

Council Meeting

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

Agenda

**Carl Cowie
Chief Executive Officer**

Thursday 20 November 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

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

Cr Peter Perkins
Ellis Ward

Cr Kim Cope
Sugarloaf Ward

Cr Kate McKay
Swipers Gully Ward

Nillumbik Shire Council

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Nillumbik Shire Council

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

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. Acknowledgement of Country

Nillumbik Shire Council respectfully acknowledges and recognises the Wurundjeri Woi-wurrung as the Traditional Owner of the land on which Nillumbik is located. We pay tribute to all First Peoples living in the Nillumbik Shire, give respect to Elders past, present and emerging, and extend our respect to all First Peoples. We acknowledge that sovereignty was never ceded.

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

Sporting Grants

Diamond Creek Primary School 'Spirit of Diamond Creek' Energy Breakthrough team (Ellis Ward) receives \$500 for being selected to participate at the Energy Breakthrough event in Maryborough.

Caleb Rogers (Wingrove Ward) receives \$200 for being selected to represent Victoria at Under 15 National Lacrosse Tournament in Western Australia.

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 28 October 2025

Confirmation of the Minutes of the Council Meeting and Confidential Council Meeting held on Tuesday 28 October 2025.

Recommendation

1. Confirms the Minutes of the Council Meeting (**Attachment 1**) and Confidential Council Meeting (**Attachment 2**) held on Tuesday 28 October 2025.
2. Resolves that the Confidential Council Meeting Minutes (**Attachment 2**) remain confidential in accordance with section 3(1) (f) and (h) of the *Local Government Act 2020*.

Attachments

1.  Confirmation of Minutes Council Meeting held Tuesday 28 October 2025
2. Confirmation of Confidential Minutes Council Meeting held Tuesday 28 October 2025 - **CONFIDENTIAL**

8. Confirmation of Minutes

COM.001/25 Confirmation of Minutes Council Meeting held Tuesday 28 October 2025

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9. Petitions**PT.007/25 Petition - Stop the BMX Park in the Challenger Street Reserve**

A petition containing **305** signatures from residents requesting that Nillumbik Shire Council "Stop the BMX Park in the Challenger Street Reserve."

The petition contained the following statement;

The Nillumbik Shire Council have endorsed the Challenger Street Reserve as the location for its BMX Jumps and Recreation Park.

There has been no consultation with local residents or stakeholders on the direct impact to them.

The Challenger Street Reserve is home to bird wetlands and native animals. It is a green space that is utilised by local bushwalkers, cyclists, dog walkers, horse riders, the Diamond Creek Park Runners, families and people enjoying time in the outdoors.

We do not oppose the idea of a BMX Park, rather we strongly oppose the location!

The Shire Council have failed in their duty to consult with the local community, nor have they acted with transparency or integrity by providing any information on the environmental impact of the Park or how it will align with the Green Wedge ethos.

They have shared no details on how noise, traffic or lighting will be minimised for local residents, whose properties overlook the site. Nor have they outlined how the environmental destruction and disruption will be offset both during the construction of and the lifecycle of this Park.

We, local residents and members of the broader community who regularly use and enjoy this space, demand that the Nillumbik Shire Council do not proceed with this location. Do not build the BMX Jumps and Recreation Park in the Challenger Street Reserve!

Recommendation**That Council:**

1. Receives and notes the "Stop the BMX Park in the Challenger Street Reserve" petition requesting Nillumbik Shire Council not proceed with building the BMX Jumps and Recreation Park at the Challenger Street Reserve location, St Andrews, in accordance with the Governance Rule - Meeting Procedure.
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.

10. Questions from the gallery

11. Reports of Advisory Committees

AC.009/25 Advisory Committee Report 25 November 2025

Distribution: Public

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

Author: Katia Croce, Manager Governance and Property

Summary

Council has a range of Advisory Committees which provide a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation. Although they do not make any formal decisions, they provide valuable advice to Council.

In accordance with Advisory Committee Terms of Reference, the following minutes of Advisory Committee meetings are attached (**Attachment 1**) and presented to Council for noting:

1. Positive Ageing Advisory Committee meeting held 3 October 2025.

Attachments

1  Advisory Committee meeting Minutes reported 25 November 2025

Recommendation

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

11. Reports of Advisory Committees

AC.009/25 Advisory Committee Report 25 November 2025

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12. Officers' reports**CM.141/25 Council Plan Quarterly Performance Report 2025-2026 - Quarter 1****Distribution:** Public**Manager:** Jeremy Livingston, Director Culture and Performance**Author:** Craig King, Manager Customer Experience and Business Performance**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 2025-2029 is being delivered to the community.

The Council Plan Quarterly Performance Report provides the first update on delivery progress and performance of the 2025-2026 Annual Action Plan actions, which align to delivery of the first year of the Council Plan 2025-2029.

Of the 55 actions in the 2025-2026 Annual Action Plan, 35 actions are reported on a quarterly basis, with the remainder reported at the end of the financial year. Of the 35 quarterly reporting actions, 34 actions are 'on track' for completion and one action is experiencing minor issues (**Attachment 1**).

The overall position reflected in the report suggests that Council has made a solid start in commencing delivery on key actions of the Council Plan and significant outcomes for the community.

Recommendation

That Council receives and notes the Council Plan Quarterly Performance Report for the first quarter of 2025-2029.

Attachments

1  Council Plan Quarterly Performance Report 2025-2026 - Quarter 1

Discussion

1. The Council Plan 2025-2029 was developed throughout 2025 and adopted by Council at the September 2025 Council Meeting. The Council Plan 2025-2029 has four high-level strategic themes:
 - Inclusive living & participation – We support and empower our diverse community by reducing barriers, strengthening connections, and creating a welcoming environment where everyone feels respected, included, and able to participate fully in community life.
 - Liveable & connected communities – We create vibrant, inclusive neighbourhoods and rural townships through thoughtful planning, improved walking and transport links, diverse housing options, quality open spaces, and community infrastructure that reflect the needs of our community all while protecting Nillumbik's Green Wedge and unique character.

12. Officers' reports**CM.141/25 Council Plan Quarterly Performance Report 2025-2026 - Quarter 1**

- Sustainable futures & healthy environments – We lead with practical, local action to reduce the environmental and financial impacts of climate change, grow and protect our tree canopy, cut waste, and support a thriving natural environment for current and future generations.
- Responsible governance & community leadership – We strengthen governance and community leadership to ensure transparent, inclusive decision-making processes that engage all residents, build trust, and create sustainable solutions for Nillumbik's future.

2. The Annual Action Plan 2025-2026, also adopted by Council at September 2025 Council Meeting, contains 55 actions contributing to delivery of the Council Plan within the corresponding financial year. Of the 55 actions in the 2025-2026 Annual Action Plan, 35 actions are reported on a quarterly basis, with the remainder reported at the end of the financial year.

Priority actions

- 3. **Attachment 1** provides a summary of the progress on the 35 quarterly actions in the 2025-2026 Annual Action Plan. Of the 35 actions, 34 actions are 'on track' and one action is experiencing minor issues (the development of the Housing Strategy is on hold pending State Government legislation review and planning reform changes).
- 4. Some of the highlights of activities and deliverables achieved during the first quarter of 2025-2026 included:
 - a) Audits and assessment of 58 playgrounds completed to determine the suitability of access for all members of the community;
 - b) Planning has commenced for the next annual calendar of educational and social sessions at Council's Living & Learning hubs, aligned with the new Nillumbik Health and Wellbeing Plan priorities and community feedback;
 - c) The footpath prioritisation policy has been amended and updated to reflect 9 key criteria to continue to inform the selection of footpath projects annually across Council. The program has commenced and is currently in design and consultation phase;
 - d) 85% of schools in Nillumbik have been assessed, with a view to identify and prioritise traffic and safety improvements for future capital works delivery;
 - e) Commenced development of a Road Safety Strategy to prioritise improvements for safety, accessibility and connectivity across the Shire;
 - f) Implementation of actions in the newly adopted Nillumbik Health & Wellbeing Plan commenced;
 - g) The Domestic Animal Management Plan was endorsed at Council in September 2025, including development and delivery of a public education campaign to promote respectful use of shared spaces;

12. Officers' reports**CM.141/25 Council Plan Quarterly Performance Report 2025-2026 - Quarter 1**

- h) Implementation of actions in Council's Biodiversity Strategy 2024-2034 continued, including assessment of vegetation condition across 33 Council bushland reserves; kicking off the Spring Outdoors program in collaboration with Manningham and Banyule; and delivery and support of National Tree Day planting events at Eltham Lower Park;
- i) Council advocated to the State Government/Major Road Projects Victoria (MRPV) for the inclusion of virtual fencing as part of the Yan Yean Road Stage 2 duplication;
- j) Development of the Housing Strategy remains on hold, pending State Government Planning and Environment Act Review and Planning Reform Changes. Further progress is expected in Q3, 2025-2026 (March 2026);
- k) 17.8% of programmed works are completed, and 43% of programmed budget committed as part of the 2025-2026 capital works program, with major projects completed including the Panton Hill Tennis Courts upgrade and the Eltham Bowls Club Retaining Wall reconstruction;
- l) A draft feasibility study for a new trail section linking the Plenty River Trail to the Diamond Creek Trail along the Maroondah Aqueduct has been completed and shared internally for feedback;
- m) Implementation of Council's Climate Action Plan continued, including adding the major upgrade of the Operations Centre's energy infrastructure (\$400,000) to the proposed capital works list for 2026-2027; hosting the Community Bushfire Safety Expo to support having a climate resilient, adaptive and safe community, and in a council first, powering the sound stage at two community festivals using a fleet electric vehicle;
- n) Planted 1,000 trees via North East Link grant funding as part of Council's Urban Tree Canopy Strategy 2024-2040;
- o) Commenced development of a new Communications Strategy to strengthen community understanding of Council's role, enhance transparency, and support meaningful engagement;
- p) Commenced implementation of the newly endorsed Advocacy Framework and Action Plan to guide Council's efforts in securing funding and influencing legislative reform;
- q) Continued to work towards setting up a climate action hub at Edendale Community Environment Farm, with 3 Repair Café's run, focussing on reducing waste to landfill, over 3,570 students participating in environmental education programs, and 22,674 indigenous plants sold to support local biodiversity;
- r) Council adopted the updated Complaint Handling Policy, to ensure consistent, customer focused complaint management across Council.

12. Officers' reports**CM.141/25 Council Plan Quarterly Performance Report 2025-2026 - Quarter 1****Overall status**

5. Although very early in the delivery of the Council Plan, the overall position reflected in the report suggests that Council has made solid start in commencing delivery on key actions of the Council Plan and significant outcomes for the community.
6. 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 2025-2029 is being delivered to the community.

Related Council decisions

7. The Council Plan 2025-2029 was adopted by Council at the September 2025 Council Meeting, along with the accompanying 2025-2026 Annual Action Plan which identifies the first-year deliver of the four-year Council Plan.

Options

8. This report is for noting.

Council plans and policies

9. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
 - Ensure transparent communication of Council's role and decisions, reflecting community values and priorities, to build trust and alignment with Council's purpose.

Access, Equity and Inclusion

10. An Equity 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

11. One of the four themes of the Council Plan focuses on Sustainable futures and healthy environments, identifying sustainability as a key focus area for Council across the duration of this Council Plan.

Community engagement

12. Through the Nillumbik Now and Beyond community engagement program that occurred in February and March 2025, feedback was received which helped inform the development of the Council Plan 2025-2029. A randomly selected Community Panel was convened in May 2025 which also deliberated on content which informed the development of the Council Plan. The plan's development and refinement process was also supported by a series of workshops with Councillors.
13. The Council Plan was subject to a public consultation process in June and July in 2025, with refinements made following the receipt of submissions. The Council Plan was subsequently adopted by Council in September 2025.

Innovation and continuous improvement

14. Not applicable.

12. Officers' reports

CM.141/25 Council Plan Quarterly Performance Report 2025-2026 - Quarter 1

Collaboration

15. Not applicable.

Budget considerations

16. This report is part of Council's monitoring of the Council Plan 2025-2029. The resources for the monitoring and the preparation of this report are accommodated within the existing operational budget.

Relevant law

17. Not applicable.

Regional, state and national plans and policies

18. Not applicable.

Conflicts of interest

19. 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.141/25 Council Plan Quarterly Performance Report 2025-2026 - Quarter 1

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12. Officers' reports

CM.142/25 Yarra Plenty Regional Library Service Meetings Procedure Local Law 2025

Distribution: **Public**

Manager: **Corrienne Nichols, Director Communities**

Summary

The current Yarra Plenty Regional Library Meetings Procedure Local Law 2012 has reached its statutory expiry date. In response, the local law has undergone a comprehensive review led by Hunt & Hunt Lawyers resulting in the development of the Meetings Procedure Local Law 2025. This updated version ensures alignment with the *Local Government Act 2020*, which preserves provisions of the *Local Government Act 1989*.

Recommendation

That Council ratifies the Yarra Plenty Regional Library Meetings Procedure Local Law 2025 (**Attachment 2**).

Attachments

- 1  Yarra Plenty Regional Library Meetings Procedure (Amendment) Local Law 2018
- 2  Yarra Plenty Regional Library Meetings Procedure Local Law 2025

Discussion

1. The Yarra Plenty Regional Library (YPRL) service operates as an independent legal entity providing public library services to the local government authorities of Whittlesea, Banyule and Nillumbik. It is constituted under the *Local Government Act 1989*, and as such has certain requirements in relation to its operation. These are primarily outlined in two documents, being the:
 - Regional Library Agreement, and;
 - Meetings Procedure Local Law.
2. The Draft Meetings Procedure Local Law (**Attachment 2**) was discussed at the Yarra Plenty Regional Library Board meeting, held Thursday 23 October 2025. The board noted the report and referred the Draft Meetings Procedure Local Law to the member councils for ratification.
3. The board will receive the Draft Meetings Procedure Local Law (**Attachment 2**) at the 11 December board meeting for adoption.
4. The Meetings Procedure Local Law 2025 (Local Law) has undergone a comprehensive review led by Hunt & Hunt Lawyers, ensuring alignment with the *Local Government Act 2020*, which preserves provisions of the *Local Government Act 1989*. In addition to legislative compliance, the revised Local Law includes an expanded set of definitions to enhance clarity and reflects the current practices of the Order of Business.

12. Officers' reports**CM.142/25 Yarra Plenty Regional Library Service Meetings Procedure Local Law 2025**

5. The YPRL agreement states in part that "a resolution of the Board to adopt or amend a Local Law must not be passed unless and until the proposed Local Law has been ratified by each Council". Accordingly, the Board has considered and approved the draft YPRL Meeting Procedure Local Law 2025 and now seeks Council's ratification.
6. The revised Meetings Procedure Local Law 2025, revision led by Hunt & Hunt Lawyer, aligns with current legislative requirements and incorporates expanded definitions and updated Order of Business to support clarity and consistency in its application.

Related Council decisions

7. At the Ordinary Meeting of Council held on 25 June 2019, Council resolved to:
 1. That Council resolves to ratify the draft Yarra Plenty Regional Library Meeting Procedure (Amendment) Local Law 2018 (**Attachment 1**) to allow for out-of-session resolutions to be made.

Options

8. The YPRL agreement with Council states in part that "a resolution of the Board to adopt or amend a Local Law must not be passed unless and until the proposed Local Law has been ratified by each Council".
9. The YPRL seeks to update its Meetings Procedure Local Law 2025.

Council plans and policies

10. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
 - Improve equitable access to inclusive services, infrastructure and opportunities across all life stages that support physical and mental wellbeing.
 - Support lifelong learning through accessible community programs, libraries and neighbourhood house to enhance social connection, build skills and support mental wellbeing across all life stages.

Access, Equity and Inclusion

11. Not applicable.

Sustainability implications

12. Not applicable.

Community engagement

13. The following community engagement will be undertaken:

- Public notice of the revised Local Law in the Government Gazette – 3 September 2025
- YPRL Board meeting to consider any public submission and resolve the form final revised Local Law – 23 October 2025

Innovation and continuous improvement

14. Not applicable.

12. Officers' reports

CM.142/25 Yarra Plenty Regional Library Service Meetings Procedure Local Law 2025

Collaboration

15. Hunt & Hunt Lawyers were engaged to perform a comprehensive revision of the Meetings Procedure Local Law 2025.

Budget considerations

16. There are no financial implications arising from proposed changes to the YPRL Meeting Procedure Local Law 2025.

Relevant law

17. *Local Government Act 1989.*

Regional, state and national plans and policies

18. Not applicable.

Conflicts of interest

19. All officers who have been involved in the preparation of this report have declared they do not have a conflict of interest in the subject matter of this report.

12. Officers' reports

**CM.142/25 Yarra Plenty Regional Library Service Meetings Procedure Local Law
2025**

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12. Officers' reports**CM.143/25 Yarra Plenty Regional Library Service - Supplemental Agreement 2025****Distribution:** Public**Manager:** Corrienne Nichols, Director Communities**Summary**

The Yarra Plenty Regional Library Agreement (Library Agreement) between the three (3) member Councils, Nillumbik Shire Council (Nillumbik), Banyule City Council (Banyule) and the City of Whittlesea (Whittlesea) is due to be renewed for the next five (5) years (2026-2031).

Nillumbik Shire Council was an original member Council, as the then Shire of Eltham, of the original regional library service, Heidelberg Regional Library in 1965.

Yarra Plenty Regional Library Service (YPRL) delivers library services for Nillumbik Shire Council through the two Branch Libraries at Eltham and Diamond Valley. The Mobile Library delivers services to the other towns within the Shire.

Recommendation**That Council:**

1. Continues to be a part of the Yarra Plenty Regional Library Corporation for the next five (5) years.
2. Affixes the Common Seal to the Yarra Plenty Regional Library Supplanted Agreement (**Attachment 2**).

Attachments

1. Yarra Plenty Regional Library Agreement 2021 – 2026
2. Yarra Plenty Regional Library Agreement 2025 – 2031

Discussion

1. Hunt and Hunt Lawyers were engaged to perform a comprehensive revision of the Supplemental Agreement 2025.
2. YPRL Board Members provided feedback at the confidential meeting held on 28 August 2025.
3. YPRL Board members resolved to adopt the Supplemental Agreement 2025 via circular motion on 10 October 2025.
4. The Library Agreement covers:
 - The Purpose of the regional library service
 - The Board makeup, proceedings, and responsibilities
 - Strategic Planning, Reporting, Annual Budget, Asset allocation, Policy and other legislative requirements of the Corporation
 - Dissolution, Member Council exit requirements.

12. Officers' reports**CM.143/25 Yarra Plenty Regional Library Service - Supplemental Agreement 2025**

5. Additional schedules also define:

- The Cost Apportionment Methodology.
- The Chair responsibilities on a rotating basis per member Council.
- Lists the buildings assets allocated to YPRL for the delivery of library services.

6. The Library Agreement is reviewed every five (5) years. The purpose of the review is to present the amendments incorporated in the Supplemental Agreement 2025 to the Primary Agreement that governs the Yarra Plenty Regional Library Service (YPRL), and to outline the next steps required. The Supplemental Agreement 2025 has been updated by Hunt & Hunt Lawyers, ensuring alignment with provisions of the Local Government Act 1989 and 2020, YPRL's Primary Agreement, and the feedback provided by YPRL Board Members at the 28 August 2025 Board Meeting.

7. Banyule City Council, Nillumbik Shire Council and City of Whittlesea are parties to an agreement that formed Yarra Plenty Regional Library Service. This agreement, the Primary Agreement, made on 14 December 1995, revised in 2005, was subsequently amended by Supplemental Agreements made in 2010, 2015 and 2020.

8. Clause 14.1 of the Primary Agreement requires that the parties and the Board of the Yarra Plenty Regional Library Corporation review the operation of the Primary Agreement at least once in every five years. The revision of the Primary Agreement, led by Hunt & Hunt Lawyers, is set out in the Supplemental Agreement 2025.

9. Summary of amendments:

- The following key amendments have been incorporated:
 - a) Expiry date: the expiry date of 1 July 2031 aligns with the requirement for YPRL to be wound up, as it marks 10 years from the commencement of Section 110 of the Local Government Act 2020. This updated date was confirmed by Hunt & Hunt in response to a query raised by YPRL Board Members. Clause 2.1 now correctly refers to the Local Government Act 2020.
 - b) Clause 2.5 was added which gives the Board exclusive jurisdiction to amend the Annexures in the Supplemental Agreement 2025. This update was introduced in response to a query raised by YPRL Board Members.

10. Annexures:

- **Annexure A includes:**
 - c) Part A: Updated to reflect the locations of new service points. Hunt & Hunt do not anticipate any issues with how these locations are represented. However, they advised that a licence agreement would be the appropriate mechanism to outline insurance and related obligations arising from YPRL's occupancy.
 - d) Part B: Wording revised for clarity and consistency.
 - e) Part C: Newly added to describe the various service models currently in operation across the region.

12. Officers' reports**CM.143/25 Yarra Plenty Regional Library Service - Supplemental Agreement 2025**

- **Annexure B:** Details the rotation of the Chair for the duration of the agreement.
- **Annexure C:** Outlines how each Council's annual financial contribution is currently determined. This annexure was added to allow the Board to make amendments in accordance with Clause 2.5.

Related Council decisions

11. At the Ordinary Meeting of Council held on 23 March 2021, Council resolved to:

1. Continues to be a part of the Yarra Plenty Regional Library Corporation for the next five (5) years.
2. Signs the Library Agreement 2021 – 2025 (**Attachment 1**).

Options

12. There are two options for Councils consideration moving forward.

- Option 1. To continue to be a part of the Yarra Plenty Regional Library Corporation for the next five (5) years. Council will need to sign the Supplemental Agreement 2025.
- Option 2. Withdraw from the Yarra Plenty Regional Library Corporation. Council will need to give 12 months' notice in writing of the intention to withdraw. This will require Council to take over the Library service delivery to the community. Details for withdrawal and allocation of assets are detailed in the Library Agreement.

Council plans and policies

13. This report directly supports the achievement of the Council Plan 2025-2029 strategy:

- Improve equitable access to inclusive services, infrastructure and opportunities across all life stages that support physical and mental wellbeing.
- Support lifelong learning through accessible community programs, libraries and neighbourhood houses to enhance social connections, build skills and support mental wellbeing across all life stages.

Access, Equity and Inclusion

14. Not applicable.

Sustainability implications

15. Regional Library services provide a cost-efficient model to deliver library services for Councils in Victoria, and this was confirmed in the 2019 VAGO audit into Council Library services. The overall finding of the audit was 'that Regional Library Corporations and co-operative models are, overall, more efficient than standalone Council Libraries, because their longer opening hours and high volume of loans offset their larger investments'. YPRL performs in the top 10 of the State's Library services for the efficiency measures used in the VAGO audit. Nillumbik Shire residents are also avid users of the library service with close to 50 per cent of residents as active library members.

Community engagement

16. Not applicable.

12. Officers' reports

CM.143/25 Yarra Plenty Regional Library Service - Supplemental Agreement 2025

Innovation and continuous improvement

17. YPRL is a trusted innovative partner of Council in the delivery of Library Services to our community. During the pandemic, YPRL was one of the first Library Services to deliver a planned digital program, with the aim of making lockdown bearable for residents by ensuring they had something to do, groups to join, digital learning opportunities and resources to borrow.
18. Other innovations were Family Fun Packs and Care Boxes of resources and activities delivered to the home. During this past difficult year, YPRL has also worked with Council to pilot a new Click and Collect Library service at the Hurstbridge Hub which has been well received by the community. A new Library App, new Library website and new library business software continue to drive efficiencies and innovative new ways of service delivery to our communities.

Collaboration

19. The Yarra Plenty Regional Library Agreement (Library Agreement) between the three (3) member Councils of Nillumbik Shire Council (Nillumbik), Banyule City Council (Banyule) and the City of Whittlesea (Whittlesea) is a collaborative model that demonstrates value for rate payers of all three municipalities.

Budget considerations

20. The contract costs are part of the existing operational budget.

Relevant law

21. *Local Government Act 1989.*

Regional, state and national plans and policies

22. Regional Library Agreement 2005.

Conflicts of interest

23. All officers who have been involved in the preparation of this report have declared they do not have a conflict of interest in the subject matter of this report.

12. Officers' reports**CM.144/25 Neighbourhood Safer Places - Annual Update****Distribution:** Public**Manager:** Blaga Naumoski, Director Governance, Communications and Community Safety**Author:** Elishia Jansz, Manager Community Safety (Municipal Recovery Manager)**Summary**

This report is presented to Council to formally note that the Neighbourhood Safer Places - Bushfire Places of Last Resort (NSP-BPLR) within the Nillumbik Shire have been reassessed as being compliant and will maintain their status as designated NSP-BPLRs for the 2025/26 fire danger period.

Annual audits have been completed for the existing seven (7) designated NSP-BPLR in Nillumbik, with no additional NSP-BPLRs sites established for the 2025/26 fire danger period. All NSP-BPLR are required to be assessed each year by the Country Fire Authority (CFA) and Council is required to record the outcome of these assessments.

The Neighbourhood Safer Places – Bushfire Places of Last Resort Plan (**Attachment 1**) has been prepared in accordance with the guidelines developed by the Municipal Association of Victoria (MAV), which assist councils in identifying, designating, establishing, maintaining, and, if necessary, decommissioning these sites.

Recommendation

That Council notes as part of the annual review process, the Neighbourhood Safer Places - Bushfire Places of Last Resort (NSP-BPLRS) located at:

- a) Diamond Hills Reserve Oval, Greensborough
- b) Kirrip Park, Greensborough
- c) Diamond Creek Community Centre, Diamond Creek
- d) Yarrambat Park Golf Course Clubrooms, Yarrambat
- e) Hurstbridge Basketball Stadium, Hurstbridge
- f) Carpark between Arthur and Dudley Streets, Eltham
- g) Collendina Reserve, Greensborough

have all been reassessed by the Country Fire Authority and have been confirmed to meet the criteria for designation as a NSP-BPLR.

Attachments

- 1  Neighbourhood Safer Places / Bushfire Place of Last Resort Plan

12. Officers' reports**CM.144/25 Neighbourhood Safer Places - Annual Update**

Discussion

1. A number of initiatives have been put in place after the Black Saturday fires, one being the Neighbourhood Safer Places - Bushfire Places of Last Resort (NSP-BPLR).
2. In accordance with the *Country Fire Authority Act 1958 (CFA Act)*, Victorian Councils are required to identify, designate, establish and maintain suitable sites as NSPs in their municipal districts. The CFA, in conjunction with Victoria Police and Council, conducts an annual assessment of each NSP to ensure compliance with the assessment guidelines.
3. Following the introduction of the NSP legislation, Nillumbik Shire Council has seven designated NSP-BPLRs within the Shire.
4. NSP-BPLRs are identified buildings or spaces within the community that may afford some protection from radiant heat during bushfire. They are a place of last resort in bushfire emergencies only.
5. NSP-BPLRs are not intended to replace a personal bushfire survival plan. The CFA advises that while NSP-BPLRs can provide a level of protection during a fire, they cannot guarantee safety from injury or loss of life due to fire or radiant heat when traveling to or sheltering at these locations. CFA advice concludes that everyone should have a written Bushfire Survival Plan.
6. NSP-BPLRs are assessed by council committees and formally designated by Council. They will also be assessed by CFA against standards in the NSP-BPLR - Assessment Guidelines.
7. Section 50J of the CFA Act requires that each designated NSP-BPLR is assessed each year before 31 August for compliance with the CFA criteria to determine if they are still suitable to be designated as such.
8. Section 50F of the CFA Act requires Council to publish its Neighbourhood Safer Places - Bushfire Places of Last Resort Plan on its website.
9. Nillumbik has seven sites designated as NSP-BPLRs. All sites within Nillumbik have been reassessed by the CFA on 13 August 2025 and have been found to still meet the criteria for designation as a NSP-BPLR.

Related Council decisions

10. At the 27 August 2024 Council Meeting, council resolved to:
submit the name 'Kirrip Park' for the Civic Drive Precinct (Park) to the Registrar of Geographic Names Victoria for consideration and inclusion in VICNAMES register, including naming of areas within 'Kirrip Park' as follows:
 - a) Building 'Kirrip Pavilion'
 - b) Outdoor Performance Area 'Kirrip Outdoor Performance Space'
 - c) Playground 'Kirrip Playspace'; and
 - d) Exercise / Flat Open Space Area 'Kirrip Recreation Space'

12. Officers' reports**CM.144/25 Neighbourhood Safer Places - Annual Update**

11. At the 10 December 2024 Council meeting, Council resolved:

That Council notes, that as part of the annual review process, the NSP-BPLRS are located at:

- a) *Diamond Hills Reserve Oval, Greensborough*
- b) *The Outdoor Performance Centre, Greensborough*
- c) *Diamond Creek Community Centre, Diamond Creek*
- d) *Yarrambat Park Golf Course Clubrooms, Yarrambat*
- e) *Hurstbridge Basketball Stadium, Hurstbridge*
- f) *Carpark between Arthur and Dudley Streets, Eltham*
- g) *Collendina Reserve, Greensborough*

Options

12. All NSP-BPLRs within Nillumbik have been reassessed. They have been confirmed to comply with the assessment guidelines and will be available for use by the community for the 2025/26 fire danger period. It is recommended that Council notes the seven compliant NSP-BPLRs.

Council plans and policies

13. This report directly supports the achievement of the Council Plan 2025-2029 strategy:

- Support community resilience and safety by fulfilling emergency management responsibilities in collaboration with our partners.

Access, Equity and Inclusion

14. A Gender Impact Assessment has not been applied to this report.

Sustainability implications

15. In meeting the criteria for ongoing designation as an NSP some vegetation maintenance may be required around sites.

16. The social impacts of a designated NSP are minimal until use during an emergency.

17. In meeting the criteria for ongoing designation as an NSP no economic impacts are expected as a result.

Community engagement

18. Community engagement is fundamental and continues to be fostered and supported through the Fuel Management Working Group as a sub-committee to the Municipal Fire Management Planning Committee and Municipal Emergency Management Planning Committee.

19. Community education and information will continue to provide consistent key messages to highlight the role of NSP-BPLRs. NSP-BPLRs are a place of last resort and do not replace the need for residents to have a bushfire survival plan. Travelling to an NSP BPLRs may be dangerous because of traffic congestion, fire activity, heavy smoke, accidents or fallen trees blocking the route.

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CM.144/25 Neighbourhood Safer Places - Annual Update

Innovation and continuous improvement

20. Where possible innovation and continuous improvement is included.

Collaboration

21. The CFA, Victoria Police, relevant land owners/managers and Nillumbik Shire Council staff were consulted during the NSP-BPLRs assessment process.

Budget considerations

22. There will be minimal costs captured in Council's operational budget for installation and maintenance of signage at each location and periodic inspections to ensure that the sites comply with the assessment criteria.
23. All sites are subject to ongoing maintenance programs which are maintained within current operational budgets.

Relevant law

24. *Country Fire Authority Act 1958* – section 50F and 50J

Regional, state and national plans and policies

25. Consideration is given to any relevant industry specific, regional, state or national plan, policies and research.

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.145/25 Tender Report - Contract 2425-070 Tree Pruning and other Associated Services

Distribution: **Public**

Manager: **Jeremy Livingston, Acting Chief Operating Officer**

Author: **Heath Gillett, Manager Operations Centre**

Summary

This report recommends the awarding of contract 2425-070 for Tree Pruning and other Associated Services.

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

The Tender Evaluation Panel (TEP) has assessed all submissions and this report provides a summary of their evaluation in recommending the awarding of the contract for 2425-070 for Tree Pruning and other Associated 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 tenders submitted by the **preferred tenderers** for the schedule of rates disclosed in **(Attachment 1)** and the lump sum for Electrical Line Clearance as disclosed in **(Attachment 1)** and enter into the following contract:

Number: 2425-070

Title: Tree Pruning and other Associated Services

Term: 20 January 2026 to 19 January 2031

Options: Term extensions up to 19 January 2033

2. Authorises the Chief Operating Officer to finalise and execute the contract documentation.
3. Authorises the Chief Operating Officer to approve contract term extensions.
4. Authorises the Chief Operating Officer to approve additional cost variations that are a result of unknown latent site conditions or changes to operational requirements throughout the term of the contract.
5. Notes that any variations that exceed the agreed approved budget 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*.

12. Officers' reports**CM.145/25 Tender Report - Contract 2425-070 Tree Pruning and other Associated Services**

8. Resolves that the preferred tenderer be named.

Attachments

1. Tender Evaluation Summary Report - *CONFIDENTIAL*

Discussion**Background**

1. Council currently engages contractors for tree related works through the existing panel contract Tree Pruning and Associated Works Eastern Councils Collaboration (1819-055) which expires on 19 January 2026. These works include tree pruning and removals, box clearing, electric line clearance, stump grinding and other specialised arborist services.
2. The current contract was formed through a collaboration with the Eastern Region group of councils (Banyule, Greater Dandenong, Manningham, Monash, Moreland, Nillumbik, Whitehorse and Yarra Ranges).
3. Nillumbik tree management programs utilising the current contract (1819-055) and to be serviced by the new contract are:
 - a) Tree Work Program (Reactive) – tree pruning and removal works resulting from Customer Service Requests.
 - b) Fire Prevention Program (Proactive) – Hazard Tree Inspection on Priority Roads and Box Clearance on Priority Roads
 - c) Box Clearance Program (Proactive)
 - d) Stump Grinding (Reactive)
 - e) High Use Site Tree Work Program (Proactive)
 - f) Electric Line Clearing (Proactive)
 - g) Live Line Pruning (Proactive).

Related Council decisions

4. Not applicable.

Council plans and policies

5. This report directly supports the achievement of the Council Plan 2025-2029 strategy: Protection and enhancement of the tree canopy
6. Enhance the Shire's urban tree canopy as a means of climate adaptation, improving neighbourhood character and habitat, as well as liveability.

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CM.145/25 **Tender Report - Contract 2425-070 Tree Pruning and other Associated Services****Tender overview**

7. The Tender Evaluation Panel (TEP) advises that:

- A public tender was issued on 5 September 2025 on VendorPanel.
- The period for tender submissions closed at 2pm on Friday 3 October 2025.

8. The following tenders were received:

TENDERER
Tenderer 1 – Preferred Tender
Tenderer 2
Tenderer 3
Tenderer 4 – Preferred Tender
Tenderer 5
Tenderer 6 – Preferred Tender
Tenderer 7 – Preferred Tender
Tenderer 8
Tenderer 9 – Preferred Tender
Tenderer 10
Tenderer 11 – Preferred Tender
Tenderer 12
Tenderer 13

9. 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.

10. 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 10	Insufficient details provided in response. This tender was therefore deemed non-conforming or not sufficiently competitive.
Tenderer 13	Submitted for consulting services (not part of this tender) and Elm Leaf Beetle Treatment (removed from this tender). This tender was therefore deemed non-conforming or not sufficiently competitive.

12. Officers' reports**CM.145/25 Tender Report - Contract 2425-070 Tree Pruning and other Associated Services**

11. 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	40
Capability & Capacity	30
Collaboration	10
Asset Management	10
Economic and Social Sustainability (Social and Local)	10

12. 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.

13. The members of the TEP were:

Position Title	Business Unit	Scoring Member or Advisory Member
Parks and Open Space Coordinator	Parks and Open Space	Scoring Member
Senior Supervising Arborist	Parks and Open Space	Scoring Member
Arborist/ Tree Establishment Officer	Parks and Open Space	Scoring Member
Team Leader Amenity	Parks and Open Space	Scoring Member
Amenity and Roadsides Contracts Supervisor	Parks and Open Space	Scoring Member
Senior Procurement Specialist	Procurement	Advisory Member

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CM.145/25 **Tender Report - Contract 2425-070 Tree Pruning and other Associated Services**

14. The final evaluation outcome was as follows:

TENDERER	SCORE	RANK
Tenderer 1 – Preferred Tender	86.80	4
Tenderer 2	63.99	10
Tenderer 3	72.18	9
Tenderer 4 – Preferred Tender	78.94	5
Tenderer 5	73.43	8
Tenderer 6 – Preferred Tender	87.90	2
Tenderer 7 – Preferred Tender	94.60	1
Tenderer 8	77.75	7
Tenderer 9 – Preferred Tender	87.74	3
Tenderer 10	57.52	11
Tenderer 11 – Preferred Tender	78.33	6

15. The recommended tenderers were the highest ranked and are considered best value because they demonstrated sufficient experience, staff, equipment, and required insurances to undertake the works.

16. They are well-established businesses with proven ability to collaborate effectively with Council, supported by prior experience using Council systems. They showed strong asset management capabilities using modern technology and equipment, and commitment to social and local sustainability, including employing local staff and using battery-powered equipment.

17. **Attachment 1** – Tender Evaluation Summary Report – Confidential, provides the tenderer names and the Evaluation Scorecard Summary.

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

Capacity

19. The successful tenderers demonstrated that they had sufficient experienced staff and equipment to undertake the works required.

20. They also had the required insurances requested as part of this tender. The successful tenderers have well established businesses and were deemed suitable to undertake the works required by Council.

Capability

21. Capability was included with Capacity as part of the tender evaluation.

12. Officers' reports**CM.145/25 Tender Report - Contract 2425-070 Tree Pruning and other Associated Services**

Tender Interviews and Reference checks

22. Additional interviews were undertaken to gain further understanding of the company capabilities as the other tenderers were either known to Council or had submitted sufficient detail to make a comprehensive evaluation.

Contingency and risks

23. Not applicable.

Collaboration

24. Not applicable.

Budget considerations

25. The current costs associated with tree pruning and associated works are funded by the recurrent Arboricultural Maintenance, Amenity and Fire Prevention budgets.

26. Due to the nature of this type of work and increases in costs (insurances, fuel, labour, etc) associated with undertaking these works, contractor costs have increased as reflected in the schedule of rates.

27. Council has a mix of reactive and programmed services.

28. The customer request system is reactive so the volume of work can vary depending on factors such as climate change, weather events and customer expectations.

29. Electrical Line Clearance is a legislated requirement for Council and will require an increase in funding to meet Council's obligations.

Sustainability implications

30. The successful tenderers are mainly local businesses or provide specialist skills and equipment to perform the required works for Council. The tenderers chosen use battery powered equipment reducing noise and environmental pollution whilst working within the Council areas.

Stakeholder Consultation/communication

31. Not applicable.

Innovation and continuous improvement

32. Data management equipment / devices are to be used by the contractors.

Relevant law

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

34. The following legislation is also relevant:

- a) *Electrical Safety Act 1998*
- b) *Electricity Safety (Electric Line Clearance) Regulations 2020*
- c) *Road Management Act 2004*
- d) *Planning and Environment Act 1987*.

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CM.145/25 Tender Report - Contract 2425-070 Tree Pruning and other Associated Services

Regional, state and national plans and policies

35. Not applicable.

Conflicts of interest

36. As part of the tender process, all members of the Tender Evaluation Panel were required to declare any disclosable conflicts of interest.

37. There were no disclosable conflicts of interest raised.

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CM.145/25 Tender Report - Contract 2425-070 Tree Pruning and other Associated Services

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12. Officers' reports**CM.146/25 Informal Meetings of Councillors Records - 25 November 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 28 October 2025.

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

1. Councillor Briefing held 21 October 2025;
2. Council Meeting Pre-Meet held 28 October 2025;
3. Councillor Briefing held 5 November 2025; and
4. Planning and Consultation Committee Pre-Meet held 11 November 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 25 November 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.146/25 Informal Meetings of Councillors Records - 25 November 2025**

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 2025-2029 strategy:
 - Make transparent, well-informed decisions that prioritise the community's best interests through practising good governance

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.

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CM.146/25 Informal Meetings of Councillors Records - 25 November 2025

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. Not 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.

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CM.146/25 Informal Meetings of Councillors Records - 25 November 2025

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