

Council Meeting

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

Minutes

Carl Cowie
Chief Executive Officer

Friday 28 February 2025

Distribution: Public

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Nillumbik Shire Council

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Nillumbik Shire Council

**Minutes of the Meeting of Nillumbik Shire Council held Tuesday 25 February 2025.
The meeting commenced at 7.02pm.**

Councillors present:

Cr John Dumaresq	Wingrove Ward (Mayor)
Cr Naomi Joiner	Bunjil Ward (Deputy Mayor)
Cr Grant Brooker	Blue Lake Ward
Cr Kelly Joy	Edendale Ward
Cr Peter Perkins	Ellis Ward
Cr Kim Cope	Sugarloaf Ward
Cr Kate McKay	Swipers Gully Ward

Officers in attendance:

Carl Cowie	Chief Executive Officer
Melika Sukunda	Acting Chief Operating Officer
Blaga Naumoski	Director Governance, Communications and Community Safety
Corrienne Nichols	Director Communities
Frank Vassilacos	Director Planning, Environment and Strategy
Jeremy Livingston	Director Culture and Performance
Katia Croce	Manager Governance and Property
Lara Bailey	Acting Senior Communications Officer

1. Welcome

2. Welcome to Country

An apology was received by Wurundjeri Man Colin Hunter Jnr Jnr, and an Acknowledgement of Country was read by the Mayor, Cr John Dumaresq.

3. Good Governance Pledge

The Good Governance Pledge was ready by Cr Kate McKay.

4. Prayer

A prayer was read by Sam Scott, Pastor of Hurstbridge Christian Fellowship.

5. Apologies\Leave of Absence

Nil

6. Declarations of conflict of interest

Nil

7. Presentations

Australia Day 2025 Honours List and Sporting Achievement Grants

Australia Day 2025 Honours List

Nillumbik resident Timothy SMITH was awarded the Australian Fire Service Medal, for distinguished service as a member of an Australian fire service.

Cr Peter Perkins delivered the following speech:

“Thank you, Mayor. It was great, once again, to see a member of our community being recognised for their achievements on the recent Governor General's Australia Day Honours List. Tonight, I'd like to congratulate Tim Smith on his achievements.

Tim Smith, a resident of our community, was awarded the Australian Fire Services Medal (AFSM) for his distinguished service as a member of the Australian fire service. Tim is a member of the CFA (Country Fire Authority). He initially joined the MFB (Metropolitan Fire Brigade) many years ago, where he worked as a mechanic. Over the years, he worked his way up through the CFA, and he now serves as the Manager of Fleet Operations.

More importantly, Tim has dedicated much of his life to voluntary service with the CFA, particularly in Hurstbridge. He's been there for many years and has served as the former Captain of the Hurstbridge Fire Brigade. He has also been the former Group Officer of the Nillumbik Group.

Tim is highly respected, not only in Hurstbridge but also in wider Fire Brigade circles. I would like to commend Tim for his dedication, service, and achievement of excellence. He embodies the Nillumbik ethos of service, diligence, commitment and above all serving the broader community.

It's great that you have been recognised in this manner Tim. Congratulations and thank you”.

Sporting Presentations - 25 February 2025

Renae 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.

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

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.

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

The recipients or their delegate thanked Council and photos were taken with their ward Councillor.

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

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8. Confirmation of Minutes

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

Summary

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

Council Resolution

MOVED: Cr Kim Cope
SECONDED: Cr Grant Brooker

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

CARRIED UNANIMOUSLY

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."

Council Resolution

MOVED: Cr Kim Cope

SECONDED: Cr Naomi Joiner

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.

CARRIED UNANIMOUSLY

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.

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr Kelly Joy

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

CARRIED UNANIMOUSLY

10. Questions from the gallery

Gordon Allan has submitted the following questions:

The road drains at various points along Research-Warrandyte Road are not maintained and as a result, vast amounts of uncontrolled water enters and damages surrounding residential properties during heavy rainfall. This is predominantly due to concrete drainage pipes under driveways which are never maintained by any government agency.

Question 1

Who is responsible for this maintenance?

Response 1

As is the case for all properties across the Shire, regardless of whether the road is a local road controlled by Council or an arterial road under the control of the state government, property owners are responsible for installation and maintenance of any vehicle crossing required for access to their property. This includes the installation and maintenance of any drainage culvert installed beneath the vehicle crossing. The vehicle crossing drainage culvert must be of a size that is capable of accommodating the storm water flows captured by the roadside table drains.

Question 2

If not the Council, will Council actively support residents of the shire to influence the responsible agency in proactively completing this work before any further damage to property is incurred?

Response 2

Property owners are responsible for maintaining their vehicle crossover and associated drainage culverts. As Research-Warrandyte Road is a declared main road, the Department of Transport and Planning is responsible for the maintenance of any other roadside drainage. A road issue can be reported via the Transport Victoria or VicRoads websites at Report a road issue to Transport Victoria : VicRoads

Ben Nguyen has submitted the following questions:

Question 1

Dear Councillors, one of the four key focuses of the Council Plan is sustainability and solar panels are increasingly cheaper than fossil fuel-powered electricity. Could the Council obtain a grant to install solar panels on public buildings such as libraries? The energy if not used could be stored in batteries or sold into the grid and in turn will makes the grid greener too.

Response 1

Council has a Climate Action Plan 2022-2032 which guides Council's sustainability action. It includes a commitment to reducing community and Council emissions, with a target to achieve net-zero emissions from Council facilities and operations by 2030.

As part of this, Council has an active and ongoing program of installation of rooftop solar and battery storage, which is partially funded through grants.

Regarding our libraries, Eltham Library's heritage listing and significant shading make it unsuitable for current rooftop solar technology, however solar panels have been installed at Diamond Valley Library.

To date, Council has installed and maintains 54 solar PV systems on public buildings, with a total installed capacity of 1,015kW; plus seven battery storage systems totalling 254kW.

In terms of what's next, we are about to install rooftop solar and a battery at Hurstbridge Community Hub.

Question 2

Dear Councillors, the entry ramp of Eltham station runs ear-level to the deafening train tracks, hence it could be a major public health issue for thousands of commuters a day. Could the Council install a divider sheet that shield the commuters from the sound of the tracks?

Response 2

Eltham railway station and the land area surrounding the station is owned by VicTrack and managed by the state government Department of Transport and Planning (DTP). We will therefore refer your enquiry to DTP, and suggest you do the same, given Council has no jurisdiction within the station.

11. Reports of Advisory Committees

Nil

12. Officers' reports

CM.001/25 December Quarter Financial Report

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.

Council Resolution

MOVED: Cr Grant Brooker

SECONDED: Cr Kim Cope

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

CARRIED UNANIMOUSLY

12. Officers' reports

CM.001/25 December Quarter Financial Report

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

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.

Council Resolution

MOVED: Cr Naomi Joiner

SECONDED: Cr Peter Perkins

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

CARRIED UNANIMOUSLY

12. Officers' reports

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

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

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.

Council Resolution

MOVED: Cr Kim Cope**SECONDED: Cr Kelly Joy****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.

CARRIED UNANIMOUSLY

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**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

File: FOL/24/5161**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.

Council Resolution

MOVED: Cr Grant Brooker**SECONDED:** Cr Naomi Joiner**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

12. Officers' reports

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

- 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.
- 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.

CARRIED UNANIMOUSLY

12. Officers' reports

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

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.

Council Resolution

MOVED: Cr Grant Brooker

SECONDED: Cr Kim Cope

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

CARRIED UNANIMOUSLY

12. Officers' reports

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

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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.

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr Naomi Joiner

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.

CARRIED UNANIMOUSLY

12. Officers' reports

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

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12. Officers' reports

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

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.

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Kate McKay

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.

CARRIED UNANIMOUSLY

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

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12. Officers' reports

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

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.

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Kim Cope

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.

CARRIED UNANIMOUSLY

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

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12. Officers' reports

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

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.

Council Resolution

MOVED: Cr Kelly Joy

SECONDED: Cr Grant Brooker

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.

CARRIED UNANIMOUSLY

12. Officers' reports

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

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

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.

Council Resolution

MOVED: Cr Naomi Joiner**SECONDED: Cr Grant Brooker**

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

CARRIED UNANIMOUSLY

12. Officers' reports

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

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CM.011/25 Active Transport Fund application

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.

Council Resolution

MOVED: Cr Kelly Joy

SECONDED: Cr Grant Brooker

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.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.011/25 Active Transport Fund application

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

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.

Recommendation

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

6. Resolves that the preferred tenderer be named.

Council Resolution

MOVED: Cr Kelly Joy
SECONDED: Cr Grant Brooker

That Council:

1. Accepts the tender submitted by the **preferred tenderer Onel Consulting Pty Ltd** 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*.
6. Resolves that the preferred tenderer be named.

CARRIED UNANIMOUSLY

12. Officers' reports

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

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.

Recommendation

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.

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Naomi Joiner

That Council:

1. Accepts the tenders and tendered schedule of rates submitted by the **preferred tenderers**;
 - **M & M Printworks**
 - **Pedstin Pty Ltd**
 - **Finsbury Green Pty Ltd**
 - **IVE Group Victoria Pty Ltd**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.
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.

CARRIED UNANIMOUSLY

12. Officers' reports

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

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.

Recommendation

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.

7. Resolves that the preferred tenderer be named.

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Naomi Joiner

That Council:

1. Accepts the tender submitted by the **preferred tenderer MJ Construction Group Pty Ltd** for the sum of **\$823,439.50** plus **\$164,687.90** 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*.
7. Resolves that the preferred tenderer be named.

CARRIED UNANIMOUSLY

12. Officers' reports

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

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

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.

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr Kim Cope

That Council:

1. Accepts the tender submitted by the **preferred tenderer Urban Treescapes Pty Ltd** for the sum of **\$856,000.00** (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.
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.

CARRIED UNANIMOUSLY

12. Officers' reports

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

File: GF/20/96

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.

Council Resolution

MOVED: Cr Naomi Joiner

SECONDED: Cr Grant Brooker

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.

CARRIED UNANIMOUSLY

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

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.

Council Resolution

MOVED: Cr Peter Perkins**SECONDED: Cr Kim Cope**

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

CARRIED UNANIMOUSLY

12. Officers' reports

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

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13. Notices of Motion

Nil

14. Delegates' Reports

Nil

15. Supplementary and urgent business

Nil

16. Confidential reports

Nil

17. Close of Meeting

The meeting closed at 8.34pm.

Confirmed: _____
Cr John Dumaresq, Mayor