draft Onsite Wastewater Management Plan 2024-2029**

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4. Nillumbik Shire has been able to achieve many successes with the existing plan, in particular the extension of the reticulated sewer network within the Shire. Engagement with Yarra Valley Water (YVW) has provided a positive outcome from the 2021 Prioritisation process, where YVW review and prioritise the Community Sewerage Program areas for connection in the 2023-2028 Price Submission.
5. YVW have provided some preliminary projected connection data to Nillumbik for the Draft Onsite Wastewater Management plan, which may be subject to change in the future, i.e. dates and numbers of properties. The number of Nillumbik properties on the Community Sewerage Program, however has increased from 372 to 512. The majority of the Nillumbik areas are in the top 10 priority areas list, with design and planning for sewer infrastructure to be in 2026-2029 for some areas instead of 2023-2032.
6. The Draft Onsite Wastewater Management Plan 2024-2029 incorporates the new legislative changes and sets out a plan to commence the required risk management assessment of onsite wastewater management across Nillumbik Shire, along with continued engagement with YVW to assist with the future sewer connection programs.

**Related Council decisions**

7. Council adopted the previous Domestic Wastewater Management Plan at the Ordinary Meeting of Council on 25 June 2019.

**Council plans and policies**

8. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
  - We seek to enhance community safety, public health, amenity and the environment through improved planning and community engagement, prioritising fair and transparent approaches to managing compliance and enforcement.

**Access, Equity and Inclusion**

9. The Final Onsite Wastewater Management Plan 2024-2029 will include an Acknowledgement of Country.
10. The Plan is intended to raise awareness of Council's activities in relation to onsite wastewater management across the Shire, including advocacy for equitable sewer provision.
11. Resolution to take the Draft Plan to public consultation, provides a further opportunity for the community to engage with Council.

**Sustainability implications**

12. Effective management of onsite wastewater management systems is directly aligned with Council's various environmental strategies, and is key to reducing the risk to human health and the environment.
13. Council officers are aware of the economic impact of installing, upgrading, monitoring and maintenance of onsite wastewater management systems and will provide education tools and assistance to owners and occupiers with onsite wastewater systems.
14. Installation approvals will consider the long term environmental sustainability of systems where reticulated sewer will not be a future option. Council's ongoing

**12. Officers' reports****CM.027/23      Draft Onsite Wastewater Management Plan 2024-2029**

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advocacy program for the provision of reticulated sewer throughout all the townships within Nillumbik achieves sustainability outcomes.

**Community engagement**

15. Council engaged with the Community Sewerage Program areas within the Shire including St Andrews, Panton Hill, Yarrambat, Hurstbridge, Plenty, Diamond Creek and Wattle Glen, via a survey. The survey sought to determine the types of systems currently in use, the regularity of maintenance and the appetite for connection to reticulated mains sewer. A summary of results is included as an Appendix of the plan.

**Innovation and continuous improvement**

16. The plan includes an Action Plan outlining five Focus Areas, with strategies to achieve improvements in data maintenance, public education and awareness and to commence an evidence based risk management assessment and program in line with the Department of Environment, Energy and Climate Action (DEECA) guidance documents.

**Collaboration**

17. Council's Environmental Health team will continue to build on the successful collaborating relationships established with YVW, Melbourne Water, RMIT, EPA, DEECA and the Municipal Association of Victoria (MAV), and with the community and internal stakeholders throughout the life of the new plan.

**Budget implications**

18. Implementation of the Onsite Wastewater Management Plan will be accommodated within the existing Environmental Health Services operational budget, and will be supported by any future funding opportunities from MAV (recently awarded a \$20,000 grant to assist with record cleansing), DEECA and Melbourne Water, who has previously assisted with a grant to fund a water sampling regime.

**Relevant law**

19. *Environment Protection Act 2017*
20. *Environment Protection Regulations 2021*
21. *Environment Protection Transitional Regulations 2021* (Clause 29 SEPP [Waters]).

**Regional, state and national plans and policies**

22. Code of Practice – Onsite wastewater management, EPA Publication 891.4
23. Regulating onsite wastewater management: local government toolkit, EPA Publication 1974
24. Onsite wastewater management plans: risk assessment guidance, DWELP 2022.

**Conflicts of interest**

25. No officers involved in the preparation of this report has a conflict of interest.

**12. Officers' reports**

**CM.027/23      Draft Onsite Wastewater Management Plan 2024-2029**

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**12. Officers' reports****CM.028/23      January 26 Citizenship Ceremonies moving forward**

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

The purpose of this report is to seek endorsement from Councillors regarding a change of date for the Citizenship ceremony that has previously been held on January 26.

The report provides information on the announcement on the update to the Australian Citizenship Ceremonies Code from the Minister for Immigration, Citizenship and Multicultural Affairs. This update enables Local Government greater flexibility to deliver Citizenship January 26.

<b>Recommendation</b>
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**That Council:**

1. Endorses the change of date for Citizenship Ceremony currently held on January 26 to post January 26 moving forward.
2. Endorses that the 2024 Citizenship Ceremony is to be held on Monday 29 January 2024.
3. Endorses the date for future January Citizenship Ceremonies be determined annually at a Council meeting in November which coincides with the election of the Mayor, 14 months prior to the ceremony.

**Attachments**

1. Announcement of changes to the Australian Citizenship Ceremonies Code
2. Amended - Australian Citizenship Ceremonies Code December 2022

**Discussion**

1. On Friday 16 December 2022, the Honourable Andrew Giles MP (Minister for Immigration, Citizenship and Multicultural Affairs) announced an update to the *Australia Citizenship Ceremonies Code* (**Attachment 1**).
2. The *Amended - Australian Citizenship Ceremonies Code* (**Attachment 2**) sets out the requirements for conducting citizenship ceremonies in accordance with the *Australian Citizenship Act 2007*.
3. The update provides Local Government entities with greater flexibility to deliver citizenship ceremonies on or around 26 January.
4. Prior to this update, Councils were required to hold a citizenship ceremony on "Australia Day".
5. The update now enables Councils that currently hold a citizenship ceremony on 26 January, to continue to conduct the ceremony on January 26 or, change the date to any of the three days before or after this date.

**12. Officers' reports****CM.028/23      January 26 Citizenship Ceremonies moving forward**

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6. Ceremonies held in the period between the 23 and 29 January will meet the requirements.
7. The update will allow Local Governments greater flexibility to schedule ceremonies as part of a broader program of community events, and to reduce the significant operational costs involved in hosting an event on a public holiday.
8. The update further reflects and recognises that January 26 is a day of mourning for First Nations people of Australia.
9. In 2023, Nillumbik Shire Council will commence development of our first Reflect Reconciliation Action Plan (RAP).
10. The RAP will outline the shared approach Council will take to progress reconciliation and work alongside Aboriginal people in all Council services. The RAP is a formal commitment to support First Nations peoples' rights, culture, heritage, needs and aspirations.
11. In line with Nillumbik's RAP development, future Council events, programs and initiatives pertaining to Aboriginal culture and history will be informed by Council's RAP working group and through Council's ongoing consultation with Wurundjeri Elders. This is including, but not limited to, events and initiatives delivered as part of NAIDOC week, Reconciliation Week and January 26.
12. As part of Nillumbik's RAP community engagement, respondents will have the opportunity to make suggestions about what events and projects they would like to see delivered as part of Council's reconciliation journey.

**Related Council decisions**

13. On 26 July 2022, Council endorsed moving the Australia Day Awards Program which was held on January 26 to an alternate date. Citizenship Ceremonies remained on January 26 as part of the requirements under the *Australian Citizenship Ceremonies Code*.

**Options**

14. With respect to the update to Australian Citizenship Ceremonies Code, Council Officers recommend that Council respond by discontinuing the delivery of citizenship ceremonies on January 26 or "Australia Day" from 2024 onwards.
15. This decision aligns with the values and strategic direction of the RAP, recognising that January 26 is a day of mourning for First Nations people of Australia.
16. This decision also aligns with guidance provided by Nillumbik traditional owners (the Wurundjeri Woi-Wurrung people of the Kulin nation), that celebrations undertaken on January 26 can be reasonably expected to cause offense and/or harm to First Nations people.

**12. Officers' reports**

**CM.028/23      January 26 Citizenship Ceremonies moving forward**

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17. The option put forward for Councillors endorsement is as follows:
- a. New date for the January Citizenship ceremony will be held within the three days post January 26 taking into consideration if this date falls on a weekend, but will still be within the allowed time frame.
  - b. For 2024 the Citizenship Ceremony will be held on Monday 29 January 2024.
  - c. All future January Citizenship Ceremonies will be determined annually at a Council meeting in November which coincides with the election of the Mayor, 14 months prior to the ceremony.

**Council plans and policies**

18. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
- a) We protect Aboriginal cultural heritage; through building trust, education and celebration, we stand with First Nations people respecting their unique place in our Nation.

**Access, Equity and Inclusion**

19. A Gender Impact Assessment (GIA) was conducted on Monday 6 February 2023 which identified the following recommendations:
- a) Include feedback survey to conferees
  - b) First Nations education and truth telling to be included in speech notes.

**Sustainability implications**

20. Not applicable.

**Community engagement**

21. No formal community engagement has been undertaken although community feedback through social media and other forms of informal communication (including feedback from our recent Citizenship Ceremony held on January 26) strongly indicates support for any activities to be changed from January 26 and to acknowledge and respect this day as a day of mourning for First Nations people of Australia.

**Innovation and continuous improvement**

22. As Council is the process of developing the RAP which is a formal commitment to support First Nations peoples' rights, culture, heritage, needs and aspirations, continuous improvement in this area is strongly recommended.

**Collaboration**

23. The decision to change the date of citizenship ceremony from January 26 aligns with the guidance and the work that we are doing with the Nillumbik traditional owners (the Wurundjeri-Woi-Wurrung people of the Kulin nation) and Nillumbik Reconciliation Group (NRG).

**12. Officers' reports**

**CM.028/23      January 26 Citizenship Ceremonies moving forward**

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**Budget implications**

24. Holding a citizenship ceremony on an alternate date other than January 26 will enable Council to hold an event on a day that is not on a public holiday. This would reduce costs such as hospitality, entertainment and wages due to the addition of public holiday surcharges.

**Relevant law**

25. Not applicable.

**Regional, state and national plans and policies**

26. The Australian Citizenship Ceremonies Code sets out the requirements for conducting citizenship ceremonies in accordance with the *Australian Citizenship Act 2007*.

**Conflicts of interest**

27. All officers involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report.



**12. Officers' reports****CM.029/23 Jalna Court, Eltham - Proposed Special Charge Scheme**

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**File:** FOL/20/3711**Distribution:** Public**Manager:** Vince Lombardi, Chief Operating Officer**Author:** Enrique Gutierrez, Manager Capital and Infrastructure**Summary**

On 29 July 2021 Council received a petition by property owners to partially seal Jalna Court, Eltham, with costs recovered via the implementation of a Special Charge Scheme.

On 21 December 2021 an initial questionnaire was sent to all property owners to gauge their level of support. As part of this questionnaire the first two properties in the street (1 Jalna Court and 6 Jalna Court) were also asked of their interest for a partial scheme to seal only the section of road adjoining these two properties.

The result of the questionnaire confirmed insufficient support to proceed further with an investigation into a Special Charge Scheme to seal the full length of Jalna Court, however there was support to proceed with further investigation into a partial scheme involving the first two properties.

Council officers held an information session on site on 1 September 2022 with these two property owners. On 27 September 2022 a formal questionnaire was sent to confirm their support for sealing the section of road. Both properties confirmed their support.

Based on these results, it is recommended that the development of the Jalna Court Special Charge Scheme proceeds.

<b>Recommendation</b>
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**That Council:**

1. Proceeds with the development of a Special Charge Scheme for the partial sealing of Jalna Court, Eltham, (between the western boundary of 1 Jalna Court and the intersection with Sweeneys Lane), with a rural standard of construction.
2. Invites affected property owners to join the task group and to provide comments for consideration within the design process.

**Attachments**

1. Jalna Court Special Charge Scheme Area
2. Apportionment to affected properties

**Discussion**

1. On 29 July 2021 Council received a petition signed by three property owners to partially seal Jalna Court, between the intersection with Sweeneys Lane and 3 Jalna Court, via a Special Charge Scheme.
2. Due to the location of the property boundaries, Council officers advised that the requested partial scheme did not meet the guidelines.

## 12. Officers' reports

## CM.029/23 Jalna Court, Eltham - Proposed Special Charge Scheme

3. However, a revised partial scheme was agreed upon, which would include the first two properties in the street (1 Jalna Court and 6 Jalna Court).
4. Property owners along Jalna Court were surveyed to determine the level of interest to further investigate sealing of the entire road.
5. On 21 December 2021, an initial questionnaire was sent to all property owners.
6. The result of the questionnaire did not demonstrate sufficient level of support for sealing the full length of Jalna Court (table below).

	Construction	No Change	Total
<b>Votes</b>	3	3	6
<b>Percentage</b>	50%	50%	100%

7. The questionnaire sent to 1 Jalna Court and 6 Jalna Court included an option to proceed with further investigation into a partial Special Charge Scheme to seal the section of road between Sweeneys Lane and the western boundary of 1 Jalna Court.
8. The questionnaire result for this option demonstrated a sufficient level of support to proceed with further investigation. (table below)

	Construction	No Change	Total
<b>Votes</b>	2	0	2
<b>Percentage</b>	100%	0%	100%

9. Council officers held an information session on site, on 1 September 2022, with the two property owners.
10. At the information session, general information was discussed related to the construction standard, cost apportionment, scheme procedure, statutory process and reconciliation of the scheme.
11. On 27 September 2022, a formal questionnaire was sent to 1 Jalna Court and 6 Jalna Court to ascertain the level of support for the partial sealing the road, via a Special Charge Scheme. The results of the formal questionnaire are shown in Table below:

	Construction	No Change	Total
<b>Votes</b>	2	0	2
<b>Percentage</b>	100%	0%	100%

12. The level of support established for a Special Charge Scheme for the partial sealing of Jalna Court is 100 percent, which is above the 60 percent level of support required.
13. The level of support is above the level required in accordance with Council's endorsed *Special Charge Schemes for Road and Drainage Works Policy & Guidelines*, it is recommended that the development process proceeds.

**12. Officers' reports**

**CM.029/23 Jalna Court, Eltham - Proposed Special Charge Scheme**

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**Related Council decisions**

14. Not applicable.

**Options**

15. Options available to Council are:

- Resolve to proceed as per the recommendations of this report, or
- Resolve to abandon further investigation into a Special Charge Scheme, place any further scheme investigation on a three year moratorium and notify affected property owners accordingly.

**Council plans and policies**

16. This report directly supports the achievement of the Council Plan 2021-2025 strategy:

- We continue to deliver on our road management responsibilities; working to enhance infrastructure that aligns with the character of the neighbourhood.

**Access, Equity and Inclusion**

17. Not applicable.

**Sustainability implications**

18. Council is committed to use the environmentally sustainable materials where available.

**Community engagement**

19. Consultation has been carried out in line with Council's *Special Charge Schemes for Road and Drainage Works Policy & Guidelines*.

**Innovation and continuous improvement**

20. Not applicable.

**Collaboration**

21. Not applicable.

**Budget implications**

22. All costs associated with the investigation are accommodated within existing operational budgets.

**Relevant law**

23. The 'Special Charge Scheme' legislation under Section 163 of the *Local Government Act 1989* (The Act), enables a Council to recover the cost of the works from the property owners, for works that will be of special benefit to them.

**Regional, state and national plans and policies**

24. Not applicable.

**Conflicts of interest**

25. The officers involved in the preparation of this report do not have a conflict of interest in the subject matter of this report.

**12. Officers' reports**

**CM.029/23      Jalna Court, Eltham - Proposed Special Charge Scheme**

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**12. Officers' reports****CM.030/23 Land Management Incentive Program - Risk Review**

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**Distribution: Public****Manager: Carl Cowie, Chief Executive Officer****Author: Jeremy Livingston, Director Culture and Performance****Summary**

This report relates to a risk review of Council's Land Management Incentive Program (LMIP) as it relates to deer control and the use of high-powered firearms.

The LMIP offers incentive grants to the community (landowners) for sustainable land management activities that have positive ecological outcomes, support threatened species conservation, and/or support improved and sustainable land management outcomes.

The LMIP guidelines (**Attachment 2**) were revised and endorsed by Council at the November 2021 Council Meeting. One of the many revisions included more explicitly incorporating deer control into the eligibility criteria of the incentive grants.

Unlike the State Government funded Sugarloaf Link Project, the decision to include deer control into the eligibility criteria of the LMIP program did not include a risk assessment. In hindsight, a risk assessment should have been undertaken for this high-risk activity when the LMIP guidelines were revised in 2021.

To remedy this, the deer control component of the LMIP has now been subject to an independent risk a review, including a detailed risk assessment (**Attachment 1**).

Given the use of high powered firearms in deer control, this high-risk activity requires a very strong and robust control environment to manage the level of risk associated with this activity. Having regard to the independent risk assessment now undertaken, and the significance of the risk identified, it is recommended that Council:

- Remove deer funding from the LMIP; and
- Consider opportunities for the use of Council contactors for deer control outside of this program.

<b>Recommendation</b>
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**That Council:**

1. Removes shooting based activities as part of the LMIP.
2. Continues to explore alternative programs to manage deer control across the Shire.
3. Requests the Director Planning, Environment and Strategy to implement this decision.

**Attachments**

1. LMIP Deer Control Risk Assessment - March 2023
2. LMIP Guidelines - November 2021 (Council adopted)
3. LMIP Review Fact Sheet - November 2021

**12. Officers' reports****CM.030/23      Land Management Incentive Program - Risk Review**

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**Discussion**

1. The Land Management Incentive Program (LMIP) is a key component of Council's environmental and agricultural advisory and extension service.
2. Established in 1996 (then known as the Community Weed Control Program), the program supports the delivery of Council's Green Wedge Management Plan 2019 by offering incentive grants to community members (landowners) for land management activities that have positive ecological outcomes, support threatened species conservation, and/or support improved and sustainable land management outcomes.
3. At the November 2021 Council Meeting, Council endorsed revised guidelines for Council's LMIP (**Attachment 2**). These revisions sought to maximise environmental outcomes based on the experience of Council officers; community enquiry data; emerging conservation, invasive species and climate change issues and trends; State Government policy and priorities; benchmarking against other Council programs; and feedback from Council's Environment and Sustainability Advisory Committee (ESAC).
4. One of the many endorsed revisions to the LMIP guidelines was the more explicit eligibility criteria for deer control within the program.
5. The revised LMIP guidelines are similar to the Council operated deer control projects (such as the Sugarloaf Link Project) by relying on individual landowners or a project control group to manage the funded project and engage a professional animal controller.
6. Planning and procurement for projects such as the Sugarloaf Link Project has included a reliance on risk assessments, applied to firstly understand the requisite activities and processes, and then to identify major risks and mitigate these risks through a series of controls.
7. Unlike the Sugarloaf Link Project, the decision to include deer control into the eligibility criteria of the LMIP program did not include a risk assessment.
8. In hindsight, a risk assessment should have been undertaken for this high-risk activity when the LMIP guidelines were revised in 2021.
9. Given the use of high powered firearms in deer control, this is a high-risk activity that requires a very strong and robust control environment to manage the level of risk associated with this activity. As such, the deer control component of the LMIP has now been subject to an independent risk review, as detailed in the risk assessment undertaken by Council's Risk Advisor, as outlined in **Attachment 1**.

**Related Council decisions**

10. At the November 2021 Council Meeting, Council endorsed the revised Land Management Incentive Program Guidelines 2021 (**Attachment 2**).

**12. Officers' reports****CM.030/23 Land Management Incentive Program - Risk Review**

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**Options**

11. Having regard to the risk review now undertaken, and the significance of the risk identified, it is recommended that Council:
  - Remove deer funding from the LMIP; and
  - Consider opportunities for the use of Council contactors for deer control outside of this program.
12. Furthermore, there may be opportunities for Council to provide greater education and awareness with respect to deer control, rather than providing incentive grants for deer control through the LMIP.
13. Alternatively (and not recommended), Council could accept the risk (accepting a high risk appetite) and continue to include deer control as an eligible activity within the LMIP.

**Council plans and policies**

14. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
  - We seek to enhance community safety, public health, amenity and the environment through improved planning and community engagement, prioritising fair and transparent approaches to managing compliance and enforcement.

**Access, Equity and Inclusion**

15. A Gender Impact Assessment has not been applied to the LMIP guidelines, and is not applicable to the risk review now undertaken.

**Sustainability implications**

16. The LMIP seeks to promote sustainable land management and biodiversity conservation and increase community capacity to help deliver these objectives.

**Community engagement**

17. The revised LMIP guidelines were presented to Council's Environment and Sustainability Advisory Committee (ESAC), who supported the proposed changes.
18. Wider community consultation on revisions to the LMIP guidelines was not undertaken.

**Innovation and continuous improvement**

19. The risk review undertaken has reviewed the control environment for improvements to the deer portion of the LMIP, and makes recommendations accordingly.

**Collaboration**

20. Not applicable.

**Budget implications**

21. This report presents no budget implications. The LMIP has a recurrent grant-pool budget of \$60,000. The maximum available amount for each grant is \$10,000.

**12. Officers' reports**

**CM.030/23 Land Management Incentive Program - Risk Review**

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**Relevant law**

22. The LMIP is a tool which supports Council and private landowners to comply with the following legislative requirements:
- *Environment, Protection and Biodiversity Conservation Act 1999*
  - *Flora and Fauna Guarantee Act 1988*
  - *Catchment and Land Protection Act 1994*
  - *Climate Change Act 2017.*
23. Council must also take into account the compliance provisions of the *Local Government Act 2020* for good governance, community accountability requirements, complaints, procurement, along with a robust risk control environment to protect itself against legal action under the *Wrongs Act 1958*.

**Regional, state and national plans and policies**

24. Not applicable.

**Conflicts of interest**

25. All officers involved in the preparation of this plan have made a declaration that they do not have a conflict of interest in the subject matter of this report.



**12. Officers' reports****CM.031/23      Ageing Well in Nillumbik Action Plan 2019-2022 - Final Report**

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**Distribution:    Public****Manager:        Corrienne Nichols, Director Communities****Author:          Narelle Hart, Manager Community Programs****Summary**

The purpose of this report is to provide Councillors with the final report of the Ageing Well in Nillumbik Action Plan 2019-2022.

The report provides information on activities undertaken over the three year period of the plan, with particular focus on the final year of the plan.

<b>Recommendation</b>
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**That Council:**

1. Accepts the Final Report of the Ageing Well in Nillumbik Action Plan 2019-2022 (**Attachment 1**).
2. Agrees that any actions from the Ageing Well in Nillumbik Action Plan 2019-2022 (**Attachment 2**) that require ongoing work will be embedded in the Year 3 and 4 Action Plans of the Nillumbik Health and Wellbeing Plan.
3. Agrees that new actions that support positive ageing and wellbeing will be identified and prioritised in consultation with the Positive Ageing Advisory Committee (PAAC).
4. Acknowledges the positive outcomes that have been achieved through the Ageing Well in Nillumbik Action Plan 2019-2022.

**Attachments**

1. Final Report of the Ageing Well in Nillumbik Action Plan
2. Ageing Well in Nillumbik Action Plan 2019-2022
3. Ageing Well in Victoria Action Plan 2022-2026
4. Ageing is Everyone's Business - Report on Isolation and Loneliness among Senior Victorians

**Discussion**

1. The Ageing Well in Nillumbik Action Plan 2019-2022 (AWiNAP) (**Attachment 2**) was developed in consultation with the Positive Ageing Advisory Committee (PAAC). It is part of an integrated set of Council plans and intended to compliment and support the implementation of these plans.
2. The plan and activities were created and have been implemented with the World Health Organisation principles of Age-Friendliness at their core.

**12. Officers' reports****CM.031/23      Ageing Well in Nillumbik Action Plan 2019-2022 - Final Report**

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3. The vision for the AWINAP was that Nillumbik residents will live and age well in healthy and safe communities that are inclusive and respectful and the plan had a specific focus on priorities, actions and activities to strengthen, benefit and resource older people, their carers and families across Nillumbik.
4. The Final Report of the Ageing Well in Nillumbik Action Plan 2019-2022 term has now concluded and a report detailing the achievements is attached (**Attachment 1**).

**Related Council decisions**

5. In late 2018 Council's Future Nillumbik Committee adopted a number of resolutions to guide and support a considered response to the National Aged Care Reform. The resolutions included:
  - Transition from the delivery of highly subsidised services which can be offered by other providers in the market based aged care system by June 2020.
  - Realign Councils role in supporting older people toward improving the opportunities and choices for older residents to live and age well in Nillumbik by;
    1. Establishing an information advocacy and navigation service which supports older residents and carers to navigate a significantly changed service system and a diverse range of positive ageing programs
    2. Continuing to provide Community Transport and conduct a service delivery review
    3. Developing a business model for social connection and social participation
    4. Undertaking a service delivery review for community based social meals in place of delivered meals for Council consideration.
  - Continue to deliver Regional Assessment Services until such point that the Commonwealth and State Governments determine the future operating and funding model and then review Council's role.
  - Continue to engage with the PAAC as part of the transition process and service delivery reviews.
  - Develop and resource a transition plan to effectively implement these changes
6. In March 2019 Council adopted the AWINAP.

**Options**

7. The AWINAP term is now concluded. Priorities identified in Nillumbik Health and Wellbeing Plan (HWBP) 2021-2025 support the principles of Age-Friendliness and provide the framework to embed positive ageing actions.
8. Actions from the AWINAP 2019-2022 that require ongoing work and newly identified actions to enable active participation and support of older people in the Shire will be developed in consultation with PAAC in 2023. These will then be embedded in the Year 3 and 4 Action Plans of the HWBP.

**12. Officers' reports**

**CM.031/23 Ageing Well in Nillumbik Action Plan 2019-2022 - Final Report**

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**Council plans and policies**

9. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
- We work towards creating an age-friendly community where all people regardless of their age or ability can live a good quality of life.

**Access, Equity and Inclusion**

10. The AWiNAP was developed with consideration to access, equity and inclusion for older people across the Shire.

**Sustainability implications**

11. Implementation of actions associated with the AWiAP and future actions, relies largely on Council advocating for and delivering services, programs and activities for older people. Additionally, Council also plays a significant role in facilitating and resourcing the community and groups to meet the needs of older people to ensure sustainability beyond the limited resources that are available from Council.

**Community engagement**

12. The development and implementation of the AWiNAP was undertaken in consultation with the PAAC and via the PAAC members, the broader network of community groups and residents were consulted.
13. Local agencies and service providers were engaged and collaborated at various stages of the development and implementation of the plan, providing services and support where appropriate. This is reflected in the report.
14. Throughout the cycle of the AWiNP, progress was reviewed annually in consultation with PAAC.

**Innovation and continuous improvement**

15. Continuous Improvement and innovation have been integral in the implementation of AWiNAP actions with examples of innovative projects such as the Seniors Exercise Park and the Dementia Alliance as outlined in the Final Report of the Ageing Well in Nillumbik Action Plan 2019-2022 (**Attachment 2**).

**Collaboration**

16. Throughout the implementation of the AWiNAP, ranges of networks and service providers have supported the delivery of activities and programs. Council's Community Support Services team have collaborated with other Councils in the Northern Region, and through the MAV Positive Ageing Network to deliver a number of activities and events. For example – the Banyule Nillumbik Positive Ageing Expo held in 2020 provided both communities with a comprehensive expo of events, activities, advice and information for older residents and feedback was very positive.
17. Other key collaborators include Yarra Plenty Regional Library, Living and Learning Centres, Red Cross, Country Fire Authority, local schools, Banksia Palliative Care, St Vincent's Healthy Ageing Service, Merri Health and HealthAbility.

**Budget implications**

18. Delivery of the AWiNAP has been within allocated operating budget.

**12. Officers' reports**

**CM.031/23      Ageing Well in Nillumbik Action Plan 2019-2022 - Final Report**

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**Relevant law**

19. Not applicable

**Regional, state and national plans and policies**

20. Ageing Well in Victoria Action Plan 2022-2026 (**Attachment 3**). This plan reflects learnings from the previous State plans and directs activities towards the future for older people in Victoria.
21. Ageing is everyone's business – Report on isolation and loneliness among senior Victorians (**Attachment 4**). This report was undertaken by the Commissioner for Senior Victorians and informs our professional practice and activities for older people in the Shire

**Conflicts of interest**

22. All officer involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report.

**12. Officers' reports****CM.032/23      Tender Report - Contract 2223-035 Design and Construction of a Modular Changing Places and Toilet Facility - Alistair Knox Park**

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**Distribution:    Public****Manager:        Vince Lombardi, Chief Operating Officer****Author:          Enrique Gutierrez, Manager Capital and Infrastructure****Summary**

This report recommends the awarding of contract 2223-035 for Design and Construction of a Modular Changing Places and Toilet Facility - Alistair Knox Park which will replace the ageing brick public toilet facility which does not meet current community expectations, desired service levels or compliance standards such as accessibility.

The contract will commence on 1 May 2023 with completion expected by 1 April 2024.

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 2223-035 for Design and Construction of a Modular Changing Places and Toilet Facility - Alistair Knox Park.

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.

<b>Recommendation</b>
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**That Council:**

1.    Accepts the tender submitted by the **preferred tenderer** for the sum of **[\$[Redacted]]** plus **[\$[Redacted]]** for contingency (inclusive of GST) and enter into the following contract:  
  
        Number:            2223-035  
        Title:              Design and Construction of a Modular Changing Places and Toilet Facility - Alistair Knox Park  
        Term:              1 May 2023 to 1 April 2024  
        Options:           Not applicable.
2.    Authorises the Chief Operating Officer to finalise and execute the contract documentation.
3.    Authorises the Chief Operating Officer to approve additional cost variations that are a result of unknown latent site conditions or changes to building requirements throughout the term of the contract with a value of no more than the approved budget for the project.
4.    Notes that any variations that exceed the agreed approved budget will require a further Council resolution.
5.    Advises all tenderers accordingly.

**12. Officers' reports****CM.032/23      Tender Report - Contract 2223-035 Design and Construction of a Modular Changing Places and Toilet Facility - Alistair Knox Park**

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6. Makes public the decision regarding this contract but the Tender Evaluation Report 2223-035 (**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*.
7. Resolves that the preferred tenderer be named.

**Attachments**

1. Tender Evaluation Summary Report 2223-035 - *CONFIDENTIAL*

**Discussion**

1. At present, Alistair Knox Park is served by an aging brick toilet facility located on the eastern side of the park, located next to Main Road, Eltham VIC 3095
2. The existing facility is a typical male and female facility, does not meet current community expectations, desired service levels or compliance standards such as accessibility and is nearing the end of its useful life.
3. The facility serves users of Alistair Knox Park, the adjacent Diamond Creek Trail and passers-by.
4. Council is now looking to replace the existing facility with a more appropriate, modern and fully accessible facility.
5. Due to time constraints around funding and the need for a simple yet stylish and modern replacement, it has been decided to install a modular/pre-fabricated style facility within Alistair Knox Park, but in a more appropriate location, closer to the main paths and playground.
6. The existing facility will be demolished. This will be done by others and will not be part of this contract.
7. This contract is part of a larger project, which is jointly funded via Department of Families, Fairness and Housing and Council.
8. The larger project includes a fully compliant and certified Changing Places Facility, which will be delivered under this contract, along with universally designed access paths and other elements of the project which will be delivered under separate contracts.

**Council plans and policies**

9. This report directly supports the achievement of the Council Plan 2021-2025 strategy  
Good governance
  - We continue to exercise sustainable and responsible financial management.Open Spaces
  - We carefully protect, plan, maintain and improve open spaces, streetscapes and places to ensure that they are safe, accessible and enjoyable.

**12. Officers' reports****CM.032/23 Tender Report - Contract 2223-035 Design and Construction of a Modular Changing Places and Toilet Facility - Alistair Knox Park****Tender overview**

The Tender Evaluation Panel (TEP) advises that:

10. A public tender was issued on and advertised in the Melbourne Age on Saturday 18 February 2023.
11. The period for tender submissions closed at 2pm on Thursday 9 March 2023.
12. The following tenders were received:

<b>TENDERER</b>
<b>Tenderer A – Preferred Tender</b>
Tenderer B
Tenderer C
Tenderer D
Tenderer E
Tenderer F
Tenderer G
Tenderer H

13. Only tenders that were conforming and competitive were fully scored. Tender submissions that were evaluated as non-conforming or not sufficiently competitive were set aside from further evaluation.
14. The following tenders were evaluated as non-conforming or not sufficiently competitive and were subsequently set aside from further evaluation.

<b>TENDERER</b>	<b>Reasons why tender was set aside from further evaluation</b>
Tenderer F	Highest tendered costs. Almost twice the cost of the average of tendered costs
Tenderer G	Incomplete submission
Tenderer H	Incomplete submission

15. The following Evaluation Criteria and Weightings were applied during the evaluation of the conforming and competitive tenders. These weightings were set and agreed to by the Tender Evaluation Panel Members prior to the issue of the tender.

<b>Criteria</b>	<b>Weighting %</b>
Price	35%
Quality	25%

## 12. Officers' reports

**CM.032/23 Tender Report - Contract 2223-035 Design and Construction of a Modular Changing Places and Toilet Facility - Alistair Knox Park**

Criteria	Weighting %
Aesthetic appeal	25%
Collaboration	5%
Social and Local	10%

16. The weightings reflect the relative importance of each element to this particular contract. They were determined as being most appropriate after considering numerous factors including (but not restricted to) the time, quality, risk and contract management requirements which were likely to have the most impact on the achievement of best value.

17. The members of the TEP were:

Position Title	Business Unit	Scoring Member or Advisory Member
Construction Coordinator	Capital and Infrastructure	Scoring
Project Management Officer (1)	Capital and Infrastructure	Scoring
Project Management Officer (2)	Capital and Infrastructure	Scoring
Manager Capital and Infrastructure	Capital and Infrastructure	Advisory
Senior Procurement Specialist	Procurement	Advisory

18. The final evaluation outcome was as follows:

TENDERER	SCORE	RANK
Tenderer A – Preferred Tender	78/100	1
Tenderer B	76/100	2
Tenderer C	68/100	3
Tenderer D	66/100	4
Tenderer E	50/100	5

19. The recommended tender was the highest ranked and is considered best value as the tendered project can be delivered within available budget while still allowing for some material options to further enhance the finished structure aesthetic appeal, and the recommended tenderer has evidenced experience in delivering similar projects.
20. **Attachment 1** - Tender Evaluation Summary Report 2223-035 – Confidential, provides the tenderer names and the Evaluation Scorecard Summary.



**12. Officers' reports****CM.032/23 Tender Report - Contract 2223-035 Design and Construction of a Modular Changing Places and Toilet Facility - Alistair Knox Park**

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21. The Tender Evaluation Summary Report 2223-035 (**Attachment 1**) to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

**Quality**

22. The recommended tenderer has evidenced experience in delivering design, supply and install changing places and toilet facilities.
23. The recommended tenderer has in place accredited Quality Management, Environmental Management and OH&S Management systems and processes.
24. Project methodology provided is clear and concise.
25. Has skilled in-house staff to support the project delivery requirements.

**Aesthetic appeal**

26. The project examples provided of similar facilities constructed as well as the proposed drawings, whilst simplistic in design, are durable and low maintenance.
27. Tenderer has provided some options in relation to different materials/finishes to enhance the aesthetic appeal.
28. As there will be community consultation in the design phase, Council can investigate the viability of the different finishes and materials.

**Tender Reference checks**

29. Tender project reference checks were undertaken with no concerns raised.

**Contingency and risks**

30. The following table outlines the risks and steps to be undertaken to mitigate and manage them as part of the contract management process.

Risk	Mitigation measure
Supply chain delays, particularly in steel	Order materials early. Recommended tenderer has a stockpile of steel that is available at present.
Current impacts within building industry - financial stability.	The nominated sub-contractors are long term contractors for the recommended tenderer.  Recommended Tenderer supplies all the materials, so risk is minimal.

**12. Officers' reports****CM.032/23 Tender Report - Contract 2223-035 Design and Construction of a Modular Changing Places and Toilet Facility - Alistair Knox Park**

Risk	Mitigation measure
Delays due to shortage of labour - skills shortage, COVID, etc.	Finalise design and works quickly to ensure maximum duration available to complete works  Recommended tenderer has available in-house skilled staff that can be redeployed to site as required.
Service Authority Connection Timeframe Delays	Finalise designs and capacity requirements as soon as possible and get applications in as soon as possible.
Grant (Funding) Delivery Date Requirements  Delivery date may not be realistic, due in part to delays in releasing the funding agreements.	Work with the funding agency to extend delivery date as required.

**Collaboration**

31. Not applicable

**Budget implications**

32. The project is funded via grants for Changing Places and Universal Design provided by Department of Families, Fairness and Housing and contribution by Council.

**Sustainability implications**

- 33. Awarded contractor is required to provide an Environmental Management Plan for the site for review and approval prior to works commencing.
- 34. The majority of the materials to be used in the construction of the facilities are recyclable.
- 35. The proposed design is simplistic but enables low maintenance on-going requirements
- 36. A Waste to Landfill Minimisation report is a requirement of the contract and will be provided by the recommended tenderer on completion of the project.

**Stakeholder Consultation/communication**

- 37. Councils Disability Inclusion and Volunteer Coordinator has been consulted as part of the project prior to the issue of the tender.
- 38. The community will be provided an opportunity to comment on the initial schematic design, prior to design being finalised.

**12. Officers' reports**

**CM.032/23      Tender Report - Contract 2223-035 Design and Construction of a Modular Changing Places and Toilet Facility - Alistair Knox Park**

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39. Planned consultation approach is as follows;

- Targeted information sessions with key stakeholders and users groups.
- Project displays on-site
- Project website
- Participate Nillumbik for public comment.

**Innovation and continuous improvement**

40. Not applicable.

**Relevant law**

41. Section 109 of the *Local Government Act 2020*.

**Regional, state and national plans and policies**

42. Not applicable.

**Conflicts of interest**

43. As part of the tender process, all members of the Tender Evaluation Panel were required to declare any disclosable conflicts of interest.
44. There were no disclosable conflicts of interest raised.

**12. Officers' reports**

**CM.032/23      Tender Report - Contract 2223-035 Design and Construction of a  
Modular Changing Places and Toilet Facility - Alistair Knox Park**

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**12. Officers' reports****CM.033/23      Tender Report - Contract 2223-029 Design & Construct for Diamond Creek Netball Court Cover Project**

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**Distribution:    Public****Manager:        Vince Lombardi, Chief Operating Officer****Author:          Enrique Gutierrez, Manager Capital and Infrastructure****Summary**

This report recommends the awarding of contract 2223-029 for Design & Construct for Diamond Creek Netball Court Cover Project.

The works include the Design and Construction of a new roof structure over courts one and two (1&2), as well as all storm water, service connections access paths and other associated works at Diamond Creek Netball, Diamond Street at Diamond Creek.

The contract arrangement will commence on 1 May 2023 with a practical completion date of 17 November 2025.

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 2223-029 for Design & Construct for Diamond Creek Netball Court Cover Project.

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.

<b>Recommendation</b>
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**That Council:**

1.    Accepts the tender submitted by the **preferred tenderer** for the sum of **[\$[Redacted]]** plus **[\$[Redacted]]** for contingency (inclusive of GST) and enter into the following contract:  
Number:        2223-029  
Title:           Design & Construct for Diamond Creek Netball Court Cover Project  
Term:           1 May 2023 to 17 November 2025  
Options:        Not applicable
2.    Authorises the Chief Operating Officer to finalise and execute the contract documentation.
3.    Authorises the Chief Operating Officer to approve additional cost variations that are a result of unknown latent site conditions or changes to building requirements throughout the term of the contract with a value of no more than the approved budget for the project.
4.    Notes that any variations that exceed the agreed approved budget will require a further Council resolution.
5.    Advises all tenderers accordingly.

**12. Officers' reports**

**CM.033/23      Tender Report - Contract 2223-029 Design & Construct for Diamond Creek Netball Court Cover Project**

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6. Makes public the decision regarding this contract but the Tender Evaluation Report 2223-029 (**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*.
7. Resolves that the preferred tenderer be named.

**Attachments**

1. Tender Evaluation Summary Report 2223-029 - *CONFIDENTIAL*

**Discussion**

1. In May 2022 the Department of Jobs, Precincts and Regions (State Government) announced it will provide one million dollars for two outside courts at the Diamond Creek netball facility on Diamond Street to be covered with a new roof structure.
2. As part of the funding commitment from the State Government, Council was invited by Sports and Recreation Victoria to apply for the one million made available for the construction of a roof over two courts at the Diamond Creek Outdoor Netball Courts.
3. State Government Funding is capped at one million for this project and Council is required to fund any shortfall to complete the project.
4. The funding agreement was signed on 27 October 2022.

**Related Council decisions**

5. At the Council meeting held on 23 August 2022, Council resolved to support an application to Sports and Recreation Victoria to receive the funding allocated in the 2022-23 Victorian State Budget towards the Diamond Creek Netball Court Covers.
6. Council committed at the Council meeting held on 23 August 2022, to contribute up to \$800,000 towards the project.

**Council plans and policies**

7. This report directly supports the achievement of the Council Plan 2021-2025 strategy  
Good governance
  - We continue to exercise sustainable and responsible financial management.Open spaces
  - We facilitate participation in sports, leisure and recreational activities.

**Tender overview**

The Tender Evaluation Panel (TEP) advises that:

8. A public tender was issued on and advertised in the Melbourne Age on Saturday 4 February 2023.
9. The period for tender submissions closed at 2pm on Thursday 9 March 2023.

## 12. Officers' reports

**CM.033/23      Tender Report - Contract 2223-029 Design & Construct for Diamond Creek Netball Court Cover Project**

10. The following tenders were received:

<b>TENDERER</b>
<b>Tenderer A – Preferred Tender</b>
Tenderer B
Tenderer C
Tenderer D

11. Only tenders that were conforming and competitive were fully scored. Tender submissions that were evaluated as non-conforming or not sufficiently competitive were set aside from further evaluation.
12. The following tenders were evaluated as non-conforming or not sufficiently competitive and were subsequently set aside from further evaluation.

<b>TENDERER</b>	<b>Reasons why tender was set aside from further evaluation</b>
Tenderer C	Incomplete tendered submission
Tenderer D	Highest tendered cost. Almost double the average cost of all tendered submissions

13. The following Evaluation Criteria and Weightings were applied during the evaluation of the conforming and competitive tenders. These weightings were set and agreed to by the Tender Evaluation Panel Members prior to the issue of the tender.

<b>Criteria</b>	<b>Weighting %</b>
Price	45%
Capability & Capacity	35%
Collaboration	10%
Social and Local	10%

14. The weightings reflect the relative importance of each element to this particular contract. They were determined as being most appropriate after considering numerous factors including (but not restricted to) the time, quality, risk and contract management requirements which were likely to have the most impact on the achievement of best value.

## 12. Officers' reports

**CM.033/23 Tender Report - Contract 2223-029 Design & Construct for Diamond Creek Netball Court Cover Project**

15. The members of the TEP were:

Position Title	Business Unit	Scoring Member or Advisory Member
Construction Coordinator	Capital and Infrastructure	Scoring
Project Management Officer (1)	Capital and Infrastructure	Scoring
Coordinator Recreation and Leisure Facilities	Recreation and Leisure Facilities	Scoring
Manager Capital and Infrastructure	Capital and Infrastructure	Advisory
Senior Procurement Specialist	Procurement	Advisory

16. The final evaluation outcome was as follows:

TENDERER	SCORE	RANK
Tenderer A – Preferred Tender	86/100	1
Tenderer B	71/100	2

17. The recommended tender was the highest ranked and is considered best value as the tendered project can be delivered within available budget while still allowing for some options to further enhance the finished structure and the recommended tenderer has evidenced experience in delivering similar projects.
18. **Attachment 1** - Tender Evaluation Summary Report – Confidential, provides the tenderer names and the Evaluation Scorecard Summary.
19. The Tender Evaluation Summary Report (**Attachment 1**) to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

**Capability & Capacity**

20. Tenderer has clearly evidenced experience with similar scope and size projects and has worked with Local Government Agencies to deliver similar projects.
21. The customer service approach is detailed and suitable for this type of project which will attract some focus of Nillumbik residents.
22. Technical ability is sound and the construction methodology provided shows a clear understanding of the site and project requirements.
23. ISO certified Quality Management, Environmental Management and OH&S systems and processed.
24. Well-resourced and skilled and experienced staff.



**12. Officers' reports****CM.033/23 Tender Report - Contract 2223-029 Design & Construct for Diamond Creek Netball Court Cover Project****Tender Reference checks**

25. Tender project reference checks were undertaken with no concerns raised.

**Contingency and risks**

26. The following table outlines the risks and steps to be undertaken to mitigate and manage them as part of the contract management process.

Risk	Mitigation measure
Supply chain delays, particularly in structural steel.	Ensure that materials are planned for and ordered early. Tenderers were required to provide their materials procurement schedules.
Current impacts within building industry - financial stability.	A financial assessment report was obtained to assess the preferred tenderers financial position.
Permits and approvals Completion of the planning permit phase will likely take some time based off of previous experience with project in the area	This risk is mitigated through the project program, a significant time contingency has been included in the contract with practical completion due 17 November 2025.

**Collaboration**

27. Not applicable.

**Budget implications**

28. The project is funded via State Government grant and Council contribution.

**Sustainability implications**

29. Awarded contractor is required to provide an Environmental Management Plan for the site for review and approval prior to works commencing.

30. The materials to be used in the construction of the structure are recyclable.

31. A Waste to Landfill Minimisation report is a requirement of the contract and will be provided by the recommended tenderer on completion of the project.

32. The preferred tenderer will engage local contractors for up to 30% of work force on-site.

**Stakeholder Consultation/communication**

33. During the design phase Participate Nillumbik will be used to update the public on the proposed designs and give the community the opportunity to provide feedback, this will be carried out by the project control group.

**12. Officers' reports**

**CM.033/23      Tender Report - Contract 2223-029 Design & Construct for Diamond Creek Netball Court Cover Project**

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- 34. In addition, a representative from the Netball Association will be included in the project control group to ensure that the clubs' voice is heard.
- 35. During the design phase there will be multiple consultation sessions run with the clubs to collect feedback and provide updates as well.

**Innovation and continuous improvement**

- 36. Not applicable.

**Relevant law**

- 37. Section 109 of the *Local Government Act 2020*.

**Regional, state and national plans and policies**

- 38. Not applicable.

**Conflicts of interest**

- 39. As part of the tender process, all members of the Tender Evaluation Panel were required to declare any disclosable conflicts of interest.
- 40. There were no disclosable conflicts of interest raised.

## 12. Officers' reports

CM.034/23 Tender Report - Contract 2223-039 Managed Print Services

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**Distribution:** Public

**Manager:** Jeremy Livingston, Director Culture and Performance

**Author:** Daniel Tarquinio, Manager Information Technology

**Summary**

This report recommends the awarding of contract 2223-039 for Managed Print Services.

The contract is for the lease and management of 34 networked printer units across eighteen (18) of Councils operational sites.

The contract term is for a period of 5 years.

This contract replaces a previous business as usual contract for Managed Print Services that has reached the end of the agreed term.

The Tender Evaluation Panel has assessed all submissions and this report provides a summary of their evaluation in recommending the awarding of the contract for 2223-039 for Managed Print 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.

<b>Recommendation</b>
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**That Council:**

1. Accepts the tender submitted by the **preferred tenderer** for the schedule of rates disclosed in (**Attachment 1**) and enter into the following contract:  
Number: 2223-039  
Title: Managed Print Services  
Term: 5 years from date of units installation and activation  
Options: Not applicable.
2. Authorises the Director of Culture and Performance to finalise and execute the contract documentation.
3. Authorises the Director of Culture and Performance to approve changes to operational requirements throughout the term of the contract.
4. Advises all tenderers accordingly.
5. Makes public the decision regarding this contract but the Tender Evaluation Report 2223-039 (**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*.
6. Resolves that the preferred tenderer be named.

**12. Officers' reports****CM.034/23 Tender Report - Contract 2223-039 Managed Print Services**

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**Attachments**

1. Tender Evaluation Summary Report 2223-039 - *CONFIDENTIAL*

**Discussion**

1. The existing contract for the provision of Managed Print Services that was established back in August 2017 has expired and the current units are on a month to month arrangement.
2. The contract for Managed Print Services is only applicable for printers that are set up on Council's network.
3. The new contract is for business as usual requirements.
4. Council currently has eighteen (18) sites that require networked printer devices.

**Council plans and policies**

5. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
  - We continue to exercise sustainable and responsible financial management.

**Tender overview**

6. The Tender Evaluation Panel advises that an invited tender process was issued on 7 February 2023 to an approved list of four companies via the Procurement Australia Panel Contract for Information Technology and Multi-Functional Devices Products and Services, which was established via an Agency Public Tender process back in July 2022.
7. The period for tender submissions closed at 2pm on Thursday 2 March 2023.
8. The following tenders were received:

<b>TENDERER</b>
<b>Tenderer A – Preferred Tender</b>

9. The following Evaluation Criteria and Weightings were applied during the evaluation of the conforming and competitive tenders. These weightings were set and agreed to by the Tender Evaluation Panel Members prior to the issue of the tender.

<b>Criteria</b>	<b>Weighting %</b>
Price	50%
Capability	30%
Device Management	20%

**12. Officers' reports****CM.034/23 Tender Report - Contract 2223-039 Managed Print Services**

10. The weightings reflect the relative importance of each element to this particular contract. They were determined as being most appropriate after considering numerous factors including (but not restricted to) the time, quality, risk and contract management requirements which were likely to have the most impact on the achievement of best value.

11. The members of the Tender Evaluation Panel were:

Position Title	Business Unit	Scoring Member or Advisory Member
Manager Information Technology	Information Technology	Scoring
Lead Systems Architect	Information Technology	Scoring
IT Systems Administrator	Information Technology	Scoring
Service Desk Analyst	Information Technology	Scoring
Senior Procurement Specialist	Procurement	Advisory

12. The final evaluation outcome was as follows:

TENDERER	SCORE	RANK
Tenderer A – Preferred Tender	92/100	1

13. **Attachment 1** – Tender Evaluation Summary Report 2223-039 – Confidential, provides the tenderer names and the Evaluation Scorecard Summary.
14. The Tender Evaluation Summary Report (**Attachment 1**) to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

**Capability**

15. The tenderer demonstrates clear capabilities and a good understanding of the printing services required by Council.
16. The tenderer has clearly demonstrated their management and application capabilities that will allow Council's Information Technology team to effectively manage user access and print reporting.

**Collaboration**

17. Submissions were sought via Procurement Australia Agency Panel Contract arrangements.

**Budget implications**

18. The costs are planned for as part of the annual budget planning processes.
19. The highest cost associated with the printer units is the cost per page to print. Council can further reduce costs by reducing the volume of printed documents.

**12. Officers' reports**

**CM.034/23 Tender Report - Contract 2223-039 Managed Print Services**

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**Sustainability implications**

- 20. The existing printer equipment that is to be replaced, will be collected and recycled via the tenderers recycling program.
- 21. Used printer cartridges are also recycled via the tenderers recycling program.
- 22. To support Council's Climate Action Plan, tenderers were asked to provide information on their Zero Emissions Roadmap and Reporting.
- 23. As part of this, the awarded tenderer is required to provide Carbon Emission data on an annual basis.
- 24. The toners used in the nominated printer models are carbon neutral as they are derived from biomass materials.

**Stakeholder Consultation/communication**

- 25. Not applicable.

**Innovation and continuous improvement**

- 26. Not applicable.

**Relevant law**

- 27. Section 109 of the *Local Government Act 2020*.

**Regional, state and national plans and policies**

- 28. Not applicable.

**Conflicts of interest**

- 29. As part of the tender process, all members of the Tender Evaluation Panel were required to declare any disclosable conflicts of interest.
- 30. There were no disclosable conflicts of interest raised.

**12. Officers' reports****CM.035/23      Informal Meetings of Councillors Records - 26 April 2023**

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**Distribution:**    Public**Manager:**        Blaga Naumoski, Director Governance, Communications and  
Community Safety**Author:**          Katia Croce, Governance and Property Lead**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 Meeting of Councillors held.

This report lists Informal Meetings of Councillors Records submitted since the matter was last reported to Council on 28 March 2023.

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

1.    Positive Ageing Advisory Committee meeting held 3 March 2023;
2.    PCC Meeting Pre-Meet held 14 March 2023;
3.    Councillor Briefing held 21 March 2023;
4.    Council Meeting Pre-Meet held 28 March 2023;
5.    Councillor Briefing held 4 April 2023;
6.    Reflect Reconciliation Action Plan Councillor Session held 11 April 2023; and
7.    PCC Meeting Pre-Meet held 11 April 2023.

<b>Recommendation</b>
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**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.

**Attachments**

1.    Informal Meetings of Councillors Records reported 26 April 2023

**Discussion**

1.    *Item 19 of Council's Governance Rule – Meeting Procedure*, requires records of Informal Meetings of Councillors be reported to a Council Meeting and recorded in the minutes of that meeting.

**Related Council decisions**

2.    Not applicable.

**12. Officers' reports****CM.035/23      Informal Meetings of Councillors Records - 26 April 2023**

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**Options**

3. An Informal Meetings of Councillors is defined in *Item 19 of the Governance Rule – Meeting Procedure*. It is a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of delegated authority and which is either of the following:
- Planned or scheduled meeting that includes at least half the Councillors and at least one Council officer. These meetings do not include meetings of Councillors and Council staff that are not planned or scheduled.
  - Meeting of an Advisory Committee where at least one Councillor is present. An Advisory Committee is any committee established by the Council, other than a special committee, that provides advice to the Council or to a special committee or to a member of Council staff who has been delegated a power or duty or function of the Council.
4. A record must be kept of any Informal Meeting of Councillors and include the names of all Councillors and Council staff attending, the matters considered, disclosures of conflict of interest and whether a Councillor left the meeting after making a disclosure.
5. In accordance with *Item 19 of the Governance Rule – Meeting Procedure*, Council is required to report as soon as practicable to a Council Meeting, a record of any Informal Meetings of Councillors held.
6. The recommendation contains the list of Informal Meetings of Councillors records submitted since the matter was last reported to Council at the last Council Meeting.

**Conclusion**

7. It is recommended that Council receives the records of recent records of Informal Meetings of Councillors as contained in this report, fulfilling *Item 19 of the Governance Rule – Meeting Procedure*.

**Council plans and policies**

8. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
- We maintain good governance and transparency; clearly defining and communicating the role of Councillors and Council.

**Access, Equity and Inclusion**

9. A Gender Impact Assessment has not been completed for this report.

**Sustainability implications**

10. None required.

**Community engagement**

11. Not applicable.

**Innovation and continuous improvement**

12. Not applicable.



**12. Officers' reports**

**CM.035/23      Informal Meetings of Councillors Records - 26 April 2023**

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**Collaboration**

13. None required.

**Budget implications**

14. This is a routine reporting item, the resources for which are contained in Council's current operating budget.

**Relevant law**

15. *Local Government Act 2020.*

**Regional, state and national plans and policies**

16. None applicable.

**Conflicts of interest**

17. All officers involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report.

**12. Officers' reports**

**CM.035/23      Informal Meetings of Councillors Records - 26 April 2023**

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## **Council Meeting Agenda**

**26 April 2023**

- 13. Notices of Motion**
- 14. Delegates' Reports**
- 15. Supplementary and urgent business**
- 16. Confidential reports**
- 17. Close of Meeting**

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