

# Council Meeting

to be held at the Council Chamber, 32 Civic Drive, Greensborough  
Tuesday 25 February 2025 commencing at 7:00 PM.

## Agenda

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

Thursday 20 February 2025

Distribution: Public

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# Council Chamber Council Meeting seating plan

**Cr Kelly Joy**  
Edendale Ward

**Cr Naomi Joiner**  
Bunjil Ward  
**(Deputy Mayor)**

**Cr Grant Brooker**  
Blue Lake Ward

**Cr Peter Perkins**  
Ellis Ward

**Cr Kim Cope**  
Sugarloaf Ward

**Cr Kate McKay**  
Swipers Gully Ward

**Katia Croce**  
Manager  
Governance and  
Property

**Blaga Naumoski**  
Director Governance  
Communications and  
Community Safety

**Cr John Dumaresq**  
**(Mayor)**  
Wingrove Ward

**Carl Cowie**  
Chief  
Executive  
Officer

## Nillumbik Shire Council

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## Nillumbik Shire Council

### Agenda of the Meeting of Nillumbik Shire Council to be held Tuesday 25 February 2025 commencing at 7:00pm

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**1. Welcome**

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. Welcome to Country**

Welcome to Country to be conducted by Wurundjeri Man Colin Hunter Jnr Jnr from the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation.

**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/Leave of Absence**

Council to note any apologies by Councillors not in attendance and or consider requests for any leave of absence submitted.

**6. Declarations of conflict of interest**

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

7. Presentations

- **Australia Day 2025 Honours List**
- **Sporting Presentations - 25 February 2025**

**Zander Botha (Wingrove Ward)** receives \$250 as a contribution for being selected to represent Australia at the Colgate Games Athletics in New Zealand.

**Talise Botha (Wingrove Ward)** receives \$250 as a contribution for being selected to represent Australia at the Colgate Games Athletics in New Zealand.

**Mayra Pacioni (Swipers Gully Ward)** receives \$200 as a contribution for being selected to the Squad for the 2025 Beach Volleyball program in Queensland.

**Renaë Lister (Edendale Ward)** receives \$200 as a contribution for being selected to represent Victoria in swimming at the Australian 2025 Australian Age Championships in Queensland.

**Aria Mitchell (Ellis Ward)** receives \$250 as a contribution for being selected to represent Australia at the 2025 Australian Futsal Team tour in Barcelona...

**Lola Juric (Wingrove Ward)** receives \$200 as a contribution for being selected to play at the Australian Volleyball School Cup in Queensland.

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

8. Confirmation of Minutes

**COM.001/25 Confirmation of Minutes Council Meeting held Tuesday 10 December 2024**


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Confirmation of the Minutes of the Council Meeting held on Tuesday 10 December 2024.

**Recommendation**

**That** Council confirms the Minutes of the Council Meeting held on Tuesday 10 December 2024 (**Attachment 1**).

**Attachments**

- 1  Minutes Council Meeting held Tuesday 10 December 2024

**8. Confirmation of Minutes**

**COM.001/25 Confirmation of Minutes Council Meeting held Tuesday 10 December 2024**

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9. Petitions

**PT.001/25 Nillumbik Council construct a walking path along Caledonia Street, St Andrews**

A petition containing **346** signatures requests that “Nillumbik Council construct a walking path along Caledonia Street, St Andrews”.

The petition contained the following statement;

To request that Nillumbik Council construct a walking path along Caledonia Street, St Andrews

The St Andrews township has had a walking path from the market site to the Community Centre since 2017, but it stops there. The community need this path to be extended so that pedestrians can walk safely, and in reasonable comfort, from one end of the town to the other.

The need for a path has already been recognised in Nillumbik Council's St Andrews Township Plan published in 2013. On page 19 under Objectives, it states - "To increase the extent and quantity of pathways throughout the township."

**Recommendation**

**That** Council:

1. Receives and notes the “To request that Nillumbik Council construct a walking path along Caledonia Street, St Andrews” petition requesting a walking path along Caledonia Street, St Andrews, in accordance with the Governance Rule - Meeting Procedures.
2. Refers this petition to the Acting Chief Operating Officer for investigation and response.
3. Notes that officers will advise the petition organiser of the outcome.

**PT.002/25 Connect our Community: Build a Safe Pedestrian Rail Crossing at Coolabah Reserve Eltham**

A petition containing **518** signatures requests that the State Government of Victoria and Nillumbik Shire Council to urgently build a safe formal pedestrian crossing over the railway tracks between Coolabah Reserve and the Eltham North Adventure Playground, in accordance with the Governance Rule - Meeting Procedures.

The petition contained the following statement;

We call upon the State Government of Victoria and Nillumbik Shire Council to urgently build a safe formal pedestrian crossing over the railway tracks between Coolabah Reserve and the Eltham North Adventure Playground, allowing local children a safe walk to their primary school. This need has been recognised and discussed for over 40 years, it is time to build it now.

In the 2.6km of railway from Sherbourne Road to Wattletree Road, there are eight formal pedestrian crossings connecting the communities on both sides of the tracks, averaging little more than 400m apart. Yet in the 1.9km from Wattletree Rd to Allendale Rd there are none, separating the community East of the tracks from the local community services and facilities which all sit West of the railway line: Eltham North Primary School, the Eltham North Adventure Playground, Edendale Farm, Eltham Men's Shed, 1st Eltham North Scouts, Eltham Redbacks Football Club, North Eltham Wanderer's Cricket Club, three sporting fields, the Eltham North Dog Park, Diamond Creek Trail, and bus stops connecting to Eltham Station, Diamond Creek Station and providing access to St Helena Secondary College.

The health and wellbeing benefits of living in a walkable community are well documented, and a new safe walking connection would open up these facilities to a large community that are currently cut-off by the train line. The lives of over 500 local families would be improved, and walking would become a practical and convenient alternative to driving, cutting the number of short car trips around the train line. The residential area within a 20 minute walk of Eltham North Primary School would approximately double. This would reduce traffic congestion in and around Wattletree Road which would bring benefits to a much wider segment of the community, including residents across Nillumbik. Reduced car use brings significant benefits to the environment as well.

Connect our community, make our children safer. It's time to build a formal, safe pedestrian crossing at Coolabah Reserve.

**Recommendation****That Council:**

1. Receives and notes the "Connect our Community: Build a Safe Pedestrian Rail Crossing at Coolabah Reserve Eltham" petition requesting the State Government of Victoria and Nillumbik Shire Council to urgently build a safe formal pedestrian crossing over the railway tracks between Coolabah Reserve and the Eltham North Adventure Playground, in accordance with the Governance Rule - Meeting Procedures.
2. Refers this petition to the Acting Chief Operating Officer for investigation and response.
3. Notes that officers will advise the petition organiser of the outcome.

**Council Meeting Agenda**

**25 February 2025**

**10. Questions from the gallery**

**11. Reports of Advisory Committees**

Nil

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## 12. Officers' reports

### CM.001/25 December Quarter Financial Report

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**Distribution:** Public

**Manager:** Melika Sukunda, Acting Chief Operating Officer

**Author:** Robert Malignaggi, Acting Manager Finance, Assets and Procurement

#### Summary

This report outlines Council's financial performance and financial position for the period ended 31 December 2024.

The Income Statement shows an overall favourable year to date (YTD) variance of \$2.21 million representing 4.36 per cent of YTD Budget. This reflects the combined result of higher than budgeted operating income of \$2.43 million and higher than budgeted operating expenses of \$225,869.

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.

#### Recommendation

**That** Council receives and notes the Financial Report for the period ended 31 December 2024 (**Attachment 1**).

#### Attachments

1.  Quarterly Finance Report December 2024

#### Discussion

1. In May 2024, Council adopted the 2024-2025 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 December 2024 with a favourable YTD variance of \$2.21 million. This represents 4.36 per cent of the YTD Budget.
6. The overall variance is made up of the following:
  - Income – \$2.43 million (2.36 per cent) favourable variance. This includes new/additional grant funding \$429,598, user charges \$272,715, supplementary rates \$109,597, capital contributions \$881,438 and other revenue (including leisure contracted amount, container deposit refunds and WorkCover refunds) \$671,063.

**12. Officers' reports****CM.001/25 December Quarter Financial Report**

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- Expenditure – \$225,869 (0.49 per cent) unfavourable, mainly attributed to increased spending across external contracts expenditure \$653,745 and materials and related costs \$471,754 offset by reduced employee benefits expenditure \$1.13 million, due to current vacancies and timing of the new Enterprise Bargaining agreement.

**Balance sheet**

7. The balance sheet reflects Council's financial position at 31 December 2024 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 \$1.14 billion of assets which is largely made up of Council's Property, Plant and Equipment. Council's total liabilities are \$57.86 million, which results in net assets of \$1.08 billion.

**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 \$34.82 million after all cash transactions for the period to date (\$39.82 million including the term deposit held for twelve months, classified as a financial asset).
11. \$38.01 million is currently held in term deposit investments as detailed on page 9 of **Attachment 1**, with the balance held in the general account for operational purposes.

**Capital works**

12. The capital works report detailing YTD spend by asset class is detailed on page 8 of **Attachment 1**.
13. This shows a variance of \$1.85 million relative to YTD budget, largely driven by the close out of works commenced in the prior financial year.

**Related Council decisions**

14. Council adopted the 2024-2025 Budget at the Council Meeting held on 28 May 2024.

**Options**

15. The detailed Financial Report for the period ended 31 December 2024 is provided in **Attachment 1**. This report is an analysis of Council's financial performance and financial position as at 31 December 2024. The report also includes an analysis of budget variances.

**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 2024-2025 budget.

**12. Officers' reports**

**CM.001/25 December Quarter Financial Report**

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**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 considerations**

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**

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.001/25      December Quarter Financial Report**

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## 12. Officers' reports

### CM.002/25 Audit and Risk Committee Meeting November 2024

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**Distribution:** Public

**Manager:** Melika Sukunda, Acting Chief Operating Officer

**Author:** Robert Malignaggi, Acting Manager Finance, Assets and Procurement

#### Summary

In accordance with section 53 of the *Local Government Act 2020* and good governance principles, councils must have an Audit and Risk Committee.


As resolved at the 25 June 2024 Ordinary Council Meeting, the minutes of an Audit and Risk Committee meeting are to be reported and presented to a subsequent Council Meeting.

The Audit and Risk Committee met on 26 August 2024. The Minutes for the meeting are shown in **Attachment 1**.

#### Recommendation

**That** Council notes the Minutes of the Audit and Risk Committee meeting held on 18 November 2024 (**Attachment 1**).

#### Attachments

1.  18 November 2024 Audit Committee Minutes

#### Discussion

1. The Minutes of the Audit and Risk Committee (ARC) are submitted to Council after each meeting. To provide timely feedback, these are unconfirmed minutes.
2. Minutes of the ARC held on the 18 November 2024 have been adopted by the Committee, and will be presented at its next meeting.
3. The items considered by the ARC were:
  - Annual Procurement Report;
  - Fleet Policy;
  - Councillor and Staff Gift Registers;
  - OHS Internal Audit Report
  - Outcome from the Commission for Gender Equity in the Public Sector Progress Report and Progress Audit; and
  - Rates in Arrears Report
4. The next ARC meeting is scheduled to take place on Monday 24 February 2025.

#### Related Council decisions

5. As resolved at the 25 June 2024 Ordinary Council Meeting, the minutes of an ARC meeting are to be reported and presented to a subsequent Council Meeting.

**12. Officers' reports**

**CM.002/25 Audit and Risk Committee Meeting November 2024**

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**Options**

6. The ARC's function is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating good and ethical governance.
7. The ARC meets four times a year. The Internal Auditor, CEO and Chief Operating Officer attend all Audit and Risk Committee meetings. Other management representatives attend as required to present reports. The external auditors attend in May and August each year to present the Audit Plan and independent audit report.

**Council plans and policies**

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

**Access, Equity and Inclusion**

9. Where applicable, the Committee considers Gender Access, Equity and Inclusion.

**Sustainability implications**

10. The ARC plays a significant role in Council's governance framework. It provides external expert advice to Council on key areas of risk. Risk in this case is interpreted broadly and covers risk to Council's sustainability, reputation, fraud control and effectiveness, as well as financial risk.

**Community engagement**

11. Not applicable.

**Innovation and continuous improvement**

12. Not applicable.

**Collaboration**

13. The ARC meeting on 18 November 2024 was attended by the internal auditor from Pitcher Partners, as well as the CEO and COO. Councillor representatives had not yet been nominated to the Committee.

**Budget considerations**

14. The associated costs are contained within Council's 2024-2025 Budget.

**Relevant law**

15. *Local Government Act 2020*, section 53 Council must establish an Audit and Risk Committee.

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

16. Not applicable.

**Conflicts of interest**

18. 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.003/25 Draft Domestic Animal Management Plan 2025-2029 - Endorsement of Community Engagement**

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**Distribution: Public****Manager: Blaga Naumoski, Director Governance, Communications and Community Safety****Author: Elishia Jansz, Manager Community Safety (Municipal Recovery Manager)****Summary**

Council is developing a Domestic Animal Management Plan which is a four-year plan that provides a strategic approach to the delivery of animal management services across the Nillumbik Shire.

The purpose of this report is to seek Councillors' support to initiate Phase 2 of community consultation on the draft Domestic Animal Management Plan 2025-2029 (**DAMP 2025-2029**) (**Attachment 1**). The draft plan has been informed by research, benchmarking and consultation activities from Phase 1 community engagement.

The draft plan considers:

- The importance of pets to Nillumbik residents
- Concerns about animal-related matters
- Ideas and resources to assist residents to manage and care for their pets
- Dogs in parks and reserves
- How well information provided by Council about pets and animal management addresses the needs of residents

This next phase aims to test the proposed approach, gather further community input on key areas, including animal management, animal welfare, responsible pet ownership, local laws as well as the importance of educating the community of desexing and microchipping, and refine the plan to ensure it aligns with community needs and expectations.

**Recommendation****That Council:**

1. Endorses the Draft Domestic Animal Management Plan 2025-2029 (**Attachment 1**) for the purposes of public exhibition and community feedback for the period between 3 March to 4 April 2025.
2. Endorses the proposed community engagement approach outlined in (**Attachment 2**) to consult with community during phase 2 of the project.
3. Considers public submissions at the 13 May 2025 Planning and Consultation Committee meeting.

12. Officers' reports

CM.003/25 Draft Domestic Animal Management Plan 2025-2029 - Endorsement of Community Engagement

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**Attachments**

1. Draft Domestic Animal Management Plan 2025 - 2029
2. Community Engagement Plan DAMP - Phase 2
3. Community Engagement Report

**Discussion**

1. Section 68A of the *Domestic Animals Act 1994* (Act) requires all Victorian councils to prepare a Plan every four-years, and to adopt this within specified time frame. The Domestic Animal Management Plan (**DAMP**) will reflect the expectations of the Nillumbik Community's vision for the next four years.
2. The DAMP identifies ten themes that must be responded to in order to ensure consistency across the state of Victoria:
  - Training of authorised officers
  - Programs to promote and encourage responsible ownership and compliance with legislation
  - Programs to address over-population rates and high euthanasian rates
  - Registration and identification
  - Nuisance
  - Dog attack
  - Dangerous, menacing and restricted breed dogs
  - Domestic animal business
  - Other matters
  - Annual review of plan and annual reporting.
3. Each theme in the DAMP has an objective, a set of strategies and strategic indicators.
4. The Act requires Councils to periodically evaluate any program, service strategy or review outlined in the DAMP. The Act requires an annual review of the DAMP and an evaluation of its implementation which is published in Council's Annual Report.
5. An annual report will be presented to Council and the community at the end of each financial year at a Council Meeting.

**Related Council decisions**

6. The current Domestic Animal Management Plan 2021-2025 (**DAMP 2021-2025**) was adopted at the 30 November 2021 Council Meeting.
7. The current DAMP 2021-2025 will expire in October 2025.

## 12. Officers' reports

**CM.003/25 Draft Domestic Animal Management Plan 2025-2029 - Endorsement of Community Engagement**

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8. On 30 November 2021, Council resolved to adopt an existing order under s26 of the *Domestic Animals Act 1994* which made the following orders:
- 1) *Dogs must be under effective control of a person by means of a leash no longer than three metres:*
    - a. *In all public parks and reserves except where designated by signs in areas listed in section (4).*
    - b. *Within five metres of a shared use path.*
    - c. *On all streets, roads, public car parks and footpaths.*
  - 2) *Dogs and cats are not permitted whether restrained or otherwise:*
    - a. *Within five metres of any children's playground or public barbeque.*
    - b. *In environmentally sensitive areas where designated by signs (i.e. in the parks listed below).*
    - c. *In schools, kindergartens and childcare centres unless with the prior permission of the Principal or Director.*
  - 3) *Cats are required to be securely confined between the hours of 7.30 pm and 6 am.*
  - 4) *Dogs are permitted off-leash but must be under effective control whether restrained or otherwise in the following parks and reserves (as designated by signs):*
    - a. *Eltham Lower Park, Eltham*
    - b. *Griffith Park, Eltham*
    - c. *Plenty River Drive Reserve, Greensborough*
    - d. *Eltham East Linear Reserve north of Diosma Road, Eltham*
    - e. *Falkiner Street Park, Eltham (Barrack Bushland)*
    - f. *Susan Street, Eltham*
    - g. *Gumtree Reserve, Research*
    - h. *Woodridge Linear Park, Eltham*
    - i. *Fergusons Paddock, Hurstbridge South side of path only: Dogs are prohibited from entering the wetlands areas as signposted*
    - j. *Nillumbik Park, Diamond Creek: Dogs are prohibited from entering sporting oval and wetlands*
    - k. *Diamond Creek Reserve, Diamond Creek: Dogs prohibited from entering wetlands areas where signposted and sporting oval (except at Council approved events).*

## 12. Officers' reports

**CM.003/25 Draft Domestic Animal Management Plan 2025-2029 - Endorsement of Community Engagement**

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- 5) *As a guide for implementation, a dog shall be deemed to be under effective control of its owner if:
 
    - a. *It will return to its owner upon command;*
    - b. *The owner retains a clear unobstructed view of the dog;*
    - c. *It does not bother or worry other people or animals; and*
    - d. *It stays within 50 metres of its owner.**
  
  - 6) *Dogs and cats are not permitted to enter the following public places in the following parks and reserves (as designated by signs)*
    - a. *Diamond Creek Reserve, Diamond Creek; dogs prohibited from entering wetlands areas.*
    - b. *Sweeneys Flats, Eltham – Parks Victoria Land.*
    - c. *Professors Hill Reserve, North Warrandyte.*
    - d. *Chase Reserve, North Warrandyte.*
    - e. *Blue Tongue Bend Reserve, North Warrandyte.*
    - f. *Temple Ridge and Bailey Gully Reserve, Wattle Glen.*
    - g. *Reserve, Watsons Creek*
    - h. *Marngrook Oval, Diamond Creek.*
    - i. *Coventry Oval, Diamond Creek*
    - j. *All sporting ovals in Hurstbridge.*
  
  - 7) *Council may exempt any of the provisions of this Order at any time*

**Options**

9. Officers are seeking endorsement of the draft DAMP 2025-2029 and the proposed community engagement plan process and timeframes provided in (**Attachment 2**) outlining the suggested approach to consult with community during the phase 2 of the project.

**Council plans and policies**

10. 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**

11. Under the *Gender Equality Act 2020* the Council is required to undertake a gender impact assessment when developing or reviewing any policy, program or service that has a direct and significant impact on the public.
12. A Gender Impact Assessment (GIA) has been undertaken on the community engagement plan and recommendations formed from the assessment have been considered in the finalisation of this plan.

12. Officers' reports

**CM.003/25 Draft Domestic Animal Management Plan 2025-2029 - Endorsement of Community Engagement**

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13. A further Gender Impact Assessment (GIA) will be undertaken on the DAMP once the draft DAMP has been established.

**Sustainability implications**

14. The DAMP demonstrates Council's approach to ensure that effective animal management and responsible pet ownership is achieved in an accountable manner that protects animal welfare, promotes education, responsible pet ownership and encourage ways to reduce domestic animal impact on the environment, including Council controlled land and residential properties.

**Community engagement**

15. In line with the Community Engagement Strategy, it is recommended that the draft Domestic Animal Management Plan be placed on public exhibition for at least 3 weeks with formal submissions called for to be considered by the Council.
16. Phase 1 of community consultation was conducted from 3 June – 14 July 2024 for a period of 5 weeks, on Participate Nillumbik.
17. The community and key stakeholders were invited to provide feedback and inform Council of "Tell us, what's important to you" with relation to responsible pet ownership.
18. Feedback was sought from community on a number of matters including:
- Animal management services
  - Programs or strategies
  - Review of Councils section 26 orders relating to off leash areas and cat control
19. This was conducted through a survey with targeted questions to assist us to understand community sentiment regarding animal management topics including dogs on ovals, confinement of cats and to identify current issues that were not included in the Domestic Animal Management Plan 2021-2025.
20. At the end of the community consultation period, 707 submissions were received with 2041 visits to the website and 7 separate submissions received for the draft DAMP 2025-2029.
21. The comprehensive insights gained from the initial Phase 1 of community engagement is provided in the Community Engagement Report (**Attachment 3**). This informed the development of the draft DAMP 2025-2029.
22. Phase 2 of community engagement, aimed at gathering feedback on the draft DAMP 2025-2029 is expected to run for a period of 5 weeks, commencing on 3 March 2025 and concluding 4 April 2025.
23. Consultation will also occur through:
- networking
  - case investigations
  - pop ups
  - attendance at dog parks

12. Officers' reports

**CM.003/25 Draft Domestic Animal Management Plan 2025-2029 - Endorsement of Community Engagement**

- advertising on corflute signage posted at dog parks
- social media posts
- Promoting in various newsletters

Level of public participation	Promise to community/stakeholders	Tool/techniques
Inform	Promote DAMP	Community engagement will include promoting participation to formulate the DAMP 2025-2029 with QR codes to allow direct access to Participate Nillumbik.  Advertise DAMP, public exhibition, including DAMP available at Council offices, on website, public notice in on website and promoted via social media.
Consult	Request for comments and submissions	Submissions invited.
Involve	Pops up Hearing and considering submissions	Feedback incorporated into final DAMP, submissions heard and considered by the Council.
Collaborate	Not applicable	Not applicable
Empower	Not applicable	Not applicable

**Innovation and continuous improvement**

24. Opportunities for innovation and continuous improvement will be identified through the development and implementation of the DAMP.

**Collaboration**

25. Partnerships and collaboration play an integral role in the implementation of the DAMP.

26. Council will continue to work with other levels of government, relevant agencies and the community in order to achieve the strategies within the DAMP.

**Budget considerations**

27. Costs associated with the development of the DAMP have been met from existing budget allocations.

28. Community engagement costs will also be met from existing operating budget allocations.



12. Officers' reports

**CM.003/25 Draft Domestic Animal Management Plan 2025-2029 - Endorsement of Community Engagement**

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**Relevant law**

29. Pursuant to Section 68A of the *Domestic Animals Act 1994* every Council in Victoria is required to produce a DAMP which is renewed every four years
30. In addition, Nillumbik Shire Council's General Local Law 1 holds provisions which are relevant to this DAMP process, including:
  - Clause 29 - Collection and disposal of animal excrement
  - Clause 30 - Keeping of animals
  - Clause 31 – Animal buildings and cleanliness
  - Clause 32 – Animal noise

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

31. Consideration to align with comprehensive cat management framework and initiatives to be delivered as outlined in Victorian Cat Management Strategy 2025 -2035.

**Conflicts of interest**

32. 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.003/25      Draft Domestic Animal Management Plan 2025-2029 - Endorsement of  
Community Engagement**

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## 12. Officers' reports

## CM.004/25 Proposed sale of Council land at 311A Yan Yean Road, Plenty

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**Distribution:** Public

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

**Author:** Natalie Campion, Coordinator Property

**Summary**

Council has received a proposal from the landowner of 311 Yan Yean Road, Plenty to purchase a small section of Reserve abutting their property, known as 311A Yan Yean Road, Plenty.

Council may consider selling minor parcels of land by private treaty, provided that the land has been assessed as surplus and is no longer deemed necessary for Council and community purposes.

This report provides an overview of the proposal and seeks Council endorsement to commence the statutory procedures in accordance with section 114 of the *Local Government Act 2020* (the Act), to give public notice and undertake a community engagement process in regard to the sale of land proposal.

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

1. Resolves to commence the statutory procedures in accordance with section 114 of the *Local Government Act 2020* (the Act), to give public notice and undertake a community engagement process as outlined in **Attachment 1** in regard to the proposed sale of the land known as 311A Yan Yean Road, Plenty, being the land contained in Certificate of Title Volume 11371 Folio 358 and shown as Reserve 1 on Plan of Subdivision PS416599M on the plan in **Attachment 2 (Reserve)**.

The Reserve is proposed to be sold by private treaty to the adjoining landowner of 311 Yan Yean Road, Plenty (**Adjoining Owner**) for the current market value of \$10,000 plus GST.

The proposed sale of the Reserve will be conditional on:

- a) Council removing the reserve status from the land under section 24A of the *Subdivision Act 1988*;
- b) the Adjoining Owner:
  - i) consolidating the Reserve with the balance of the land at 311 Yan Yean Road, Plenty; and
  - ii) constructing a new fence on the boundary of the Reserve and the adjoining road reserve,  
within 6 months after the Settlement Date; and
- c) the Adjoining Owner paying all of Council's costs incurred in connection with the removal of the reserve status of the Reserve and the sale of land.




12. Officers' reports

CM.004/25 Proposed sale of Council land at 311A Yan Yean Road, Plenty

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2. Considers any submissions on the proposed sale of the Reserve at the Planning and Consultation Committee Meeting to be held on the 13 May 2025 following the conclusion of the community engagement period and prior to making any final decision on whether to proceed with the sale of the Reserve.

**Attachments**

- 1  Community Engagement Process
- 2  Plan of Land - Subdivisional Plan
- 3  Aerial Plan - 311A Yan Yean Road, Plenty

**Discussion**

1. Council received a proposal from the owners of 311 Yan Yean Road, Plenty (Adjoining Owner), to purchase the adjoining Reserve, known as 311A Yan Yean Road, Plenty (Reserve). The owners are currently maintaining this area of Council land as it is concealed behind trees and the existing footpath, which was constructed as part of Stage 1 Yan Yean Road works.
2. Council can consider selling surplus minor parcels of land such as this by private treaty to the abutting landowners, if the land cannot be sold on the open market as an individual lot.
3. As a requirement prior to the consideration of the sale of land, referral is made to the internal departments to determine if there is a strategic or operational need for the land to be retained in Council ownership. These needs may involve, for example, retention of the land for drainage easement, environmental purposes or public open space.
4. This sale of land proposal has been reviewed and assessed by the relevant departments of Council as outlined in point 30 and 31 of this report.
5. This land owned by Council is a Reserve No.1 on Plan of Subdivision 416599M for the use of Nillumbik Shire Council. The parcel of land is elongated irregular shaped site with an area of 221m<sup>2</sup> as shown in **Attachment 2 and 3**.
6. The following pictures are of 311A Yan Yean Road, Plenty.

12. Officers' reports

CM.004/25 Proposed sale of Council land at 311A Yan Yean Road, Plenty

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View looking south showing landowner current fence and boundary line

Photographs



View of barbed wire – old title boundary



Aerial view of land – 311A Yan Yean Road outlined yellow



## 12. Officers' reports

## CM.004/25 Proposed sale of Council land at 311A Yan Yean Road, Plenty

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7. There are no easements within the Reserve, however the sale of land would not impact existing easements on the Plan of Subdivision.
  8. The Reserve has the original barb wired fence that formed the original title boundary and vegetation.
  9. The existing boundary alignment for 311 Yan Yean Road, Plenty does not align with adjoining properties to the north and south.
  10. Council's surveyor believes this reserve would have been required as a revenge strip (meaning a small parcel of land or reserve which has been created by a subdivision to stop access from one development to an adjacent development or road). In this case, it was likely created to prevent a secondary crossover when the two lot subdivision occurred for 311 Yan Yean Road, Plenty.
  11. The Adjoining Owner currently accesses their property via 317A Yan Yean Road, Plenty. The title of 311 Yan Yean Road has a 173 agreement registered on title which includes vehicle access requirements currently via 317A Yan Yean Road.
  12. The site is in the Low Density Residential Zone and affected by the Bushfire Management Overlay, Development Contributions Plan Overlay – Schedule 4 and the Development Plan Overlay – Schedule 4. The minimum subdivision size is 4,000m<sup>2</sup>, so if the Reserve (221m<sup>2</sup>) is consolidated with 311 Yan Yean Road (4,541m<sup>2</sup>) the land would not be large enough to subdivide under the LDRZ.
  13. The Development Plan Overlay 4 (DPO4) of which the site is affected identifies site access constraints off Yan Yean Road for this parcel of land.
  14. Council's Amenity and Environment teams currently do not undertake any works on this land, so the landowner has been maintaining the Reserve.
  15. At the time the subdivision of 311 Yan Yean Road occurred a 173 agreement was entered into with the landowner, which has specific requirements on the owner paying an open space contribution to Council if Lot A is to be re-subdivided shown in **Attachment 2**. Successors in title shall also be required to give effect to this Agreement and execute a deed agreeing to be bound by the terms of this Agreement.
  16. Planning have no objections to Council considering selling the Reserve but have advised that the Adjoining Owner would need to apply to consolidate the Reserve (land) into their title. To ensure the consolidation of land occurs this would be a condition of the sale.
  17. Following internal assessment of the Reserve, the Adjoining Owner was informed that Council can consider selling the land and outlined the potential cost, which the purchaser will be responsible to pay; this includes the market value for the land, valuation fees, legal fees, planning application cost, advertising and surveying fees.
  18. The Adjoining Owner agreed to these costs and paid for the market valuation assessment by Council's external valuation consultants, Matheson Stephen. This valuation was forwarded to the Adjoining Owner prior to them agreeing to proceed with the proposal and making an Offer to Purchase the land.
  19. The Adjoining Owner has agreed to the above conditions of sale as outlined above and for Council to proceed with the sale of land process.

**12. Officers' reports**

**CM.004/25 Proposed sale of Council land at 311A Yan Yean Road, Plenty**

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20. The Adjoining Owner will be required to pay a further deposit for Council's costs if Council resolves to commence community engagement and give public notice on the sale of land proposal at this meeting of Council. This further deposit is for Council's initial legal fees, surveying, and public notice cost.

**Related Council decisions**

21. Not applicable.

**Options**

22. As the Reserve has been assessed as surplus to Council needs and is not easily accessible for public use, Council officers recommend that Council endorses to commence the statutory procedures in accordance with section 114 of the Act, to give public notice and undertake a community engagement process in regard to the sale of land proposal.
23. Any submissions received on the proposed sale of land can be considered and heard at a future Planning and Consultation Committee meeting.

**Council plans and policies**

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

**Access, Equity and Inclusion**

25. Not applicable.

**Sustainability implications**

26. Native vegetation protection in the planning scheme does carry an exemption for the operation of fencing and therefore could result in some vegetation removal. It does however specify that any vegetation that is to be removed, destroyed or lopped is to the minimum extent necessary.

**Community engagement**

27. The sale of Council land is subject to the requirements of Section 114 of the *Local Government Act 2020*, which requires Council before selling or exchanging the land, to give 4 weeks public notice of its intention to sell land on Council's website and undertake a community engagement process in accordance with Council's Community Engagement Policy.
28. Council will need to consider any public submissions received on the matter at a Planning and Consultation Committee meeting, which is proposed to be held on 13 May 2024.
29. The Community Engagement Process in **Attachment 1** outlines the proposed process and dates.

**Innovation and continuous improvement**

30. Not applicable

**12. Officers' reports**

**CM.004/25 Proposed sale of Council land at 311A Yan Yean Road, Plenty**

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**Collaboration**

31. The proposal has been referred to the relevant internal business areas to establish if there is a strategic or operational need for the Reserve to be retained in Council ownership.
32. All areas including Environment, Strategic Planning, Traffic and Transport, Planning, Open Space and Infrastructure, advised that this Reserve has no operational or strategic need to be retained by Council, therefore could be considered for sale to the Adjoining Owner.

**Budget considerations**

33. Costs associated with selling this Reserve will be paid by the purchaser, in accordance with Council's sale of minor parcels of land fact sheet.
34. The Adjoining Owner has been provided with the estimated cost to purchase this Reserve from Council, before Council proceeds with the process under the Act. The Adjoining Owner has already reimbursed Council for the market valuation completed.
35. The Reserve has been valued at \$10,000 plus GST by Council's Valuer.
36. If sold, funds raised by the sale of public open space (POS) will be allocated to the Open Space Reserve and utilised to fund projects that are consistent with the requirements of section 20 and section 24A of the *Subdivision Act 1988*.

**Relevant law**

37. Section 20 and section 24A (8) of the *Subdivision Act 1988* includes specific obligations on Council if it proposes to sell POS, including; replacement POS and applying proceeds from the sale to acquire or improving Council land for public purposes.
38. The procedures relating to the sale of Council land are governed by the requirements of the *Local Government Act 2020 (the Act)*.
39. The Act requires Council to publicly advertise its intentions to sell land; undertake a community engagement process in accordance with its community engagement policy; and obtain from a suitably qualified person a valuation of the land which is made not more than 6 months prior to the sale or exchange.
40. Council is also obliged to adhere to the Local Government Best Practice Guidelines for the sale, exchange & transfer of land (Department Planning and Community Development - June 2009). These Guidelines refer to circumstances where it may be more appropriate to sell/exchange land by private treaty.

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

41. Not applicable.

**Conflicts of interest**

42. 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.005/25 Local Government Performance Reporting Framework - Mid-Year 2024-2025 Performance Report

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**Distribution:** Public

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

**Author:** James Hartigan, Business Performance Analyst

#### Summary

The Local Government Performance Reporting Framework (LGPRF) is a mandatory reporting system introduced by the State Government in 2014 to ensure all Victorian councils are measuring and reporting on their performance in a consistent way.

The purpose of this report is to present (for noting) the LGPRF mid-year service performance results for the 2024-2025 financial year.

The report measures Council's current performance against the expected range (based on the LGPRF guidelines set by the State Government) as well as comparing Council's current performance against the 2023-2024 end of financial year result.

This is the sixth time Council is completing a mid-year progress update on the LGPRF indicators, with the aim of the report to provide more frequent and current data to better monitor and more proactively address any issues or trends identified with Council's performance.

The mid-year results indicate that Council is performing well against the LGPRF, with 95% of indicators measuring either within or exceeding the expected range based on Local Government Victoria guidelines. Also, 76% of indicators are measuring better performance results than similar councils.

#### Recommendation

**That** Council notes the Local Government Performance Reporting Framework (LGPRF) service performance results for the period from July to December 2024 (**Attachment 1**).

#### Attachments

1. Local Government Performance Reporting Framework - Mid-Year 2024-2025 Performance Report

#### Discussion

1. The Local Government Performance Reporting Framework (LGPRF) is a mandatory reporting system introduced by the State Government in 2014 to ensure all Victorian councils are measuring and reporting on their performance in a consistent way.
2. The LGPRF is comprised of service performance, financial performance and sustainability measures, along with a governance and management checklist.
3. Key objectives of the LGPRF include councils having information to support strategic decision making and continuous improvement, and communities having information about Council performance and productivity.

**12. Officers' reports****CM.005/25 Local Government Performance Reporting Framework - Mid-Year 2024-2025 Performance Report**

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4. Results for the LGPRF measures are reported in Council's Annual Report each year. These financial year results are also publicly released on the Local Government Victoria page on the Department of Government Services website, which provides information on the sector and enables users to benchmark the relative performance of all or similar councils.

Summary of results

5. **Attachment 1** demonstrates that Council is performing well against the LGPRF, with 95% of indicators measuring either within, or exceeding, the expected range based on Local Government Victoria guidelines. Also, 76% of indicators are measuring better than similar councils.
6. For benchmarking purposes, results are compared to those of 'similar councils' recorded in the Local Government Victoria 'Know Your Council' website. Similar councils are those based in the northern or interface area surrounding Nillumbik, including Hume, Whittlesea and Yarra Ranges.
7. Results are also recorded against the 'expected range', as per the LGPRF guidelines, as to where results are expected to occur for each measure.
8. Key results identified from the mid-year data include:
- Aquatic facilities – visitation numbers in 2024-2025 to date are strong, which has resulted in a \$212,000 increase in income (5.75%) on the previous year, driven by an increase in health and wellbeing memberships and increased casual attendance and stadium bookings;
  - Animal management – time taken to action requests is 1.5 days, better than for other similar councils (2.2 days), and 65.4% of animals were reclaimed from Council during the period, a significantly better result than similar councils (41.4%);
  - Food safety – 100% of required food safety assessments were undertaken, while the time taken to action food complaints decreased from 1.78 days to 1 day. All indicators for food safety are within the expected range;
  - Governance – all indicators are within the expected range and performing better than similar councils, with the exception of the cost of elected representation, which is actually lower (exceeding) the expected range as a result of the caretaker and local election period;
  - Libraries – library collection usage is on par with similar councils (5.65 items compared to 5.7), with the proportion of library resources less than 5 years old increasing over time. There has also been a steady increase in membership in Yarra Plenty Regional Libraries (YPRL) in recent periods;
  - Maternal and Child Health – Participation in the maternal and child health service continues to be steady, and is on par with other similar councils;
  - Roads – sealed local roads requests continue to remain steady;

**12. Officers' reports**

**CM.005/25 Local Government Performance Reporting Framework - Mid-Year 2024-2025 Performance Report**

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- Statutory planning – the time taken to decide statutory planning applications decreased (from 91 days to 73.5 days), and applications decided within required timeframes also improved (64.02% to 70.23%). Costs have remained steady;
  - Waste collection – kerbside garbage bin collection costs are slightly up compared to previous results, while kerbside recycling collection costs are down. This continues the ongoing downward trend for this metric, exacerbated by the introduction of the container deposit scheme in Victoria, resulting in lower collection amounts.
9. Council is exceeding the expected range for three measures – cost of governance (lower than expected), kerbside waste diverted from landfill (higher), and active library members (higher).
10. Council is measuring below the expected range for two measures, both in the Maternal and Child Health service, with participation decreasing primarily due to parents returning to work earlier following birth, attributed to cost of living pressures.
11. The 2024-2025 mid-year results are relatively stable and consistent when compared to previous years, and also against the 2023-2024 financial year results.

**Related Council decisions**

12. Not applicable.

**Options**

13. The report is for noting.

**Council plans and policies**

14. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
- We are forward-thinking, data-driven and evidence-led in our decision making, always looking to identify new opportunities.

**Access, Equity and Inclusion**

15. An Equity Impact Assessment has not been completed for this report. However, indicators measured in the report best reflect the principles outlined in the Access, Equity and Inclusion Policy where applicable.

**Sustainability implications**

16. Not applicable.

**Community engagement**

17. Annual results of Council's performance against the LGPRF measures are currently reported on the Local Government Victoria page on the Department of Government Services website, in addition to Council's Annual Report.

**12. Officers' reports**

**CM.005/25 Local Government Performance Reporting Framework - Mid-Year 2024-2025 Performance Report**

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**Innovation and continuous improvement**

18. The primary aim of the mid-year data collection is to provide more frequent and current data to better monitor and address any issues or trends. The report measures Council's current performance against the expected range (based on LGPRF guidelines set by State Government) as well as comparing Council's current performance against the 2023-2024 end of financial year results.

**Collaboration**

19. Not applicable.

**Budget considerations**

20. This report is part of Council's reporting obligations against the State Government's Local Government Performance Reporting Framework (LGPRF). Resources for the monitoring and preparation of this report are provided in existing operational budgets.

**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.006/25 Youth Council Advisory Committee Terms of Reference 2025-2027**

---

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

The current term for the Youth Council Advisory Committee will end in May 2025 and Council are required to call for new nominations for the next two-year term for 2025-2027. The Terms of Reference (**Attachment 1**) have been updated and presented here for endorsement. Recruitment is scheduled to open late February so that successful nominations can be adopted by Council in May 2025.

<b>Recommendation</b>
-----------------------

**That Council:**

1. Endorses the Youth Council Advisory Committee Terms of Reference (**Attachment 1**).
2. Endorses the Youth Council Advisory Committee recruitment process.
3. Requests Officers to report nominations to the Youth Council Advisory Committee to Council for endorsement in May 2025.

**Attachments**

- 1  Advisory Committee Terms of Reference - Nillumbik Youth Council - 2025-27

**Discussion**

1. The Nillumbik Youth Council consists of young people aged 15-25 years old who are passionate about being involved in their community and represent the diverse views, ideas and needs of young people in the Nillumbik area.
2. In May 2025, the current two-year term of Youth Council will end, and Council will need to call for new applications for the next two-year term across 2025-2027.
3. Up to fifteen Youth Councillors aged between 15-25 years of age, who live, work, volunteer, study or play in Nillumbik are to be selected through an online application process.
4. All nominees will be individually scored by the selection panel against an evaluation matrix that considers the nominees:
  - a) Understanding of and interest in the issues facing young people in the Nillumbik
  - b) Leadership skills and experience and/or willingness to learn
  - c) Ability to demonstrate a range of knowledge, skills and/or lived experience that would benefit the Youth Council.

12. Officers' reports

CM.006/25 Youth Council Advisory Committee Terms of Reference 2025-2027

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5. Additionally, to ensure a diverse representation on the Youth Council, weighting will be given to an application that meets one or more of the following criteria:
  - Living in rural Nillumbik
  - LGBTIQ+ and/or gender diverse
  - First Nations
  - Person living with a disability, chronic illness and/or mental illness
  - Carers
  - People experiencing or have experienced financial insecurity
  - Culturally and linguistically diverse.
6. Additional weighting will also be given to applicants who are currently members of the Youth Council Advisory Committee, and who have served for two years or less. This additional weighting will support existing Youth Councillors to renew their term on Youth Council (if they choose) and will allow for continuity of work on Youth Council and give previous members a chance to hold leadership positions and mentor new members.
7. In conjunction with the above, the selection panel will also take into account the balance of experiences and perspectives across the committee in making its recommendations for membership to Council.
8. The Selection Panel will consist of a senior member of Council (Director – or delegated Manager) and nominated Council staff members from the Youth and Community Development Unit.

**Related Council decisions**

9. The Youth Council Advisory Committee was established following Council endorsement at the 15 December 2020 Council meeting.

**Options**

10. The Youth Council Advisory Committee Terms of Reference 2025-2027 are presented in **Attachment 1**.
11. Recruitment is scheduled to launch on Wednesday 26 February and will close Sunday 23 March 2025. Applicants can be made online via the Nillumbik Youth Website.
12. All submissions will be reviewed and shortlisted, and shortlisted applicants will be interviewed to confirm interest and suitability for the position.
13. Where possible, 15 Youth Councillors will be selected to represent a diverse range of young people from Nillumbik and according to the selection criteria.
14. Officers will present back to Council in May seeking endorsement of successful applicants to commence on Youth Council in June 2025.
15. The election of a Youth Mayor and Deputy Youth Mayor will take place as part of the second formal meeting on Monday 7 July 2025.

**12. Officers' reports**

**CM.006/25 Youth Council Advisory Committee Terms of Reference 2025-2027**

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16. Unsuccessful applicants will be advised and offered the opportunity to meet with a Youth Development Officer to explore other local opportunities for community engagement and skill development.

**Council plans and policies**

17. 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.
18. This report directly supports the achievement of the Youth Strategy 2022-2026 – Priority Area 2: Empowered and Engagement.

**Access, Equity and Inclusion**

19. An Equity Impact Assessment has been completed on the Terms of Reference and reflect a commitment to ensuring a diverse representation on Youth Council in line with Council's Access, Equity and Inclusion Policy.
20. Nillumbik Youth are committed to ensuring the voices of First Nations young people are represented and heard within advisory committee meetings and embedded across Council. We will actively prioritise targeted promotion, engagement, and recruitment to support access for First Nations young people to engage with the Nillumbik Youth Council and applications for membership will be prioritised in the selection process.
21. Where there are no applications from First Nations young people in Youth Council, applications will remain open for First Nations young people to apply beyond the initial recruitment period.

**Sustainability implications**

22. Not applicable.

**Community engagement**

23. Not applicable.

**Innovation and continuous improvement**

24. Terms of Reference 2025-27 (**Attachment 1**) have been reviewed updated in line with Council's adopted Advisory Committee Policy and standardised templates.

**Collaboration**

25. Officers will work closely with internal teams and external stakeholders to support Youth Council recruitment for 2025-27 and encourage a diverse range of nominations.

**Budget considerations**

26. Not applicable.

**Relevant law**

27. Not applicable.

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

28. Not applicable.

**12. Officers' reports**

**CM.006/25 Youth Council Advisory Committee Terms of Reference 2025-2027**

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**Conflicts of interest**

29. 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.007/25 Endorsement of Terms of Reference and EOI process for the Inclusion and Access Advisory Committee**

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**Distribution: Public**

**Manager: Corrienne Nichols, Director Communities**

**Author: Narelle Hart, Manager Community Programs**

**Summary**

The Inclusion and Access Advisory Committee (IAAC) provides a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation to promote disability inclusion.

The current IAAC term ceases on 23 May 2025.

The IAAC Terms of Reference (Attachment 1) are presented for endorsement for the 2025-2027 Committee term.



IAAC Expressions of Interest will be open from 3 March – 7 April 2025 to allow for nomination endorsement by Council in May 2025.

**Recommendation**

**That Council:**

1. Acknowledges and thanks the outgoing members of the Inclusion and Access Advisory Committee for their contribution.
2. Endorses the Terms of Reference for the Inclusion and Access Advisory Committee **(Attachment 1)**.
3. Endorses the Expression of Interest process for the Inclusion and Access Advisory Committee.
4. Requests Officers to report nominations to the Inclusion and Access Advisory Committee for Council endorsement in May 2025.

**Attachments**

- 1  Inclusion and Access Advisory Committee ToR
- 2  Advisory Committee Policy

**12. Officers' reports****CM.007/25 Endorsement of Terms of Reference and EOI process for the Inclusion and Access Advisory Committee**

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**Discussion**

1. In October 2021, Council adopted the Advisory Committee Policy and standardised Terms of Reference (ToR) template. This sets minimum standards on a range of matters to ensure a sound governance framework is in place to support the establishment and ongoing management of all Council's advisory committees.
2. In August 2024, the Advisory Committee Policy was reviewed and subsequently endorsed by Council (**Attachment 2**). Minor updates now include child safety and wellbeing to ensure that Advisory Committees are following Council's Child Safe Policy and Child Safe Reporting processes.
3. The IAAC ToR have been reviewed to align with the updated Advisory Committee Policy and form the ToR (**Attachment 1**).
4. As per the previous ToR and because of the additional challenges facing people with disability/carers and disability service providers to attend Meetings, it is stated that the Committee quorum consists of five members (with one Council Officer present).
5. The current IAAC was formally endorsed on 23 May 2023 for a 2-year term.
6. The current IAAC term ceases on 23 May 2025.
7. The Committee meets on the fourth Friday of alternate months, between 10am and 12pm at the Council Offices, Civic Drive, Greensborough, unless otherwise determined by the Committee.
8. There are a total of 14 membership positions on the committee, including community members, key local disability service providers and community groups.
9. Membership represents a balance of people with lived experience of disability, disability advocates, carers and disability service providers.
10. Members advise Council on specific actions relating to disability inclusion, as well as other opportunities and challenges related to inclusion in Nillumbik.

**Related Council decisions**

11. In May 2020, Council endorsed the 2020 - 2024 Disability Action Plan (DAP). The DAP underpins and drives the work of the Committee.
12. At the Councillor Briefing on 18 May 2021 the decision to incorporate the DAP was discussed as follows: "To further streamline and embed disability inclusion, the annual reporting, monitoring and evaluation of the DAP will be incorporated into the Municipal Public Health and Wellbeing Plan. This improvement also serves to satisfy an Inclusion Audit recommendation by Pitcher Partners in 2020".
13. The Disability Action Plan (DAP) and Ageing Well in Nillumbik Plan (AWiN) will be incorporated into the 2025-2029 Municipal Public Health and Wellbeing Plan (MPHWP). There is clear alignment between the MPHWP, DAP and AWiN priorities and requirements. Incorporating these Plans increases efficiency and impact, and streamlines planning and reporting processes.

**12. Officers' reports**

**CM.007/25 Endorsement of Terms of Reference and EOI process for the Inclusion and Access Advisory Committee**

**Options**

14. Subject to Council’s endorsement of the Draft ToR, Officers propose the following Expression of Interest (EOI) process and dates:

Action	Timing
Expressions of Interest sought for committee renewal via Council’s website, Nillumbik News newsletter, Disability Inclusion Newsletter, Ageing Well in Nillumbik Newsletter, Community Connect Network and other existing networks (including follow up support for applicants, if required)	3 March – 7 April 2025
Expression of Interest assessment	April 2025
Councillor briefing re: outcome of EOI process	6 May 2025
Council endorsement of IAAC membership	27 May 2025
New IAAC induction/meeting	27 June 2025

**Council plans and policies**

15. This report directly supports the achievement of the Council Plan 2021-2025 strategy:  
 We champion equity, diversity, access and inclusion for people of all abilities, ages, cultural identities, gender identities, geographic locations, religions, sexualities, and socio-economic backgrounds.

**Access, Equity and Inclusion**

16. All Committee Terms of Reference (ToR) templates have been aligned to reflect Council’s commitment to the Access, Equity and Inclusion Policy. This includes the provision of reasonable support for members to participate in meetings. This is negotiated with individual members, as required.
17. The IAAC EOI process encourages applications from people with cultural and linguistically diverse backgrounds, people with disability, advocates and carers.
18. Additional support is offered as part of the IAAC application process and contact via the National Relay Service is welcomed.

**Sustainability implications**

19. Not applicable

**Community engagement**

20. Not applicable

**12. Officers' reports**

**CM.007/25 Endorsement of Terms of Reference and EOI process for the Inclusion and Access Advisory Committee**

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**Innovation and continuous improvement**

21. The Disability Inclusion team continues to work with and for the community (including individuals, groups, Committees/Networks and service providers) while striving to continuously improve our services, remove barriers and create positive change.

**Collaboration**

22. Extensive collaboration with IAAC members occurred as part of the 2021 Advisory Policy and associated ToR template development.

**Budget considerations**

23. There are no budget implications associated with the matters within this report.

**Relevant law**

24. Disability Inclusion is a legislative requirement for Council by virtue of section 38 of the *Disability Act 2006 (Vic)*.

The implementation of specific disability inclusion actions meets our obligation under the:

- *Disability Discrimination Act 1992 (DDA)*
- *Charter of Human Rights and Responsibilities Act 2006*
- *United Nations Convention on the Rights of Persons with Disabilities 2006*

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

25. The below are the current regional, state and national policies:

- Australia's Disability Strategy 2021 – 2031
- Victorian State Disability Plan 2022 – 2026
- National Carers Strategy 2024 – 2034

**Conflicts of interest**

26. 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.008/25 Endorsement of Terms of Reference and EOI process for the Positive Ageing Advisory Committee

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**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 to promote ageing well in Nillumbik.

The current PAAC term concludes in April 2025.

The PAAC Terms of Reference (**Attachment 1**) are presented for endorsement for the 2025-2027 Committee term.



PAAC Expression of Interest will be open from 3 March – 7 April 2025 to allow for nomination endorsement by Council in May 2025.

#### Recommendation

**That** Council:

1. Acknowledges and thanks the outgoing members of the Positive Ageing Advisory Committee for their contribution.
2. Endorses the Terms of Reference for the Positive Ageing Advisory Committee (**Attachment 1**).
3. Endorses the Expression of Interest process for the Positive Ageing Advisory Committee.
4. Requests Officers to report nominations to the Positive Ageing Advisory Committee for Council endorsement in May 2025.

#### Attachments

- 1  Positive Ageing Advisory Committee Terms of Reference
- 2  Advisory Committee Policy

#### Discussion

1. In October 2021, Council adopted the Advisory Committee Policy and standardised Terms of Reference (ToR) template. This sets minimum standards on a range of matters to ensure a sound governance framework is in place to support the establishment and ongoing management of all Council's advisory committees.

**12. Officers' reports****CM.008/25 Endorsement of Terms of Reference and EOI process for the Positive Ageing Advisory Committee**

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2. In August 2024, the Advisory Committee Policy was reviewed and endorsed by Council. (Attachment 2). Minor updates now include child safety and wellbeing to ensure that Advisory Committees are following Council's Child Safe Policy and Child Safe Reporting processes. Administrative changes have also been incorporated that have no effect to the purpose of the Advisory Committee Policy.
3. The current PAAC Terms of Reference have been reviewed to align with the Advisory Committee Policy and form the ToR. (**Attachment 1**)
4. The current PAAC committee was formally endorsed in April 2023 for a 2-year term, with the term expiring in April 2025.
5. The PAAC advises Council on specific issues relating to ageing broadly, as well as other opportunities and challenges related to ageing and inclusion in Nillumbik.
6. The PAAC committee is made up of 14 people, including individual community members, local age care services and community group representatives.
7. Membership represents a balance of people with lived experience, carers, and geographic locations within Nillumbik, ethnic diversity, life and professional experience.
8. The PAAC meets bi-monthly (excluding January), on the first Friday of the month from 10.30am – 1.30pm at the Council Offices, Civic Drive, Greensborough, unless otherwise determined by the Committee.

**Related Council decisions**

9. At the end of 2022, Councils Ageing Well in Nillumbik Plan (AWiN) 2019 – 2022 ceased and a final report was presented and endorsed by Council on 26 April 2023.
10. Ongoing ageing well priorities were embedded into the current MPHWP 2021-2025, with these likely to carry over into the new MPHWP 2025-2029.
11. There is clear alignment between the MPHWP and AWiN priorities and requirements. Incorporating these Plans increases efficiency and impact, and streamlines planning and reporting processes.

**Options**

12. That Council adopts the proposed revised ToR (**Attachment 1**) as recommended by Officers.

**12. Officers' reports**

**CM.008/25 Endorsement of Terms of Reference and EOI process for the Positive Ageing Advisory Committee**

13. Subject to Council's endorsement of the ToR, Officers propose the following Expression of Interest (EOI) process and dates:

Action	Timing
Expressions of Interest sought for committee renewal via Council's website, Ageing Well in Nillumbik Newsletter, Nillumbik News newsletter, Disability Inclusion Newsletter, Community Connect Network and other existing networks (including follow up support for applicants, if required)	3 March – 7 April 2025
Expression of Interests assessment	April 2025
Councillor briefing re: Outcome of EOI process	6 May 2025
Council endorsement of PAAC membership	27 May 2025
New PAAC induction/meeting	6 June 2025

**Council plans and policies**

14. 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**

15. The Advisory Committee Policy was reviewed in August 2024 with Gender Impact, Access, Equity and Inclusion priorities considered and incorporated.
16. The Advisory Committee EOI template and assessment template were developed in Jan 2024 and a Gender Impact Assessment was carried out to ensure equity and inclusion priorities were considered and incorporated.

**Sustainability implications**

17. Not applicable.

**Community engagement**

18. Not applicable.

**Innovation and continuous improvement**

19. The Ageing Well team continues to work with and for the community (including individuals, groups, Committees/Networks and service providers), striving to continuously improve our services, remove barriers and create positive change for people to age well in Nillumbik.

**Collaboration**

20. Not applicable.

**12. Officers' reports**

**CM.008/25 Endorsement of Terms of Reference and EOI process for the Positive Ageing Advisory Committee**

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**Budget considerations**

21. There are no budget implications associated with the matters within this report.

**Relevant law**

22. The Australian Government introduced the Aged Care Bill 2024 to Parliament on 12 September 2024. It passed both houses of Parliament on 25 November 2024 and will become the new *Aged Care Act* from 1 July 2025. The new Aged Care Act will impact everyone connected to aged care.

23. Council's Ageing Well Team's Social Support Group program and Community Transport service are directly impacted by the *Aged Care Act* while other work within the team is influenced by and responding to issues raised by the aged care reforms.

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

24. The Ageing Well Teams work, and approach is influenced by:

- The World Health Organisation (WHO) Age-Friendly Cities Framework
- Ageing Well in Victoria – An action plan for strengthening wellbeing for senior Victorians 2022 – 2026
- The National Carer Strategy 2024-2034 that sets out a national agenda to support and improve the lives Australia's unpaid carers.

**Conflicts of interest**

25. 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.009/25 Recreational Trails Advisory Committee Terms of Reference and Expression of Interest Process

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**Distribution:** Public

**Manager:** Melika Sukunda, Acting Chief Operating Officer

**Author:** Rebecca Burton, Manager Recreation and Leisure

Chris Gipps, Recreation and Community Infrastructure Project Manager

#### Summary

This report presents the purpose of the Recreational Trails Advisory Committee (RTAC), and highlights key changes made to the Terms of Reference and the Expression of Interest process.

The current RTAC membership ceases in May 2025.

#### Recommendation

**That** Council:

1. Acknowledges and thanks the outgoing members of the Recreation Trails Advisory Committee for their contribution.
2. Endorses the revised Recreation Trails Advisory Committee Terms of Reference (**Attachment 1**).
3. Endorses the Recreation Trails Advisory Committee Expression of Interest process.
4. Requests Officers to report nominations to the Recreation Trails Advisory Committee for Council endorsement in May 2025.

#### Attachments

1.  Recreation Trails Advisory Committee - Terms of Reference

#### Discussion

1. The Recreation Trails Advisory Committee's (RTAC) role is to provide a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation in the development and review of new and existing recreation trails within the Shire of Nillumbik.
2. The Advisory Committee's Terms of Reference (ToR) serve as the guiding principles for the committee's operations.
3. Since inception of RTAC in 1992, key outcomes have included;
  - Priority Trails identified for inclusion in the Northern Regional Trails Strategy
  - Identification of informal trails to increase connectivity to existing trail network
  - Advocacy to State Government for funding

12. Officers' reports

**CM.009/25 Recreational Trails Advisory Committee Terms of Reference and Expression of Interest Process**

- Completion of stages 1 and 2 of the Diamond Creek Trail
  - Trail promotion in conjunction with Yarra Ranges Tourism
  - Implementation of Trail Classification – in line with Australian Walking Grading System on Nillumbik Trails
  - Promotional mapping of the Diamond Creek Trail
  - Assistance in reviewing the Northern Regional Trails Strategy which led to Council endorsement of the Strategy in April 2024.
4. RTAC's current membership has a diverse representation from the community. The revised ToR (Attachment 1) specifies the membership shall consist of;
- Two representatives of the Nillumbik Shire Council (Councillors) – one as Chair, one as alternate Chair
  - Up to 12 community representatives who live within the Shire, selected to reflect a range of interests, expertise and experience including:
    - Friends of or Landcare representative/s
    - Community horse riding representative/s
    - Cycling representative/s
    - Walking group representative/s
    - General community representative/s (urban and rural)
    - Tourism representative/s
    - Person/s with a disability or advocate on behalf of people with a disability.
5. In June 2023, 11 community representatives were appointed to RTAC for a two year term, their membership will conclude in May 2025.
6. The ToR have been reviewed and updated to ensure alignment with the Advisory Committee Policy.
7. The review incorporated feedback from current members, obtained through an engagement survey.
8. Key changes to the ToR are as followed:

Current ToR	Revised ToR
Quarterly meetings – 1 hour duration	Up to 6 meetings per annum – Maximum 2 hour duration
Prescriptive number of representatives per representative group	Flexibility of numbers per representative group
Ability to appoint to a vacant position at a later stage if required	

9. An expression of interest (EOI) process will be undertaken to appoint the RTAC committee in March – April 2025.

**12. Officers' reports**

**CM.009/25 Recreational Trails Advisory Committee Terms of Reference and Expression of Interest Process**

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10. The EOI process will be conducted through Council's Smarty Grants platform to ensure consistency with other advisory committee appointment procedures.
11. A panel of three Council officers will evaluate submissions and make a recommendation to Council for consideration.

**Related Council decisions**

12. On 27 June 2023 Council endorsed the appointment of the current RTAC members for a two year term.
13. Nillumbik's Advisory Committee policy and Terms of Reference template were endorsed by Council on 17 August 2024.

**Options**

14. Endorse revised Recreation Trails Advisory Committee Terms of Reference & Expression of Interest Process
15. Retain existing Terms of Reference and proceed to EOI process.

**Council plans and policies**

16. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
  - We continue to enhance the Shire's shared trail network, working proactively to improve connectivity.

**Access, Equity and Inclusion**

17. All Committee ToR templates have been aligned to reflect Council's commitment to the Access, Equity and Inclusion Policy. In particular, all ToR templates cite the provision of 'reasonable support for members to participate in meetings.' This is negotiated with individual members, as required.

**Sustainability implications**

18. Not applicable

**Community engagement**

19. The current committee members have provided feedback on their experience as RTAC members through the form of a survey, this has guided the review and changes to the ToR.

**Innovation and continuous improvement**

20. The EOI process will be managed through the Smarty Grants platform as opposed to an online form (as previously conducted). The platform is user-friendly and provides improved reporting, evaluation and communication functionality.

**Collaboration**

21. Collaboration with advisory committee conveners has been undertaken to ensure consistency across Councils policy and processes.

**Budget considerations**

22. Not applicable

**12. Officers' reports**

**CM.009/25 Recreational Trails Advisory Committee Terms of Reference and Expression of Interest Process**

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**Relevant law**

23. *Local Government Act 2020.*

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

24. Not applicable

**Conflicts of interest**

25. Officers who have been involved in the preparation of this report declare that they do not have a conflict of interest in the subject matter of this report.

## 12. Officers' reports

### CM.010/25 Council Plan Quarterly Performance Report 2024-2025 - Quarter 2

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**Distribution:** Public

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

**Author:** James Hartigan, Business Performance Analyst

#### Summary

The purpose of this report is to present the Council Plan Quarterly Performance Report for noting. These reporting updates are received by Council on a quarterly basis to exhibit 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 second update on delivery progress and performance of the 2024-2025 Annual Action Plan actions, which align to delivery of the fourth and final year of the Council Plan 2021-2025.

Of the 30 actions in the 2024-2025 Annual Action Plan, two actions are completed, 24 actions are 'on track' for completion, three actions are experiencing minor issues, and one action is yet to commence (**Attachment 1**).

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.

Council has commenced a process for developing the 2025-2029 Council Plan, which will be a key strategy document reflecting Council's priorities, aspirations and outcomes in the 2025-2029 Council term.

#### Recommendation

**That** Council receives and notes the Council Plan Quarterly Performance Report for the second quarter of 2024-2025.

#### Attachments

1.  Council Plan Quarterly Performance Report 2024-2025 - Quarter 2

#### Discussion

1. The Council Plan 2021-2025 was developed throughout 2021 and adopted by Council in October 2021. The Council Plan 2021-2025 has four high-level strategic themes:
  - Community and Connection – to encourage inclusion and participation to support health and wellbeing and ensure that all our residents have equitable access to services, programs, events and initiatives.
  - Place and Space – to protect, enhance, maintain, plan and design places and spaces that strengthen identity, reinforce character, improve accessibility, encourage social connection and enjoyment, support biodiversity and respect the environment.

**12. Officers' reports****CM.010/25 Council Plan Quarterly Performance Report 2024-2025 - Quarter 2**

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- Sustainable and Resilient – to manage and adapt to changing circumstances that affect our community to ensure it remains sustainable and resilient, both now and into the future.
  - Responsible and Accountable – to facilitate the best possible outcomes for our community, by demonstrating strong leadership and working actively to achieve the community's objectives.
2. The Annual Action Plan 2024-2025, adopted by Council in May 2024, contains 30 actions contributing to delivery of the Council Plan within the corresponding financial year.

Priority actions

3. **Attachment 1** provides a summary of the progress on the 30 actions in the 2024-2025 Annual Action Plan. Of the 30 actions in the plan, two actions are completed, 24 actions are 'on track' for completion, three actions are experiencing minor issues, and one action is yet to commence.
4. Some of the highlights of activities and deliverables achieved during the second quarter of 2024-2025 included:
- a) Implementation of actions under the Disability Action Plan continued, including the Annual International Day of People with Disability Grants – \$6,465 was expended from a grant pool of \$7,000, with 7 grants awarded;
  - b) Implementation of the Year 4 Action Plan for the Nillumbik Health and Wellbeing Plan 2021-2025 continues and is on track, with delivery of actions including an Older People Expo, Food Festival and the 16 Days of Activism against Gender-based Violence campaign;
  - c) Delivery of Year 3 actions in the Youth Strategy 2022-2026 progressed, including commencement of weekly drop-in programs at the new Nillumbik Youth Hub in Diamond Creek, with 180 participants in 35 programs, and engagement with over 1,250 school students through school-based projects;
  - d) Delivery of actions in the Arts and Culture Strategy 2022-2026 continued, including shortlisting and selection of finalists for the Nillumbik Prize for Contemporary Art 2025 and continued development of an implementation plan for the Creative Infrastructure Framework, to convert existing buildings into arts and exhibition spaces;
  - e) Delivery of actions in the Recreation and Leisure Strategy 2022-2030 continued, with the Nillumbik Children's Mini Food Fair event, the This Girl Can campaign and the third annual Women in Sport Breakfast completed;
  - f) The Year 1 Biodiversity Strategy Implementation Plan (2024-2025) and Year 1 Key Urban Tree Canopy Strategy Actions (2024-2025) have been prepared and will be considered for adoption at a Council Meeting in early 2025. These first year implementation plans for the new strategies build upon and further our work to protect and enhance the Shire's unique and highly valued Green Wedge environment;

**12. Officers' reports****CM.010/25 Council Plan Quarterly Performance Report 2024-2025 - Quarter 2**

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- g) Work to progress implementation of Council's Climate Action Plan included commencement of a program to upgrade streetlights across the Shire to LED (Light Emitting Diode), submission of grant applications for solar and battery installations at various sporting pavilions, and energy efficiency works at Meruka Childcare in Eltham;
  - h) Nillumbik's first public high-speed electric vehicle charging stations located on Council land were installed in Eltham Town Centre;
  - i) Key actions completed in the Economic Development Strategy 2020-2030 included the Shop in our Shire 'All I Want for Christmas' campaign, completion of the Home Based Business Survey (with over 290 responses) and the Home Based Business Forum (with over 50 attendees);
  - j) Council received confirmation that two key advocacy priorities had successful grant applications through the Federal Government's Thriving Suburbs Program – Diamond Creek Men's Shed to receive \$965,000 to renovate the current facility, and Yarrambat War Memorial Park to receive \$901,103 to build new inclusive change rooms and amenities;
  - k) Progress on actions in the Communications Strategy 2022-2025 included the Social Media Roadmap nearing completion, providing Council teams with a more strategic approach to their social media use, and also works to improve the way Council uses QR codes as part of their engagement methods and processes;
  - l) Implementation of the Customer First Strategy 2023-2026 continues to progress well, with highlights including Council again being rated first overall across a range of industry sectors in the Customer Service Benchmarking Australia (CSBA) telephone mystery shopping program, and implementation of a new and improved complaints reporting process, focused on efficient resolution and process improvement; and
  - m) The 2024-2025 Capital Works program is progressing reasonably well at the mid-point of the financial year. Industry costs are still relatively high which has impacted some project budgets. Consultant availability is also a risk, which is impacting design timeframes and pre-planning activities prior to works commencing.
5. Progress on the following actions has been delayed pending further advice and updates from the State Government in relation to the Plan for Victoria, final housing targets and activity centre changes before further action can be undertaken:
- Seek authorisation from the Minister for Planning to prepare and exhibit an amendment to include the adopted Municipal Planning Strategy into the planning scheme;
  - Complete the development of the Housing Strategy for the Shire; and
  - Progress the planning scheme amendment process to implement the Major Activity Centre structure plans for Diamond Creek and Eltham into the planning scheme.

**12. Officers' reports****CM.010/25 Council Plan Quarterly Performance Report 2024-2025 - Quarter 2**

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**Overall status**

6. The overall position as reflected in the report suggests that Council continues to make solid progress in delivering on the key actions supporting the Council Plan.
7. Reporting updates will continue to be received by Council on a quarterly basis that demonstrates in a practicable and tangible way how the Council Plan 2021-2025 is being delivered to the community.
8. Council will shortly commence developing the 2025-2029 Council Plan, which will be a key strategy document reflecting Council's priorities, aspirations and outcomes in the 2025-2029 Council term. Feedback from the current community engagement program, *Nillumbik Now and Beyond*, will help inform the new plan.

**Related Council decisions**

9. Not applicable.

**Options**

10. This report is for noting.

**Council plans and policies**

11. 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**

12. A Gender Impact Assessment has not been completed for this report. However, actions developed in the Performance Report best reflect the principles outlined in the Access, Equity and Inclusion Policy where applicable.

**Sustainability implications**

13. One of the four themes of the Council Plan includes sustainability, identifying it as a key focus area for Council across the duration of this Council Plan.

**Community engagement**

14. Through the Our People, Our Place, Our Future community engagement program that occurred in February and March 2021, feedback was received which helped inform the development of the Council Plan 2021-2025. The Council Plan was also developed and refined through a series of workshops with Councillors following the general election in November 2020.
15. The Council Plan was subject to a four-week public consultation process across July and August 2021, with refinements made following the receipt of submissions. The Council Plan was subsequently adopted by Council in October 2021.
16. The Annual Action Plan 2024-2025, reflecting the final year of delivery of the four-year Council Plan, was also adopted at the May 2024 Council Meeting.

**Innovation and continuous improvement**

17. Not applicable.



**12. Officers' reports**

**CM.010/25 Council Plan Quarterly Performance Report 2024-2025 - Quarter 2**

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**Collaboration**

18. Not applicable.

**Budget considerations**

19. This report is part of Council's monitoring of the Council Plan 2021-2025. The resources for the monitoring and the preparation of this report are accommodated within the existing operational budget.

**Relevant law**

20. Not applicable

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

21. Not applicable

**Conflicts of interest**

22. Officers who have been involved in the preparation of this report declare that they do not have a conflict of interest in the subject matter of this report.

**12. Officers' reports**

**CM.010/25 Council Plan Quarterly Performance Report 2024-2025 - Quarter 2**

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**12. Officers' reports****CM.011/25 Active Transport Fund application**

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**Distribution: Public****Manager: Melika Sukunda, Acting Chief Operating Officer****Author: Rebecca Burton, Manager Recreation and Leisure****Chris Gipps, Recreation and Community Infrastructure Project Manager****Summary**

This report notes that an application has been submitted under the Active Transport Fund through the Department of Infrastructure, Transport, Regional Development, Communications and the Arts, seeking funding for the design and construction of a recreational trail along the Maroondah Aqueduct pipe track from Diamond Creek to Greensborough.

**Recommendation****That Council:**

1. Notes the application submitted under the Active Transport Fund with an estimated contribution from Council of approximately \$1.7 million (as a 50/50 contribution between the Federal Government and Council).
2. Notes that this project directly supports priority action number one (Maroondah Aqueduct Trail) in the Northern Regional Trails Strategy 2022.

**Attachments**

- 1  Route submitted for grant

**Discussion**

1. The Active Transport Fund program is administered through the *Department of Infrastructure, Transport, Regional Development, Communications and the Arts* (Federal Government).
2. The program has been developed as part of the Australian Government's commitment, under the National Road Safety Strategy 2021-30, to improve road safety outcomes for bicyclists and pedestrians. The program also supports the Australian Government's commitment to reducing transport emissions and supporting active and liveable communities.
3. The aim of the program is to encourage an increase in active transport across Australia.
4. Through the program, \$100 million in funding will be available from 2024-25 through to 2028-29.
5. The program commenced on 31 October 2024 to provide funding for the design and construction of new or existing bicycle and walking pathways. The program closed on 13 January 2025.

**12. Officers' reports****CM.011/25 Active Transport Fund application**

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6. An application was submitted, seeking funding to Design and Construct a recreational trail along Maroondah Aqueduct pipe track, from Diamond Creek to Greensborough.
7. The proposed project will create and formalise approximately 3.3km of recreational trail, predominantly along the Maroondah Aqueduct pipe track. The trail will support some of the missing links in the trail network by improving connection between Diamond Creek and Greensborough, providing safer active transport opportunities.
8. Funding announcements are expected to be announced late March 2025.

**Related Council decisions**

9. This project is listed as the number one priority in the Northern Regional Trails Strategy 2022. The Strategy was endorsed by Council on 30 April 2024.

**Options**

10. To support the application submitted under the Active Transport Fund, and note that should Council be successful, it will be required to contribute to 50% of the project cost.

**Council plans and policies**

11. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
  - We continue to enhance the Shire's shared trail network, working proactively to improve connectivity.

**Access, Equity and Inclusion**

12. If successful, an Equity Impact Assessment (formerly Gender Impact Assessment) will be undertaken and reviewed at key stages throughout the project.

**Sustainability implications**

13. A focus area of the Active Transport Fund is to "Reduce transport emissions by supporting commuters to choose sustainable modes of transport, including walking and cycling".

**Community engagement**

14. This project is an action from the Northern Regional Trails Strategy, which underwent extensive community consultation in 2021 and 2022. The consultation focused on determining a priority listing for all actions in the strategy. As a result of the feedback received, this project was deemed the number one priority across the Northern Region.
15. Should Council be successful in the application, further consultation with the community and relevant stakeholders will occur as part of the planning and development process for the project.

**Innovation and continuous improvement**

16. If successful, this project will vastly improve the Nillumbik trail network, improving connection between Diamond Creek Trail and Plenty River Trail.

**Collaboration**

17. The Northern Regional Trails Strategy (2022) was developed in collaboration with the other five Northern Region LGAs (Hume, Whittlesea, Merri-bek, Darebin, and Banyule) and has been endorsed by each Council.

**12. Officers' reports**

**CM.011/25 Active Transport Fund application**

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18. Delivery of the project will require further collaboration with Banyule City Council, Melbourne Water, adjoining residents and other key stakeholders.

**Budget considerations**

19. The project has been estimated at a cost of \$3.4 million.
20. The Active Transport Fund program requires a 50% co-contribution from applicants. If successful, Council is committed to the contribution of \$1.7 million towards the \$3.4 million total project cost.
21. It is intended to split the funding across three financial years (26/27 to 28/29) in which to deliver the project.
22. Council expects to be notified in April 2025 as to the outcome of the application.

**Relevant law**

23. Not applicable.

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

24. This project aligns with objectives of the following Strategies:
- a) Open Space for everyone, DELWP 2021
  - b) Cycling into the Future, Department of Transport, Planning and Local Infrastructure 2013-2023

**Conflicts of interest**

25. 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.011/25 Active Transport Fund application**

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## 12. Officers' reports

**CM.012/25 Tender Report - Contract 2425-018 Data Centre and Disaster Recovery Services**

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**Distribution: Public****Manager: Jeremy Livingston, Director Culture and Performance****Author: Lance Clark, Senior Procurement Specialist****Daniel Tarquinio, Manager Information Technology****Summary**

This report recommends the awarding of contract 2425-018 for Data Centre and Disaster Recovery Services.

The contract term is for a period of 5 years and 3 months.

There are two key phases to this contract:

- Phase 1 is the setup and go-live of IT infrastructure within the nominated Data Centre – Professional Services; and
- Phase 2 is for Disaster Recovery Services post go-live of the Data Centre IT infrastructure which consists of a monthly fee.

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 2425-018 for Data Centre and Disaster Recovery 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** as per the schedule of rates disclosed in (**Attachment 1**) and enter into the following contract:  
Number: 2425-018  
Title: Data Centre and Disaster Recovery Services  
Term for Phase 1: 3 March 2025 to 2 June 2025  
Term for Phase 2: 3 June 2025 to 2 June 2030
2. Authorises the Director Culture and Performance to finalise and execute the contract documentation.
3. Authorises the Director 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 2425-018 (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

**12. Officers' reports**

**CM.012/25 Tender Report - Contract 2425-018 Data Centre and Disaster Recovery Services**

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6. Resolves that the preferred tenderer be named.

**Attachments**

1. Attachment 1 - Tender Evaluation Summary Report 2425-018 - *CONFIDENTIAL*

**Discussion**

1. This report outlines the rationale for transitioning from Microsoft Azure Site Recovery (ASR) to a data centre-based disaster recovery (DR) solution.
2. ASR has proven to be an unsuitable choice for Council's corporate IT environment due to high operational costs, application compatibility challenges, and the complexity involved in DR testing and execution.
3. Transitioning to a data centre-based DR solution will effectively address these issues, enhance reliability, and align with Council's Information Technology Strategy. This report also examines sustainability and budget considerations.
4. Shifting to a data centre-based disaster recovery approach is a strategic necessity to overcome the limitations of ASR in Council's current operational landscape.
5. This transition will deliver a reliable, cost-effective, and sustainable DR solution that ensures business continuity during adverse events. Furthermore, adopting a data centre-based strategy strengthens Council's preparedness for future growth and bolsters resilience against potential cyber-attacks.

**Council plans and policies**

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

**Tender overview**

The Tender Evaluation Panel (TEP) advises that:

7. A selective tender was issued to a list of six (6) pre-qualified vendors via an established agency arrangement with Municipal Association of Victoria (MAV) – ICT Professional & Leasing Services (ES8111-2021) on 12 November 2024.
8. Use of this agency arrangement is in compliance with Council's Procurement Policy 2021-2025 – Section 2.3.2.1 Exemptions from tendering.
9. The period for tender submissions closed at 2pm on Thursday 5 December 2024.



12. Officers' reports

CM.012/25 Tender Report - Contract 2425-018 Data Centre and Disaster Recovery Services

10. The following tenders were received:

<b>TENDERER</b>
<b>Tenderer A – Preferred Tender</b>
Tenderer B – tendered 2 options

- 11. Only tenders that were conforming and competitive were fully scored.
- 12. All received submissions that were evaluated as conforming and proceeded to full evaluation.
- 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.

Criteria	Weighting %
Financial Benefit to Council (Price)	60%
Capability (Quality/Technical) & Capacity (Resources)	40%

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.

15. The members of the TEP were:

Position Title	Business Unit	Scoring Member or Advisory Member
Manager Information Technology	Information Technology	Scoring
IT Operations Lead	Information Technology	Scoring
IT Systems Administrator	Information Technology	Scoring
Senior Procurement Specialist	Finance, Assets & Procurement	Advisory

12. Officers' reports

CM.012/25 Tender Report - Contract 2425-018 Data Centre and Disaster Recovery Services

16. The final evaluation outcome was as follows:

TENDERER	SCORE	RANK
Tenderer A – Preferred Tender	90/100	1
Tenderer B – Option 1	74/100	2
Tenderer B – Option 2	88/100	3

- 17. The recommended tender was the highest ranked and is considered best value because the tendered technical solution meet Councils stated requirements and is within Councils budget considerations.
- 18. **Attachment 1** - Tender Evaluation Summary Report 2425-018 – Confidential, provides the tenderer names and the Evaluation Scorecard Summary.
- 19. The Tender Evaluation Summary Report 2425-018 (**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 and Capacity**

- 20. The preferred tenderers proposed solution meet Council’s IT requirements and provided a clear outlined approach to the Council’s requirements.
- 21. The preferred tenderer is has successfully delivered significant IT infrastructure projects to Council within the past twenty-four months and has the technical skilled resources to deliver against this critical IT project.
- 22. There is strong confidence by Council’s IT team in the ability of the preferred tenderer to deliver against the requirements of this contract and critical IT project.

**Tender Interviews and Reference checks**

- 23. As the preferred tenderer is known to Council and is currently delivering other IT Infrastructure projects for Council, tender interviews and reference checks were not required.

**Collaboration**

- 30. Tenders were sought via established agency agreement via MAV.

**Budget considerations**

- 24. Monthly Data Centre and equipment costs will be fixed for 5 years, which provides predictable costs for annual budget planning requirements.
- 25. Council will realise savings from eliminating current external vendor reliance for DR tests.
- 26. Solution will result in avoidance of high ASR subscription costs and unpredictable recovery expenses.
- 27. Reduced post-DR event costs for data repatriation and business restoration.

**12. Officers' reports**

**CM.012/25 Tender Report - Contract 2425-018 Data Centre and Disaster Recovery Services**

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**Sustainability implications**

- 28. Modern data centres are optimised for energy efficiency, often utilising renewable energy sources, reducing the environmental impact. The nominated data centre is 100% carbon neutral and is certified under the Australian Government's climate active program as well as geographically located in a suitable position for Council.
- 29. Transitioning to a data centre avoids the frequent reconfiguration and associated resource wastage of cloud-based DR solutions.
- 30. A well-implemented data centre DR strategy can be maintained for years with incremental upgrades, minimizing the need for large-scale overhauls.

**Stakeholder Consultation/communication**

- 31. Not applicable.

**Innovation and continuous improvement**

- 32. The data centre environment allows for tailored DR solutions, incorporating advanced automation, orchestration, and monitoring tools.
- 33. With reduced costs and simplified processes, DR exercises can be conducted more frequently, improving preparedness.
- 34. Implementation of application-aware recovery tools and AI-driven optimisation can enhance DR capabilities and reduce recovery times.
- 35. Council's Development and Training environment will now be able to be backed up and replicated as per our production environment.

**Relevant law**

- 36. Sections 108 and 109 of the *Local Government Act 2020*.

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

- 37. Not applicable.

**Conflicts of interest**

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

**12. Officers' reports**

**CM.012/25      Tender Report - Contract 2425-018 Data Centre and Disaster Recovery Services**

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## 12. Officers' reports

## CM.013/25 Tender Report - Contract 2425-005 Printing Services Panel

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**Distribution:** Public

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

**Author:** Lance Clark, Senior Procurement Specialist  
Megan Medhurst, Brand and Design Advisor

**Summary**

This report recommends the awarding of a panel contract 2425-005 for Printing Services Panel.

There are four tenderers that are recommended to be appointed to the Printing Services Panel arrangement.

This is a business as usual services requirement and replaces an existing contract.

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.

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 2425-005 for Printing Services Panel.

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

Number: 2425-005

Title: Printing Services Panel

Term: 1 March 2025 to 29 February 2028

Options: Term extensions up to 28 February 2030

2. Authorises the Director Governance, Communications and Community Safety to finalise and execute the contract documentation.
3. Authorises the Director Governance, Communications and Community Safety to approve contract term extensions.
4. Authorises the Director Governance, Communications and Community Safety to approve changes to operational requirements throughout the term of the contract.
5. Advises all tenderers accordingly.

**12. Officers' reports**

**CM.013/25 Tender Report - Contract 2425-005 Printing Services Panel**

6. Makes public the decision regarding this contract but the Tender Evaluation Report 2425-005 (**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.

**Attachments**

1. Attachment 1 - Tender Evaluation Summary Report 2425-005 - *CONFIDENTIAL*

**Discussion**

1. The tender for Print Services is to provide Council with a choice of professional companies to provide print collateral for Council's needs.
2. The new contract arrangement replaces the previous Print Services Panel contracted arrangement.

**Council plans and policies**

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

**Tender overview**

The Tender Evaluation Panel (TEP) advises that:

4. A public tender was issued on Saturday 5 October 2024.
5. The period for tender submissions closed at 2pm on Thursday 31 October 2025.
6. The following tenders were received:

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

12. Officers' reports

CM.013/25 Tender Report - Contract 2425-005 Printing Services Panel

Tenderer J
Tenderer K
Tenderer L
Tenderer M
Tenderer N
Tenderer O
Tenderer P

7. 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.
8. The following tenders were evaluated as non-conforming or not sufficiently competitive and were subsequently set aside from further evaluation.

TENDERER	Reasons why tender was set aside from further evaluation
Tenderer K	Non-conforming response – did not include required tender response form.
Tenderer L	Non-conforming response – did not include required tender response form.
Tenderer M	Non-conforming response – did not include required tender response form.
Tenderer N	Non-conforming response – did not include required tender response form.
Tenderer O	Tendered schedule of rates was much higher than the other con-forming submissions
Tenderer P	Tendered schedule of rates was much higher than the other con-forming submissions

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.

Criteria	Weighting %
Price	50%
Capability (Quality/Technical) & Capacity (Resources)	40%
Economic and Social Sustainability (Social and Local)	10%

12. Officers' reports

CM.013/25 Tender Report - Contract 2425-005 Printing Services Panel

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 TEP were:

Position Title	Business Unit	Scoring Member or Advisory Member
Brand and Design Advisor	Governance, Communications and Community Safety	Scoring
Communications and Engagement Officer – L&LN	Communities	Scoring
Graphic Design Officer	Governance, Communications and Community Safety	Scoring
Manager Communications and Engagement	Governance, Communications and Community Safety	Advisory
Procurement Officer	Finance Assets and Procurement	Advisory
Senior Procurement Specialist	Finance Assets and Procurement	Advisory

12. The final evaluation outcome was as follows:

TENDERER	SCORE	RANK
<b>Tenderer A – Preferred Tender</b>	91/100	1st
<b>Tenderer B – Preferred Tender</b>	86/100	Equal 2nd
<b>Tenderer C – Preferred Tender</b>	86/100	Equal 2nd
<b>Tenderer D – Preferred Tender</b>	86/100	Equal 2nd
Tenderer E	81/100	3rd
Tenderer F	73/100	4th
Tenderer G	67/100	5th
Tenderer H	66/100	6th
Tenderer I	62/100	Equal 7th
Tenderer J	62/100	Equal 7th

13. The recommended tenders were the highest ranked and is considered best value because their evidenced capability and capacity to deliver against Councils requirements.



**12. Officers' reports**

**CM.013/25 Tender Report - Contract 2425-005 Printing Services Panel**

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14. **Attachment 1** - Tender Evaluation Summary Report 2425-005 – Confidential, provides the tenderer names and the Evaluation Scorecard Summary.
15. The Tender Evaluation Summary Report 2425-005 (**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*.

**Capacity & Capability**

16. All of the preferred tenderers were able to clearly reference and evidence in their submissions, their ability to deliver against the Council requirements for Print Services.
17. All preferred tenderers have clearly evidences that they have in place, the right solutions and print technologies to support Councils requirements.

**Tender Interviews and Reference checks**

18. Given that the preferred tenderers are known to Council and have either held a contract with Council for the required services within the past 2 years or hold current contracts with multiple Victorian Local Government Agencies, no interviews were deemed necessary.
19. Tenderer reference checks were carried out for one of the preferred tenderers as they had not been used by Council for more than 3 years.

**Collaboration**

20. Not applicable

**Budget considerations**

21. All costs associated with print services requirements, are planned for as part of Councils annual budget planning processes.

**Sustainability implications**

22. As part of the contract requirements, Council has specified some key requirements in relation to type of paper to be used and use of vegetable-based inks. Some of these key requirements are provided below.
23. All paper must contain a high percentage of recycled fibre: a minimum of 75% (100% recycled paper is preferred) for printing and writing papers, envelopes, memo pads, invoice and statement books, printing products and brochures.
24. The key source of base paper must come from plantation forests preferably with Certification Forest Stewardship Council, Programme for the Endorsement of Forest Certification.
25. Vegetable-based inks must be used for Offset printing requirements – Offset printing is generally defined as high volume print run requirements.
26. Packaging of printed materials for delivery to Council to have minimal low environmental impact packaging.
27. Two of the preferred tenderers either have a business located within Nillumbik Council area or within the Northern Council Alliance (NCA) areas and provide employment to eight full time and three part time positions to residents from within the NCA areas.

**12. Officers' reports**

**CM.013/25 Tender Report - Contract 2425-005 Printing Services Panel**

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- 28. The other two preferred tenderers provide employment to thirty five (35) fulltime positions to residents from within the NCA areas.
- 29. All preferred tenderers have evidenced Gender equity and inclusion outcomes and environmental sustainability practices and outcomes.

**Stakeholder Consultation/communication**

- 30. Not applicable.

**Innovation and continuous improvement**

- 31. All of the preferred tenderers were able to evidence their commitment to innovation and continuous improvement practices either through software systems or equipment and printing technologies and processes.

**Relevant law**

- 32. Sections 108 and 109 of the *Local Government Act 2020*.

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

- 33. Not applicable

**Conflicts of interest**

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

## 12. Officers' reports

CM.014/25 Tender Report - Contract 2425-026 Broad Gully Road and Bellbird Road Intersection Upgrade Works.

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**Distribution:** Public

**Manager:** Melika Sukunda, Acting Chief Operating Officer

**Author:** Lance Clark, Senior Procurement Specialist

Steven Blight, Manager Capital and Infrastructure

**Summary**

This report recommends the awarding of contract 2425-026 for Broad Gully Road and Bellbird Road Intersection Upgrade Works.

The contract commencement date is 26 February 2025 with a completion date of 30 September 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 2425-026 for Broad Gully Road and Bellbird Road Intersection Upgrade Works.

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

<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 (exclusive of GST) and enter into the following contract:  
Number: 2425-026  
Title: Broad Gully Road and Bellbird Road Intersection Upgrade Works  
Term: 26 February 2025 to 30 September 2025  
Options: Nil
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 operational requirements throughout the term of the contract with a value of no more than the total 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.
6. Makes public the decision regarding this contract but the Tender Evaluation Report 2425-026 (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

**12. Officers' reports**

**CM.014/25 Tender Report - Contract 2425-026 Broad Gully Road and Bellbird Road Intersection Upgrade Works.**

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7. Resolves that the preferred tenderer be named.

**Attachments**

1. Attachment 1 - Tender Evaluation Summary Report 2425-026 - *CONFIDENTIAL*

**Discussion**

1. This project is for the upgrade of Broad Gully Road and Bellbird Road intersection in Diamond Creek.
2. The works will improve vehicle safety and drainage along Broad Gully Road as well as upgrade and re-open the northern end of Bellbird Road which has been closed for safety reasons.
3. This project has been developed as part of the Development Contributions Plan (2012) which assessed the future infrastructure needs in the area referred to as Area B (Diamond Creek North) in the Nillumbik Planning Scheme.

**Council plans and policies**

4. This report directly supports the achievement of the Council Plan 2021-2025 strategy  
Good governance
  - We continue to exercise sustainable and responsible financial management.Movement and place
  - We continue to deliver on our road management responsibilities; working to enhance infrastructure that aligns with the character of the neighbourhood.

**Tender overview**

The Tender Evaluation Panel (TEP) advises that:

5. A public tender was issued on Saturday 23 November 2024.
6. The period for tender submissions closed at 2pm on Thursday 19 December 2024

12. Officers' reports

**CM.014/25 Tender Report - Contract 2425-026 Broad Gully Road and Bellbird Road Intersection Upgrade Works.**

7. 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
Tenderer I

8. 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.

9. 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 E	Was the third highest tendered cost and more than \$300,000 higher than the average of the tendered cost from the four conforming tenderers.
Tenderer F	Tender Response was incomplete and mandatory supporting documentation was not provided
Tenderer G	Was the highest tendered cost – more than \$1,000,000 higher than the average of the tendered cost from the four conforming tenderers.
Tenderer H	Tender Response form was incomplete and mandatory supporting information was not provided
Tenderer I	Tender Response form was incomplete and mandatory supporting documentation was not provided

12. Officers' reports

**CM.014/25 Tender Report - Contract 2425-026 Broad Gully Road and Bellbird Road Intersection Upgrade Works.**

10. 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>
Financial Benefit to Council (Price)	50%
Capability (Quality/Technical) & Capacity (Resources)	30%
Collaboration	10%
Economic and Social Sustainability (Social and Local)	10%

11. 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. The members of the TEP were:

<b>Position Title</b>	<b>Business Unit</b>	<b>Scoring Member or Advisory Member</b>
Capital Works Coordinator	Capital and Infrastructure	Scoring
Contract Works Supervisor	Capital and Infrastructure	Scoring
Manager Capital and Infrastructure	Capital and Infrastructure	Advisory
Senior Procurement Specialist	Finance, Procurement and Assets	Advisory

13. The final evaluation outcome was as follows:

<b>TENDERER</b>	<b>SCORE</b>	<b>RANK</b>
<b>Tenderer A – Preferred Tender</b>	91/100	1
Tenderer B	87/100	2
Tenderer C	69/100	3
Tenderer D	65/100	4

**12. Officers' reports**

**CM.014/25 Tender Report - Contract 2425-026 Broad Gully Road and Bellbird Road Intersection Upgrade Works.**

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14. The recommended tender was the highest ranked and is considered best value based on experience and capability as well as price.  
The highest ranked tenderer was not recommended for award of this contract because
15. **Attachment 1** - Tender Evaluation Summary Report 2425-026 – Confidential, provides the tenderer names and the Evaluation Scorecard Summary.
16. The Tender Evaluation Summary Report 2425-026 (**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 and Capacity**

17. Tenderers submission provides detailed methodology and tenderer has successfully completed similar scoped projects for Council and other Local Government Agencies (LGA)
18. The key nominated staff details provided indicate that they have the required skills and expertise to successfully deliver the project.
19. The works program of twelve (12) weeks meets Councils expectations and timelines.
20. Customer service approach is sound with Letter drops to residents and local business.
21. Previous experience with contractor has proven their ability to work well with Council and the wider community on similar projects.

**Tender Interviews and Reference checks**

22. As the tenderer is a known contractor by Nillumbik Shire Council, tender reference checks and tender interview were not deemed to be necessary.

**Contingency and risks**

23. A traffic management plan will be implemented to reduce level of disruption to users during the road works. Portable traffic light system with single lane contraflow will be used to allow for Broad Gully Road to remain open for the duration of the works. Any ADHOC closures that may arise will be communicated to traffic users well in advance via Councils Projects and Works webpage, Letters to Residents and onsite Variable Message Boards.
24. Weather conditions. The majority of the works will be undertaken in what are generally wetter months. Councils Capital Works Coordinator and Contract Works Supervisor will work closely with the appointed Civil Works Contractor to mitigate any delays due to unforeseen weather impacts.

**Collaboration**

25. Not applicable.

**Budget considerations**

26. The project is funded through developer contributions, specifically from Developer Contributions Overlay Plan 02.

**12. Officers' reports**

**CM.014/25 Tender Report - Contract 2425-026 Broad Gully Road and Bellbird Road Intersection Upgrade Works.**

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**Sustainability implications**

- 27. The preferred tenderers business is located within the Northern Council Alliance Area (NCA) and provides full time employment for more than 15 residents from within the NCA.
- 28. Upon completion of this project, the tenderer is required to provide a report to Council a Waste to Landfill Minimisation Report that details the type of waste, the quantity and the destination of all recycled, re-used or repurposed waste.
- 29. There will be use of green materials and products containing recycled materials in the project and contractor has nominated which products will be used.
- 30. This is made up of approximately 500 linear metres of concrete, 4000 square metres of recycled crushed concrete (pavement base material) and 300 square metres of Recycled Asphalt product for paving area.

**Stakeholder Consultation/communication**

- 31. Consultation was conducted at the time of the report in 2012, since then project information and updates have been shown on Councils Projects and Works webpage.

**Innovation and continuous improvement**

- 32. Use of Portable traffic light system with single lane contraflow will be used to allow for Broad Gully Road to remain open for the duration of the works to reduce the impact on residents whilst works are underway.

**Relevant law**

- 33. Sections 108 and 109 of the Local Government Act 2020.

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

- 34. Not applicable.

**Conflicts of interest**

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



## 12. Officers' reports

**CM.015/25 Tender Report - Contract 2425-021 North East Link Tree Canopy Replacement Program**

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**Distribution: Public****Manager: Melika Sukunda, Acting Chief Operating Officer****Author: Lance Clark, Senior Procurement Specialist****Heath Gillett, Manager Operations Centre****Summary**

This report recommends the awarding of contract 2425-021 for North East Link Tree Canopy Replacement Program.

The services to be provided under this contract is for the planting of 1800 canopy trees across designated reserves over two years. The scope includes sourcing tree stock, site preparation, planting, mulching, staking, and a two-year maintenance program to ensure successful establishment and growth requirements.

This project is fully funded via Major Roads Projects Victoria (MRPV) (Big Build) project.

The contract term is for an initial period of 4. There is a 1 year extension option available at the discretion of Council.

The term of the contract will not exceed 5 years in total.

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 2425-021 for North East Link Tree Canopy Replacement Program.

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 sum of **#[Redacted]** (exclusive of GST) and enter into the following contract:  
Number: 2425-021  
Title: North East Link Tree Canopy Replacement Program  
Term: 26 February 2025 to 25 February 2029  
Options: 1 x 1 Year option.
2. Authorises the Chief Operating Officer to finalise and execute the contract documentation.
3. Authorises the Chief Operating Officer to finalise and execute the contract extension option if required.
4. Authorises the Chief Operating Officer to approve changes to operational requirements throughout the term of the contract with a value of no more than the grant funded value.

**12. Officers' reports**

**CM.015/25 Tender Report - Contract 2425-021 North East Link Tree Canopy Replacement Program**

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5. Notes that any variations that exceed the agreed grant funded value will require a further Council resolution.
6. Advises all tenderers accordingly.
7. 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*.
8. Resolves that the preferred tenderer be named.

**Attachments**

1. Attachment 1 - Tender Evaluation Summary Report 2425-021 - *CONFIDENTIAL*

**Discussion**

1. As the North East Link road is built, around 16,000 trees, mostly along roadways, are expected to be removed, as well as up to 52 hectares of native vegetation. Minimising these impacts is a key priority for the project.
2. For every tree removed to build North East Link at least 2 will be planted, helping to grow a greener north and east.
3. One of the priorities of the North East Link Program is to plant trees across the 6 council areas the project passes through – Banyule, Nillumbik, Manningham, Boroondara, Whitehorse and Yarra. These trees will help improve the look and feel of local areas, enhance wildlife habitat and corridors and contribute to a healthier, better connected urban forest.
4. Nillumbik Shire Council has already planted 200 trees throughout Greensborough in 2021 as part of this program.
5. Nillumbik Shire Council has secured a grant via Major Roads Projects Victoria (MRPV) (Big Build) project.
6. The project is fully funded with no contribution by Council.
7. The key outcome of this project is to plant 1800 trees over two years to replace canopy cover that has been removed to make way for the North East Link tunnels project.
8. The trees will be planted in designated reserves within a 5km radius of the North East Link Tunnels project.

The reserves that have been identified for planting are:

- Eltham Lower Park
  - Challenger Street Reserve
  - Barack Reserve (behind flower stall)
9. The scope includes sourcing tree stock, site preparation, planting, mulching, staking, and a two-year maintenance program to ensure successful establishment and growth requirements.

**12. Officers' reports**

**CM.015/25 Tender Report - Contract 2425-021 North East Link Tree Canopy Replacement Program**

- 10. Through the outcome focused nature of this contract, the successful contractor will be responsible for the successful delivery of established trees at the conclusion of each maintenance term.
- 11. Canopy coverage is vital for biodiversity and underpinning the character of the Shire that residents and visitors expect. Trees have a pronounced positive impact on the landscape. They provide shade in summer, provide character and amenity in reserves, increase property values, and overall improve liveability.

**Council plans and policies**

- 12. This report directly supports the achievement of the Council Plan 2021-2025 strategy Natural environment
  - We are committed to protecting and enhancing the environmental integrity of our community’s unique surroundings, Aboriginal heritage, natural environment and diverse wildlife.
  - We understand and value biodiversity and its importance to human health and wellbeing, and take action to protect and enhance biodiversity in Nillumbik.

Good governance

- We continue to exercise sustainable and responsible financial management.

**Tender overview**

The Tender Evaluation Panel (TEP) advises that:

- 13. A public tender was issued on Saturday 2 November 2024
- 14. The period for tender submissions closed at 2pm on Thursday 28 November 2024.
- 15. A mandatory and non-negotiable requirement for the tendered services was for a Contract Performance Security Bond.
- 16. The following tenders were received:

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

- 17. 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. Officers' reports

CM.015/25 Tender Report - Contract 2425-021 North East Link Tree Canopy Replacement Program

18. The following tenders were evaluated as non-conforming or not sufficiently competitive and were subsequently set aside from further evaluation.

TENDERER	Reasons why tender was set aside from further evaluation
Tenderer E	Had the highest tendered costs. Was more than \$180,000 higher than the average cost of the four conforming tenders that proceeded to evaluation.
Tenderer F	Did not agree to provide required Contract Performance Security Bond. Was the second highest tendered price and was more than \$120,000 higher than the average cost of the four conforming tenders that proceeded to evaluation.

19. 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.

Criteria	Weighting %
Price	50%
Capability (Quality/Technical) & Capacity (Resources)	40%
Economic and Social Sustainability	10%

20. 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.

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CM.015/25 Tender Report - Contract 2425-021 North East Link Tree Canopy Replacement Program

21. The members of the TEP were:

Position Title	Business Unit	Scoring Member or Advisory Member
Open Space Project Officer	Operations and Infrastructure	Scoring
Parks and Open Space Coordinator	Operations and Infrastructure	Scoring
Senior Supervising Arborist	Operations and Infrastructure	Scoring
Manager Operations Centre	Operations and Infrastructure	Advisory
Procurement Officer	Finance, Assets & Procurement	Advisory
Senior Procurement Specialist	Finance, Assets & Procurement	Advisory

22. The final evaluation outcome was as follows:

TENDERER	SCORE	RANK
<b>Tenderer A – Preferred Tenderer</b>	80/100	1st
Tenderer B	76/100	Equal 2nd
Tenderer C	76/100	
Tenderer D	74/100	3rd

23. The recommended tenderer was the highest ranked and is considered best value because they have extensive experience, having successfully undertaken projects and contracts of this scale and larger. They possess the necessary resources, expertise, and qualifications to successfully execute and deliver against the project requirements.
24. **Attachment 1** - Tender Evaluation Summary Report 2425-021 – Confidential, provides the tenderer names and the Evaluation Scorecard Summary.
25. The Tender Evaluation Summary Report 2425-021 (**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*.

**12. Officers' reports**

**CM.015/25 Tender Report - Contract 2425-021 North East Link Tree Canopy Replacement Program**

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**Capability & Capacity**

26. The recommended tenderer has proven and extensive experience, having successfully undertaken projects and contracts of this scale and larger.
27. Has the necessary qualified resources, expertise, and skills to execute the project, including the collection of data on the planted trees.
28. Submitted a comprehensive methodology outlining their approach, complete with a detailed timeline that meets with Council and Funding Body requirements.
29. Has in place ISO accredited systems for Quality, Environment and Occupational Health and Safety requirements.
30. Key staff are qualified arborists which will oversee the service deliverables.

**Tender Interviews and Reference checks**

31. As the preferred tenderer is known to Council, tender interview and reference checks were not deemed necessary.

**Contingency and risks**

32. Given the size and scope of the project, the successful contractor will be required to issue Council with a Contract Performance Security Bond to the value of \$150,000, that will be reduced based on the following set of key milestone deliverables;
  - \$50,000 to be released on the first anniversary of the tender which will end the first year of planting
  - \$25,000 to be released on the second anniversary which will end the second year of planting and the first year of maintenance
  - \$25,000 to be released on the third anniversary.
  - \$50,000 to be released at the end of the contract.

**Collaboration**

33. Not applicable

**Budget considerations**

34. This is a fully funded project with no contribution required from Council.

**Sustainability implications**

35. Preferred tenderers main office is located within the Northern Council Alliance (NCA) area.
36. They currently employ 10 staff from within the NCA Council areas.
37. Actively work with a Certified Social Enterprise specialising in Ground Maintenance and Landscaping services, providing job opportunities for refugees.
38. Has Equal Employment Opportunity Policy.

**12. Officers' reports**

**CM.015/25 Tender Report - Contract 2425-021 North East Link Tree Canopy Replacement Program**

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**Stakeholder Consultation/communication**

39. Not applicable.

**Innovation and continuous improvement**

40. Not applicable.

**Relevant law**

41. Sections 108 and 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.015/25 Tender Report - Contract 2425-021 North East Link Tree Canopy Replacement Program**

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**12. Officers' reports**

**CM.016/25 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)**

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**Distribution: Public**

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

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

**Summary**

Section 224 of the *Local Government Act 1989* provides for the appointment of Authorised Officers for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

The Chief Executive Officer makes these appointments by authority conferred by Instrument of Delegation by Council dated 26 March 2024.

Section 147(4) of the *Planning and Environment Act 1987* provides for the appointment and authorisation of Council Officers for the purpose of the *Planning and Environment Act 1987*.


To strengthen Council's decision making and enforcement processes, appointment of authorisation under the *Planning and Environment Act 1987* is being recommended by Council Resolution.

<b>Recommendation</b>
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**That** Council in the exercise of the powers conferred by s147(4) of the *Planning and Environment Act 1987*, resolves that:

- a) The Nillumbik Shire Council staff referred to in the Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) (**Attachment 1**) be appointed and authorised as set out in the instrument.
- b) The common seal of Council be affixed to the Instrument.
- c) The Instrument comes into force immediately after the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.

**Attachments**

- 1  Instrument of Appointment and Authorisation for Planning and Environment Act 1987

**12. Officers' reports****CM.016/25 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)**

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**Discussion**

1. The purpose of this report is for Council to consider executing an Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* (Instrument).
2. Instruments of Appointment and Authorisation enable Council staff to exercise powers permitted to authorised officers under legislation or Council local laws.
3. Council subscribes to the Maddocks Authorisations and Delegations service. The appointment and authorisation of officers for the purposes of enforcing the *Planning and Environment Act 1987* enables day to day statutory and operational decisions to be made in relation to this Act.
4. The proposed Instrument (**Attachment 1**) is based on the model developed by Maddocks Lawyers and available through the subscription service.
5. Maddocks recommend that Officers enforcing the *Planning and Environment Act 1987* be authorised by Council resolution and that Instruments of Appointment and Authorisation be refreshed on a regular basis. The instruments are reviewed by Governance as required to ensure they are up to date.
6. In addition to the routine review of Officer names, Maddocks have released an update to the Planning and Environment Act authorisation template which has been updated in **Attachment 1**. This review is a slight amendment to the wording of the template and does not affect the intent of the authorisation.

**Related Council decisions**

7. The current Instrument is dated 10 December 2024.

**Options**

8. It is recommended by Officers that Council resolves that the Officers referred to in the instrument (**Attachment 1**) be appointed and authorised as set out in the instrument.

**Council plans and policies**

9. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
  - We act in the best interests of our community.

**Access, Equity and Inclusion**

10. Not applicable.

**Sustainability implications**

11. Not applicable.

**Community engagement**

12. As a legislative requirement and an administrative function of Council, Community engagement is not required.

**12. Officers' reports**

**CM.016/25 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)**

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**Innovation and continuous improvement**

13. Council's appointments and authorisations under the *Planning and Environment Act 1987* have been signed under delegation to the CEO in accordance with legal advice. In order to strengthen Council's decision making and enforcement process it is recommended that Council make these appointments by Council Resolution.

**Collaboration**

14. Not applicable.

**Budget considerations**

15. The appointment of authorised officers is an administrative exercise undertaken by Council Officers. There is no additional resourcing required if Council supports and resolves the officer recommendation.

**Relevant law**

16. Section 224 of the *Local Government Act 1989*  
17. Section 147(4) of the *Planning and Environment Act 1987*

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

18. Not applicable.

**Conflicts of interest**

19. 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.016/25 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)**

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## 12. Officers' reports

### CM.017/25 Informal Meetings of Councillors Records - 25 February 2025

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**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 10 December 2024.

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

1. Councillor Briefing held 3 December 2024;
2. Council Meeting Pre-Meet held 10 December 2024;
3. Extraordinary Planning and Consultation Committee Meeting Pre-Meet held 17 December 2024;
4. Councillor Briefing held 4 February 2025;
5. Councillor workshop 6 February 2025;
6. Councillor workshop 7 February;
7. CEO Employment Matters 11 February 2025; and
8. Councillor information session 11 February 2025.

#### Recommendation

**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.

#### Attachments

- 1  Informal Meeting of Councillors record reported 25 February 2025

#### Discussion

1. *Item 20 of Council's Governance Rule – Meeting Procedures*, 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.017/25 Informal Meetings of Councillors Records - 25 February 2025

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**Options**

3. An Informal Meetings of Councillors is defined in *Item 20 of the Governance Rule – Meeting Procedures*. 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 20 of the Governance Rule – Meeting Procedures*, 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 20 of the Governance Rule – Meeting Procedures*.

**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. Not applicable.

**Community engagement**

11. Not applicable.

**Innovation and continuous improvement**

12. Not applicable.

**12. Officers' reports**

**CM.017/25 Informal Meetings of Councillors Records - 25 February 2025**

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**Collaboration**

13. Not applicable.

**Budget considerations**

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.017/25 Informal Meetings of Councillors Records - 25 February 2025**

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## **Council Meeting Agenda**

**25 February 2025**

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