

Council Meeting

held virtually on Tuesday 22 August 2023 commencing at 7:07pm.

Minutes

Carl Cowie
Chief Executive Officer

Friday 25 August 2023

Distribution: Public

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Nillumbik Shire Council

Contents

1.	Welcome	1
2.	Acknowledgement	1
3.	Good Governance Pledge	1
4.	Prayer	1
5.	Apologies\Leave of Absence	1
6.	Declarations of conflict of interest	2
7.	Presentations	2
8.	Confirmation of Minutes	2
9.	Petitions	2
10.	Questions from the gallery	2
11.	Reports of Advisory Committees	7
AC.007/23	Advisory Committee Report - 22 August 2023	7
12.	Officers' reports	9
CM.063/23	Council Plan Quarterly Performance Report - 2022-2023 - Quarter 4	9
CM.064/23	Endorsement of the Arts and Cultural Advisory Committee Members 2023-2025	11
CM.065/23	Update to Flag Pole Schedule and Flag Request Process	13
CM.066/23	Living & Learning Nillumbik Neighbourhood House and Learn Local Governance update	15
CM.067/23	Eltham Lower Park - Concept Plan Community Consultation	17
CM.068/23	Diamond Creek Outdoor Pool - Concept Plan Community Consultation	19
CM.069/23	Tender Report - Contract 2223-026 - Roadside Clearance (Municipal Fire Prevention Slashing)	21
CM.070/23	Tender Report - Contract 2223-019 NCA Road Maintenance and Associated Services	23
CM.071/23	Informal Meetings of Councillors Records - 22 August 2023	27
13.	Notices of Motion	29
14.	Delegates' Reports	29
15.	Supplementary and urgent business	29
16.	Confidential reports	29
CM.072/23	CEO Employment Matters Committee	29
17.	Close of Meeting	29

Nillumbik Shire Council

Minutes of the Meeting of Nillumbik Shire Council held Tuesday 22 August 2023.
The meeting commenced at 7.07pm.

Councillors present:

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

Officers in attendance:

Carl Cowie	Chief Executive Officer
Blaga Naumoski	Director Governance, Communications and Community Safety

1. Welcome

Thank you everyone for coming along and thank you to everyone who is watching from home, we can see that there are a few of you so wonderful that people are watching it live.

Under the new governance rules Council has the ability to make a meeting virtual, which is in accordance with Part 5 of the new Governance Rule, and that's why this meeting is being held online today. We do have two Councillors who are sick myself included, and so rather than putting each other at risk and spreading those infections, we decided to have a virtual meeting, and I think it also means that all wards can be represented without a Councillor having to be absent. So it is fantastic that our new Governance Rules allow us to do that.

The meeting will be recorded and the stream is available for anyone to watch live and will also be made publicly available as a recording on YouTube through Councils website.

2. Acknowledgement

Acknowledgement of Country was read by the Mayor, Cr Ben Ramcharan.

3. Good Governance Pledge

The Good Governance Pledge was read by Cr Karen Egan.

4. Prayer

Stephen Mankarious from St Macarius Coptic Orthodox Church, Yarrambat was an apology.

5. Apologies\Leave of Absence

Nil

6. Declarations of conflict of interest

Carl Cowie declared a material conflict of interest in Item CM.072/23 CEO Employment Matters Committee in the confidential section of the meeting.

7. Presentations

Nil

8. Confirmation of Minutes

Confirmation of the minutes of the held on Tuesday 25 July 2023.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Karen Egan

That Council confirms the minutes of the Council meeting held on Tuesday 25 July 2023 (**Attachment 1**).

CARRIED UNANIMOUSLY

9. Petitions

Nil

10. Questions from the gallery

The Mayor addressed the Public with the following message:

“If I can just remind those viewing from home under the new Governance Rules questions need to be submitted by midnight on the Sunday before the meeting. We did receive a number of questions late for this meeting. They would have been on time under the previous Governance Rules, but we have amended that timeline just a little bit to give us more opportunity to put together a thorough answer to the questions.

We will read out those answers tonight, just in the interest of making a smooth transition and giving everybody ample opportunity to get to know the new deadline but we would appreciate if people can just take note of that, midnight on Sunday before the meeting, is the new deadline so that we can get all the questions in on time, but we will be answering all questions today that were submitted”.

Ingrid Crichton has submitted the following question:

Question 1

What arrangements are being made for the relocation of the Eastern Region Adult Riding Club from Eltham Lower Park, their home for over 50 years, to other another suitable venue?

Response 1

Officers are currently in discussions with senior members of the club exploring alternate locations.

John Fecondo has submitted the following questions:

Question 1

I refer to the discussion about the proposed community/urban farm at 2 Bell Street Eltham at the PCC meeting on 8th August when one of the Councillors stated that the information provided for the community consultation process was all that Council knew about the proposal. Why did Council rush to undertake this community consultation with such minimal and potentially misleading information that no one can be confident that the survey results reflect neither informed local community support nor concerns for this project?

Response 1

The purpose of consultation was to respond to recommendations presented to Councillors at its June 2022 briefing, particularly being that broader consultation would be required to ascertain community support for this use in this location, and with consideration of our communities views, to inform Council's decision as to the provision of formal written consent to Local Food Connect as required by the Planning and Environment Act.

Subject to any written consent of the public land manager to allow Local Food Connect to become an applicant to a future planning application for use and development of the land for an urban farm, a planning permit application can be lodged with commensurate detail that outlines how amenity related conditions will be managed including for example car parking, accessibility and noise. This information has not been received by Local Food Connect to date and is not technically required prior to lodging a planning application.

Once the planning application and all information is received to Council's satisfaction (upon any written consent), as required by the Planning and Environment Act, public advertising is undertaken, and accordingly the community would be afforded the opportunity to view the detailed information submitted by the applicant and make submissions following their review of the information at that time.

Question 2

I understand from the information provided at the same meeting that a letter of support from Council was provided to Local Food Connect for their successful application for a State Government grant of \$200,000 for the proposed community/urban farm at 2 Bell Street Eltham. Who signed the letter and were all Councillors aware of this letter and that it was provided to Local Food Connect prior to the community engagement process? Please could you provide me a verbal and written response to the questions.

Response 2

Officers prepared a letter of in principal support which was provided to the Living Local – Suburban Grants Program being administered by the Department of Jobs, Precincts and Regions (of the time) in August 2022, signed by the Mayor of the day Cr Frances Eyre.

The letter of support clearly noted that following relevant third party advice and/or approvals and the appropriate community consultation, Council would need to formally resolve, through a Council decision, whether to proceed with Local Food Connects proposal for a community farm at Fabbro's field.

Mel Howard has submitted the following questions:

Question 1

I understand this is late but ARC members only found out about this from a post on Facebook and weren't aware of the discussions for the new dog park at Eltham Lower Park. My question is simple. Why, given the size of the grounds (c15 acres) couldn't SOME of the existing horse riding area be kept for the Eastern Region Adult riding club, given they are entirely separate from the Pony Club.

Question 2

why would the council throw off the active adult riding club of 50 years, why not throw off the lacrosse or cricket grounds instead?

Response for both questions

This is currently a concept project proposed for the area being put out for public consultation. Please feel free to submit any feedback or suggestions you have for the space during the consultation period which subject to resolution of Council tonight will commence on 18 of September.

Helen Coleman has submitted the following questions:

Question 1

Following the Planning and Consultation Committee meeting on 8 August 2023 Officer's report PCC.010/23 – Outcome of Community Consultation – 2 Bell Street Eltham (Fabbro Fields) The decision for an 'Urban Farm' in relation to Fabbro Fields is one where the community are clearly divided for many reasons. Bringing an open mind to the decision making table is required for good decision making and good governance.

How does the Nillumbik Shire Council organization identify and advise Councillors on their responsibility to bring an open mind to decision making, particularly when debating and making decisions in statutory meetings and then provide the community with confidence that Councillors are able to contribute to the decision making with an open mind?

Response 1

Councillors undergo training to understand their responsibilities under the Local Government Act including the disclosure of conflicts of interest and are advised that provisions of the Act also operate within a framework of common law principles that bind all governmental decision makers.

Each Councillor is personally responsible for revealing such conflicts, Council including the Administration has no power to preclude a Councillor from participating in the meeting, including voting on the matter. Councillors are reminded of the importance of considering all matters on their merits with an open and unbiased mind.

Question 2

Informed and timely advice is crucial to be provided to Councillors when making decisions that impact on the community they represent. Why has a Council report not been provided and when will it be provided since almost 2 years has passed following and I quote, a Notice of Motion NOM.005/21 tabled by Cr Geoff Paine in 26 October 2021 that requests Council Officers prepare an Issues and Options paper on the viability of a Community Farm at Bell Street Eltham (known as Fabbro's Field) including the possible objectives and operating models?

Response 2

Councillors were briefed on an options and issues paper in June 2022 for consideration as per the NOM of the 26 October 2021.

The recommendations of that briefing broadly identified that:

- Support for use of the site for urban agriculture/community gardens was an outcome of the masterplan consultation completed in 2012.
- The limited detail available to support the use and development of the site for a community farm e.g. traffic, amenity, contamination, would be required to be prepared to support any consideration of use and development for the site.
- Further community consultation may be considered to reconfirm community support for use of the site as a community farm.

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11. Reports of Advisory Committees

AC.007/23 Advisory Committee Report - 22 August 2023

Distribution: Public

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

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. Youth Council Formal Advisory Meeting - 3 July 2023
2. Youth Council Formal Advisory Meeting - 7 August 2023

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Karen Egan

That Council notes the Minutes of the Advisory Committee meetings reported (**Attachment 1**).

CARRIED UNANIMOUSLY

11. Reports of Advisory Committees

AC.007/23 Advisory Committee Report - 22 August 2023

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12. Officers' reports

CM.063/23 Council Plan Quarterly Performance Report - 2022-2023 - Quarter 4

Distribution: Public**Manager: Jeremy Livingston, Director Culture and Performance****Author: Craig King, Manager Customer Experience****James Hartigan, Business Performance Analyst****Summary**

The purpose of this report is to present the Council Plan Quarterly Performance Report (**Attachment 1**) for noting.

These reporting updates are received by Council on a quarterly basis to demonstrate in a practicable and tangible way how the Council Plan 2021-2025 is being delivered to the community.

The Council Plan Quarterly Performance Report provides the fourth and final update on delivery progress and performance of the 2022-2023 Annual Action Plan actions, which align to delivery of the second year of the Council Plan 2021-2025.

Of the 46 actions in the 2022-2023 Annual Action Plan, 16 actions have been completed, 24 are 'on track' for completion, 4 actions have been deferred to 2023-2024, one action has been abandoned and one action is experiencing minor issues.

Of the 56 strategic indicators in the Council Plan 2021-2025, 24 have improved on last year's result, 13 have decreased compared to last year, and 19 indicators recorded minimal change from 2021-2022.

The overall position reflected in the report suggests that Council continues to make solid progress in delivering on key actions of the Council Plan and significant outcomes for the community.

All 46 actions identified in the Annual Action Plan 2022-2023 will also be published in the Annual Report 2022-2023 when presented to the community later in 2023.

Council Resolution

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

That Council receives and notes the Council Plan Quarterly Performance Report (**Attachment 1**) for the fourth quarter of 2022-2023.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.063/23 Council Plan Quarterly Performance Report - 2022-2023 - Quarter 4

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12. Officers' reports

CM.064/23 Endorsement of the Arts and Cultural Advisory Committee Members 2023-2025

Distribution: Public

Manager: Corrienne Nichols, Director Communities

Author: Nichole Johnson, Manager Community Partnerships

Summary

The Arts and Cultural Advisory Committee 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 Arts and Culture. Community representation is sought from all segments of the arts, culture and creative industries. There are up to 16 places on the committee, and one of these places is a dedicated First Nations position, and two of these positions are Councillors who act as Chair and Deputy Chair.

Recruitment of five members of the Arts and Cultural Advisory Committee for a two year term from 2023-2025 opened on 29 May and closed on 26 June 2023.

A total of 10 applications were received, assessed and shortlisted against the selection criteria by an internal assessment panel.

This report provides Council with a full copy of the assessment outcomes against the 10 applications, including Officer comments to support the recommendations (see **Attachment 1**). A total of five applicants are being recommended for the Arts and Cultural Advisory Committee.

Recommendation

That Council:

1. Endorses the five applicants listed (**Attachment 1**) onto the Nillumbik Arts and Cultural Advisory Committee:
 - (a) Applicant 1 _____ for their role as a Arts and Cultural Advisory Committee Member
 - (b) Applicant 2 _____ for their role as a Arts and Cultural Advisory Committee Member
 - (c) Applicant 3 _____ for their role as a Arts and Cultural Advisory Committee Member
 - (d) Applicant 4 _____ for their role as a Arts and Cultural Advisory Committee Member
 - (e) Applicant 5 _____ for their role as a Arts and Cultural Advisory Committee Member
2. Authorises Officers to appoint the next available applicant according to the assessment results (**Attachment 1**), if an appointed applicant declines or resigns from the advisory committee.
3. Acknowledges and thanks all community members who submitted applications to the Arts and Cultural Advisory Committee.

12. Officers' reports

**CM.064/23 Endorsement of the Arts and Cultural Advisory Committee Members
2023-2025**

4. Resolves that the Assessment Scorings (**Attachments 1**) are to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the Local Government Act 2020.
5. Resolves that the successful Applicants be named.

Council Resolution

MOVED: Cr Geoff Paine
SECONDED: Cr Peter Perkins

That Council:

1. Endorses the five applicants listed (**Attachment 1**) onto the Nillumbik Arts and Cultural Advisory Committee:
 - (a) Applicant 1 Simone Thomson for their role as a Arts and Cultural Advisory Committee Member
 - (b) Applicant 2 Cassie May for their role as a Arts and Cultural Advisory Committee Member
 - (c) Applicant 3 Yu Fang Chi for their role as a Arts and Cultural Advisory Committee Member
 - (d) Applicant 4 Sammaneh Pourshafighi for their role as a Arts and Cultural Advisory Committee Member
 - (e) Applicant 5 Sandra Miller for their role as a Arts and Cultural Advisory Committee Member
2. Authorises Officers to appoint the next available applicant according to the assessment results (**Attachment 1**), if an appointed applicant declines or resigns from the advisory committee.
3. Acknowledges and thanks all community members who submitted applications to the Arts and Cultural Advisory Committee.
4. Resolves that the Assessment Scorings (**Attachments 1**) are to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the Local Government Act 2020.
5. Resolves that Resolves that the successful Applicants be named.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.065/23 Update to Flag Pole Schedule and Flag Request Process

Distribution: Public

Manager: Corrienne Nichols, Director Communities

Author: Nichole Johnson, Manager Community Partnerships

Summary

The purpose of this report is to provide Councillors with an updated flag pole schedule (**Attachment 1**) and flag request process (**Attachment 2**) for consideration of endorsement.

Council Resolution

MOVED: Cr Natalie Duffy

SECONDED: Cr Frances Eyre

That Council endorses the updated flag pole schedule (**Attachment 1**) and flag request process (**Attachment 2**).

CARRIED UNANIMOUSLY

12. Officers' reports

CM.065/23 Update to Flag Pole Schedule and Flag Request Process

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12. Officers' reports

CM.066/23 Living & Learning Nillumbik Neighbourhood House and Learn Local Governance update

Distribution: Public

Manager: Corrienne Nichols, Director Communities

Author: Cobie Vermeulen, Coordinator Living & Learning Nillumbik

Summary

The purpose of this report is to seek endorsement of the revised Terms of Reference for the Living & Learning Nillumbik Advisory Committee (**Attachment 1**) from Councillors. Proposed changes to the previous Terms of Reference will ensure L&LN continues to meet the Governance requirements from funding bodies.

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Natalie Duffy

That Council:

1. Endorses a change to the title of the Living & Learning (L&LN) Neighbourhood House Advisory Committee to Living & Learning Nillumbik Advisory Committee.
2. Endorses the Living & Learning Nillumbik Advisory Committee Terms of Reference (**Attachment 1**).

CARRIED UNANIMOUSLY

12. Officers' reports

CM.066/23 Living & Learning Nillumbik Neighbourhood House and Learn Local Governance update

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12. Officers' reports

CM.067/23 Eltham Lower Park - Concept Plan Community Consultation

Distribution: Public

Manager: Vince Lombardi, Chief Operating Officer

Author: Rebecca Burton, Manager Recreation and Leisure

Summary

The purpose of this report is to seek approval to undertake community consultation on the draft concept plan for the Eltham Lower Park precinct (**Attachment 1**).

Community consultation on the draft concept plans will be open from 18 September 2023. Public submissions will close 11.59pm on Sunday 15 October 2023 and will be considered by the Planning and Consultation Committee on 14 November 2023.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Frances Eyre

That Council:

1. Endorses the draft concept plan for the Eltham Lower Park precinct (**Attachment 1**) for the purposes of community consultation.
2. Undertakes community consultation for the period of 18 September 2023 to 15 October 2023 inviting written submissions for the Eltham Lower Park concept plan.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 14 November 2023.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.067/23 Eltham Lower Park - Concept Plan Community Consultation

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12. Officers' reports

CM.068/23 Diamond Creek Outdoor Pool - Concept Plan Community Consultation

Distribution: Public

Manager: Vince Lombardi, Chief Operating Officer

Author: Rebecca Burton, Manager Recreation and Leisure

**Chris Gipps, Recreation and Community Infrastructure Project
Manager**

Summary

The purpose of this report is to seek approval to undertake community consultation on the draft concept plans for the Diamond Creek Outdoor Pool (**Attachment 1**).

Community consultation on the draft concept plans will be open from 18 September 2023. Public submissions will close 11.59pm on Sunday 15 October 2023 and will be considered by the Planning and Consultation Committee on 14 November 2023.

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Karen Egan

That Council:

1. Endorses the draft concept plan for the Diamond Creek Outdoor Pool (**Attachment 1**) for the purposes of community consultation.
2. Undertakes community consultation for the period of 18 September 2023 to 15 October 2023 inviting written submissions for the Diamond Creek Outdoor Pool concept plan.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 14 November 2023.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.068/23 Diamond Creek Outdoor Pool - Concept Plan Community Consultation

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12. Officers' reports**CM.069/23 Tender Report - Contract 2223-026 - Roadside Clearance (Municipal Fire Prevention Slashing)****Distribution: Public****Manager: Vince Lombardi, Chief Operating Officer****Author: Lance Clark, Senior Procurement Specialist
Heath Gillett, Manager Operations Centre****Summary**

This report recommends the awarding of contract 2223-026 for Roadside Clearance (Municipal Fire Prevention Slashing)

This contract replaces a critical business as usual contract.

The contract term is for an initial period of 5 years, with 2 x 1 year options to extend the contract. The total duration of the contract, including the exercise of any options, shall not exceed 7 years.

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 2223-026 for Roadside Clearance (Municipal Fire Prevention Slashing).

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

Recommendation**That Council:**

1. Accepts the tender submitted by the **preferred tenderer** for the schedule of rates disclosed in (**Attachment 1**) and enter into the following contract:
Number: 2223-026
Title: Roadside Clearance (Municipal Fire Prevention Slashing)
Term: 1 September 2023 to 31 August 2028
Options: Term extensions up to 31 August 2030
2. Authorises the Chief Operating Officer to finalise and execute the contract documentation.
3. Authorises the Chief Operating Officer to approve contract term extensions.
4. Authorises the Chief Operating Officer to approve changes to operational requirements throughout the term of the contract.
5. Advises all tenderers accordingly.
6. Makes public the decision regarding this contract but the Tender Evaluation Report (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.
7. Resolves that the preferred tenderer be named.

12. Officers' reports

CM.069/23 Tender Report - Contract 2223-026 - Roadside Clearance (Municipal Fire Prevention Slashing)

Council Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Peter Perkins

That Council:

1. Accepts the tender submitted by the Darren Brereton Plant Hire & General Contracting for the schedule of rates disclosed in (**Attachment 1**) and enter into the following contract:
Number: 2223-026
Title: Roadside Clearance (Municipal Fire Prevention Slashing)
Term: 1 September 2023 to 31 August 2028
Options: Term extensions up to 31 August 2030
2. Authorises the Chief Operating Officer to finalise and execute the contract documentation.
3. Authorises the Chief Operating Officer to approve contract term extensions.
4. Authorises the Chief Operating Officer to approve changes to operational requirements throughout the term of the contract.
5. Advises all tenderers accordingly.
6. Makes public the decision regarding this contract but the Tender Evaluation Report (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.
7. Resolves that the preferred tenderer be named.

CARRIED

For: Crs Karen Egan, Frances Eyre, Geoff Paine, Peter Perkins, Ben Ramcharan and Richard Stockman

Against: Cr Natalie Duffy

12. Officers' reports

CM.070/23 Tender Report - Contract 2223-019 NCA Road Maintenance and Associated Services**Distribution: Public****Manager: Vince Lombardi, Chief Operating Officer****Author: Lance Clark, Senior Procurement Specialist
Steven Blight, Manager Capital and Infrastructure****Summary**

A collaborative public tender was issued by the Northern Council Alliance (NCA) group of seven Councils for Road Maintenance and Associated Services.

The NCA group of Councils consist of the following Councils;

- Banyule City Council
- City of Whittlesea
- Darebin City Council
- Hume City Council
- Merri-bek City Council
- Mitchell Shire Council
- Nillumbik Shire Council

This report recommends the awarding of a panel contract 2223-019 for NCA Road Maintenance and Associated Services for Nillumbik Shire Council requirements.

The collaborative tender comprised of eleven different categories. Not all Councils participated in all categories and not all tenderers', tendered for all categories or for all Councils.

The table below provides the categories that Nillumbik Shire Council participated in.

Category Number	Category Description	Participation by Nillumbik
1	Asphalt Supply Ex Bin	Yes
2	Asphalt Supply, Deliver & Lay	Yes
3	Profiling	Yes
4	Spray Sealing	Yes
5	Crack Sealing	Yes
6	Asphalt Patching	Yes
7	Plant & Labour	Yes
8	Traffic Control	Yes
9	Pavement & Line Marking	Yes
10	Adjustment of Utility Covers	Yes
11	Unsealed Road Maintenance	No

The contract term is for an initial period of 3 years, with 2 x 1 year options to extend the contract. The total duration of the contract, including the exercise of any options, shall not exceed 5 years.

12. Officers' reports**CM.070/23 Tender Report - Contract 2223-019 NCA Road Maintenance and Associated Services**

The commencement date of the contract with individual contractors will vary based on existing contract completion dates for some categories. All individual contracts will end on a common expiry date of 31 July 2026. If extension options are exercised, the latest contract completion date will be 31 July 2028.

The NCA 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 2223-019 for NCA Road Maintenance and Associated Services in respect to Nillumbik Shire Council requirements.

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

Recommendation

That Council:

1. Accepts the tenders and tendered schedule of rates submitted by the **preferred tenderers** and enter into a panel contract arrangement for the **listed categories** by tenderers as disclosed in **(Attachment 1)**:

Number: 2223-019

Title: NCA Road Maintenance and Associated Services

Term: Initial contract completion date will be 31 July 2026

Options: Term extensions up to 31 July 2028

2. Authorises the Chief Operating Officer to finalise and execute the contract documentation.
3. Authorises the Chief Operating Officer to approve contract term extensions.
4. Authorises the Chief Operating Officer to approve changes to operational requirements throughout the term of the contract.
5. Advises all tenderers accordingly.
6. Makes public the decision regarding this contract but the Tender Evaluation Report 2223-019 **(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 tenderers be named.

12. Officers' reports

CM.070/23 Tender Report - Contract 2223-019 NCA Road Maintenance and Associated Services

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Karen Egan

That Council:

1. Accepts the tenders and tendered schedule of rates submitted by the **preferred tenderers** and enter into a panel contract arrangement for the **listed categories** by tenderers as disclosed in **(Attachment 1)**:

No.	Recommended Tenderers Names	Awarded Categories
4.	Asphaltech Pty Ltd	1,2,3,7,8 &10
5.	Ausroads Traffic Management Pty Ltd	8
8.	Bitupave T/A Boral Resources(VIC) Pty Ltd)	4 & 8
12.	Downer EDI Works Pty Ltd	1,2,3,7,8 &10
15.	Greenwood Asphalt	6 & 8
17.	MJ Construction Group Pty Ltd	6 & 8
18.	Omnigrip Direct Pty Ltd	9 & 8 (pricing for category 8 is included in Category 9 pricing)
20.	Prestige Paving Pty Ltd	6 & 8
27.	Supersealing Pty Ltd	5 & 8

Number: 2223-019

Title: NCA Road Maintenance and Associated Services

Term: Initial contract completion date will be 31 July 2026

Options: Term extensions up to 31 July 2028

2. Authorises the Chief Operating Officer to finalise and execute the contract documentation.
3. Authorises the Chief Operating Officer to approve contract term extensions.
4. Authorises the Chief Operating Officer to approve changes to operational requirements throughout the term of the contract.
5. Advises all tenderers accordingly.
6. Makes public the decision regarding this contract but the Tender Evaluation Report 2223-019 **(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 tenderers be named.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.070/23 Tender Report - Contract 2223-019 NCA Road Maintenance and Associated Services

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12. Officers' reports

CM.071/23 Informal Meetings of Councillors Records - 22 August 2023

Distribution: Public**Manager: Blaga Naumoski, Director Governance, Communications and Community Safety****Author: Katia Croce, Manager Governance and Property****Summary**

In accordance with *Item 20 of Council's Governance Rule – Meeting Procedures*, adopted on 25 July 2023, 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 25 July 2023.

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

1. Inclusion and Access Advisory Committee held 14 July 2023
2. CEO Performance Review meeting held 17 July 2023
3. Councillor Briefing held 18 July 2023
4. Council Meeting Pre-Meet held 25 July 2023
5. Recreation Trails Advisory Committee meeting held 26 July 2023
6. Councillor Briefing held 1 August 2023
7. Positive Ageing Advisory Committee meeting held 4 August 2023
8. Youth Advisory Committee meeting held 7 August 2023
9. Planning and Consultation Committee Pre-Meet held 8 August 2023

Council Resolution

MOVED: Cr Geoff Paine**SECONDED: Cr Karen Egan**

That Council, in accordance with *Item 20 of Council's Governance Rule – Meeting Procedures*, receives the Informal Meetings of Councillors Records (**Attachment 1**) for the meetings held.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.071/23 Informal Meetings of Councillors Records - 22 August 2023

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13. Notices of Motion

Nil

14. Delegates' Reports

Nil

15. Supplementary and urgent business

Nil

16. Confidential reports

Carl Cowie declared a material conflict of interest in Item CM.07/23 CEO Employment Matters Committee and left the meeting at 8.08pm prior to the commencement of the confidential item being heard.

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

CM.072/23 CEO Employment Matters Committee

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

Council Resolution

MOVED: Cr Karen Egan
SECONDED: Cr Frances Eyre

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

CARRIED UNANIMOUSLY

The meeting closed to the public at 8:08pm.

The meeting re-opened to the public at 8:10pm.

17. Close of Meeting

The meeting closed at 8:10pm.

Confirmed: _____
Cr Ben Ramcharan, Mayor