

Council Meeting

to be held at the Council Chamber, 32 Civic Drive, Greensborough
on Tuesday 24 March 2026 commencing at 7:00 PM.

Agenda

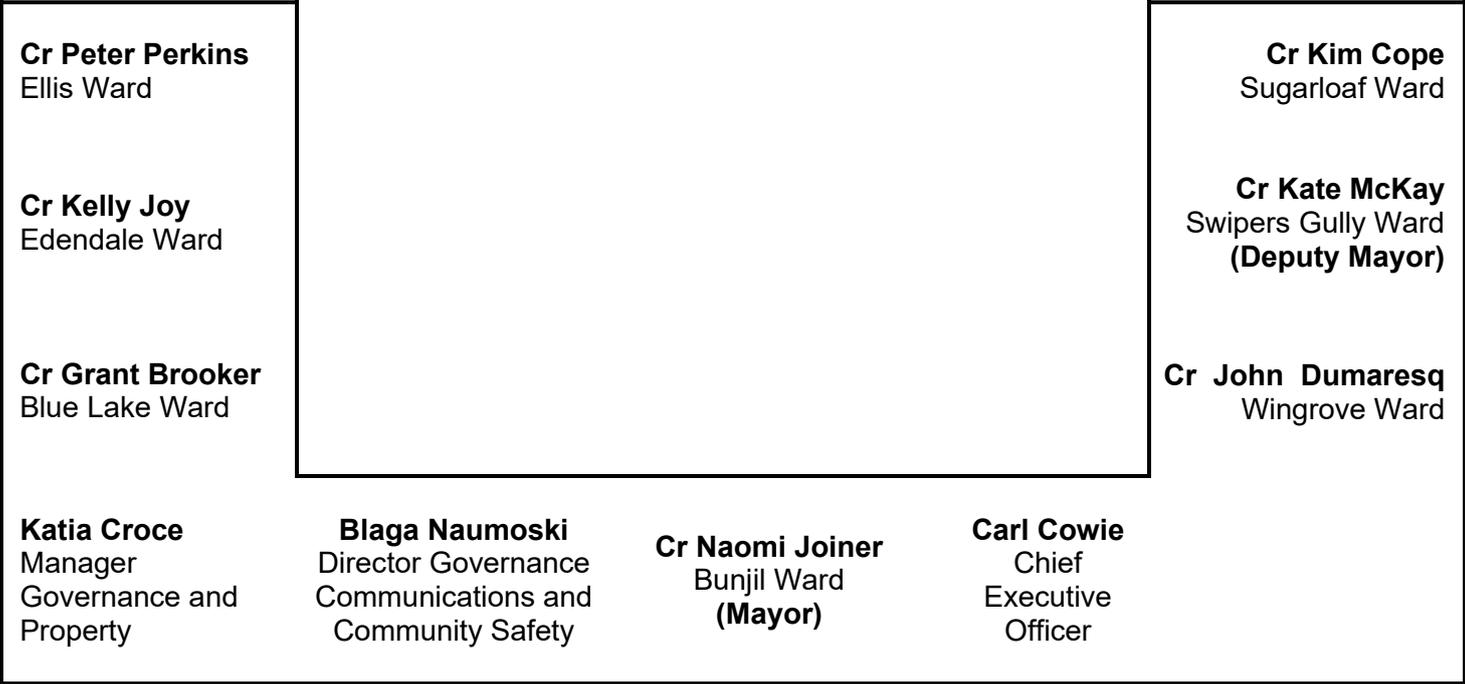
Carl Cowie
Chief Executive Officer

Thursday 19 March 2026

Distribution: Public

Civic Drive, Greensborough
PO Box 476, Greensborough 3088
Telephone 9433 3111
Facsimile 9433 3777
Website www.nillumbik.vic.gov.au
Email nillumbik@nillumbik.vic.gov.au

Council Chamber Council Meeting seating plan



Nillumbik Shire Council

Contents

1.	Welcome	1
2.	Acknowledgement of Country	1
3.	Good Governance Pledge	1
4.	Prayer	1
5.	Apologies/Leave of Absence	1
6.	Declarations of conflict of interest	1
7.	Presentations	2
8.	Confirmation of Minutes	3
COM.001/26	Confirmation of Minutes Council Meeting held Tuesday 24 February 2026	3
9.	Petitions	5
10.	Questions from the gallery	5
11.	Reports of Advisory Committees	7
AC.002/26	Advisory Committee Report 24 March 2026	7
12.	Officers' reports	9
CM.014/26	Audit and Risk Committee Update	9
CM.015/26	Draft Revenue and Rating Plan 2026-2029	13
CM.016/26	Draft Budget 2026-2027	17
CM.017/26	Review of Council's Advisory Committee Policy and Terms of Reference template	21
CM.018/26	Gambling Harm Minimisation Policy	25
CM.019/26	Risk and Safety Quarterly Report - December 2025	31
CM.020/26	Lease - Eltham Redbacks Football Club	37
CM.021/26	Tender Report - Contract 2526-034 Bourchiers Road Special Charge Scheme - Construction	41
CM.022/26	Seeking Endorsement of Nillumbik Shire Council Motions - MAV State Council Meeting 29 May 2026	47
CM.023/26	Instrument of Delegation to the Chief Executive Officer	51
CM.024/26	Instrument of Delegation from Council to Council staff	55
CM.025/26	Instrument of Appointment and Authorisation (Planning and Environment Act 1987)	59
CM.026/26	Tender Report - Contract 2526-023 Diamond Creek Outdoor Pool Heating Plant Upgrade	63
CM.027/26	Tender Report - Contract 2526-003 Booked Kerbside Hard/Green Waste Collection	69

Council Meeting Agenda**24 March 2026**

CM.028/26	Informal Meetings of Councillors Records - 24 March 2026	75
13.	Notices of Motion	79
14.	Delegates' Reports	79
15.	Supplementary and urgent business	79
16.	Confidential reports	79
CM.029/26	Car Parks for Commuters Project - Eltham Station Car Park	79
17.	Close of Meeting	79

Nillumbik Shire Council

Agenda of the Meeting of Nillumbik Shire Council to be held Tuesday 24 March 2026 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 Woiwurrung 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

Paige Lyon (Edendale Ward) receives \$250 for being selected to represent Australia at the ICU Cheerleading Championships in the USA.

Aaliyah Koelmeyer (Sugarloaf Ward) receives \$200 for being selected to represent Victoria at the Hockey Australia U21 National Championships in Canberra.

Felix Dunell (Swipers Gully Ward) receives \$200 for being selected to represent Victoria at the 2026 Hockey Australia U16 championships in Tasmania.

Zander Botha (Wingrove Ward) receives \$200 for being selected to represent Victoria at the 2026 Australian Junior Athletics Championships in Queensland.

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

8. Confirmation of Minutes

COM.001/26 Confirmation of Minutes Council Meeting held Tuesday 24 February 2026

Confirmation of the Minutes of the Council Meeting held on Tuesday 24 February 2026.

Recommendation

That Council confirms the Minutes of the Council Meeting held on Tuesday 24 February 2026 (**Attachment 1**).

Attachments

1.  Confirmation of Minutes Council Meeting held Tuesday 24 February 2026

8. Confirmation of Minutes

COM.001/26 Confirmation of Minutes Council Meeting held Tuesday 24 February 2026

THIS PAGE WAS LEFT INTENTIONALLY BLANK

9. Petitions

10. Questions from the gallery

THIS PAGE WAS LEFT INTENTIONALLY BLANK

11. Reports of Advisory Committees

AC.002/26 Advisory Committee Report 24 March 2026

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. Arts & Cultural Advisory Committee meeting held 24 November 2025;
2. Positive Ageing Advisory Committee meeting held 13 February 2025;
3. Nillumbik Health and Wellbeing Advisory Committee meeting held 26 February 2026;
and
4. Youth Council meeting held 2 March 2026.

Attachments

1.  Advisory Committee meeting Minutes reported 24 March 2026

Recommendation

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

THIS PAGE WAS LEFT INTENTIONALLY BLANK

12. Officers' reports

CM.014/26 Audit and Risk Committee Update

Distribution: Public

Manager: Jeremy Livingston, Director Culture and Performance

Author: Bulent Oz, Chief Financial Officer

Summary

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

This report provides Council with an update on the recent work of its ARC.

Council is presented with the June-December 2025 Report on Operations (**Attachment 1**) as well as the minutes of the most recent ARC Meeting held on 2 March 2026 (**Attachment 2**).

In accordance with the ARC's Charter, the minutes of an ARC Meeting are to be reported and presented to a subsequent Council Meeting.

Recommendation

That Council:

1. Notes the Audit and Risk Committee Report of Operations June 2025 to November 2025 (**Attachment 1**).
2. Notes the minutes of the Audit and Risk Committee held on 2 March 2026 (**Attachment 2**).

Attachments

1.  Audit & Risk Committee Report on Operations - June to November 2026
2.  Minutes of Audit & Risk Committee Meeting Minutes - 2 March 2026

Discussion

1. This report presents Council with an update on the recent work of its ARC, specifically:
 - The June to November 2025 ARC Report on Operations (**Attachment 1**); and
 - The minutes of the most recent ARC meeting held on 2 March 2026 (**Attachment 2**).
2. The minutes of the Audit and Risk Committee (ARC) are submitted to Council after each meeting.
3. Minutes of the ARC Meeting held on 2 March 2026 have been adopted by the Committee as a circular motion and will be presented at its next meeting.
4. The key items considered by the March ARC Meeting were:
 - Draft 2025-2026 VAGO Audit Strategy
 - Payroll Internal Audit report
 - Information Technology update

12. Officers' reports

CM.014/26 Audit and Risk Committee Update

- Lessons from the McCrae Landslide Report
- Councillor Expenses report
- Quarterly Financial Report
- Rates in Arrears report
- ARC Biannual report
- ARC Annual Work Plan.

5. The next ARC meeting is scheduled to take place on Monday 25 May 2026.

Related Council decisions

6. The ARC's Charter was updated and endorsed by resolution at the December 2025 Council Meeting.

Options

7. The ARC's function is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating good and ethical governance.

8. The ARC meets four times a year. The Internal Auditor, Chief Executive Officer and Chief Financial Officer attend all Audit and Risk Committee meetings. Other management representatives attend as required to present reports. The external auditors attend in May and September each year to present the Audit Plan and independent audit report.

Council plans and policies

9. 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

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

Sustainability implications

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

Community engagement

12. Not applicable.

Innovation and continuous improvement

13. Not applicable.

Collaboration

14. Not applicable.

12. Officers' reports

CM.014/26 Audit and Risk Committee Update

Budget considerations

15. The associated costs are contained within Council's 2025-2026 Budget.

Relevant law

16. Section 53 of the *Local Government Act 2020* requires that Council must establish an Audit and Risk Committee.

17. The Audit and Risk Committee is an advisory committee to Council. Members are appointed by Council: three independent members for staggered three-year terms and two Councillors for one year each December. The Committee is governed by the ARC Charter adopted by Council. The ARC's establishment, responsibilities and operations are consistent with the requirements of sections 53 and 54 of the *Local Government Act 2020*.

Regional, state and national plans and policies

18. Not applicable.

Conflicts of interest

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

12. Officers' reports

CM.014/26 Audit and Risk Committee Update

THIS PAGE WAS LEFT INTENTIONALLY BLANK

12. Officers' reports**CM.015/26 Draft Revenue and Rating Plan 2026-2029**

Distribution: Public**Manager: Jeremy Livingston, Director Culture and Performance****Author: Bulent Oz, Chief Financial Officer****Summary**

This report presents the updated Draft Revenue and Rating Plan 2025–2029 (the Plan) for Council endorsement prior to exhibition for public consultation. The Revenue and Rating Plan is a requirement under section 93 of the *Local Government Act 2020*.

The purpose of the Revenue and Rating Plan is to establish Council's rating and revenue strategy which, together with other income sources, supports the delivery of Council services and infrastructure.

The Draft Revenue and Rating Plan outlines Council's most significant sources of income and provides a framework for informing the income projections in Council's Financial Plan 2025–2029 and annual budgets.

The Plan has been updated to incorporate refinements to Council's rating structure, including the introduction of two new differential rate categories relating to Sustainable Agriculture Land and Trust for Nature Land. These categories replace existing rebate arrangements and recognise land uses that contribute to environmental stewardship and biodiversity protection within the municipality.

The updated Plan also includes minor administrative improvements to enhance clarity, including replacing certain tables showing the "rate in the dollar" with differential rating weightings.

To assist transparency, two versions of the Plan have been provided:

- a clean version showing the proposed updated Revenue and Rating Plan
- a tracked changes version showing the proposed amendments to the currently adopted Plan.

Recommendation**That Council:**

1. Endorses the Draft Revenue and Rating Plan 2026–2029 (**Attachment 1**) for the purpose of public exhibition in accordance with section 93 of the *Local Government Act 2020*.
2. Notes that **Attachment 2** provides a version of the Draft Revenue and Rating Plan showing the proposed amendments compared with the currently adopted plan.
3. Authorises the Chief Executive Officer to give public notice of the exhibition of the Draft Revenue and Rating Plan and make the document available for public inspection for a period of 28 days.
4. Invites written submissions from the community during the exhibition period.

12. Officers' reports**CM.015/26 Draft Revenue and Rating Plan 2026-2029**

5. Notes that any person who makes a written submission and requests to be heard in support of their submission will be given the opportunity to be heard at Council's Planning and Consultation Meeting on 12 May 2026, prior to Council considering the final adoption of the Revenue and Rating Plan.

Attachments

- 1  Draft Revenue and Rating Plan 2026-2029
- 2  Draft Revenue and Rating Plan 2026-2029 with tracked changes

Discussion

1. As part of Council's preparation of the draft Annual Budget, a review of Council's revenue and rating strategy was undertaken. As a result, proposed changes to Council's rating structure are proposed, including the introduction of differential rate categories that replace existing rebate arrangements relating to sustainable agriculture and Trust for Nature land. Beyond these changes, several administrative updates are proposed to improve clarity and transparency.
2. The proposed differential rate for Sustainable Agriculture Land represents a 35% discount on the general rate, while the proposed Trust for Nature Land differential represents a 15% discount on the general rate.
3. These proposed discounts have been calibrated to broadly align with the current level of support provided through the existing rebate arrangements.
4. Transitioning from rebates to a differential rating structure will result in some variation in outcomes for individual properties.
5. While some properties may experience a modest reduction in the benefit previously received under the rebate scheme, a larger number of properties are expected to receive an increased benefit. This is because the differential rate is applied as a percentage of the property's rates, which are determined by the property's capital improved value, rather than being linked primarily to land size as under the current rebate arrangements.
6. Overall, the proposed approach is intended to simplify administration, improve transparency in the rating framework and better align the level of support provided with the value of the property.

Related Council decisions

7. Council adopted the Revenue and Rating Plan 2025–2029 at its meeting held on 17 June 2025.
8. The draft Plan presented in this report includes proposed amendments to the adopted Plan, including the introduction of two additional differential rate categories relating to Sustainable Agriculture Land and Trust for Nature Land, along with minor administrative updates to improve clarity.

12. Officers' reports

CM.015/26 Draft Revenue and Rating Plan 2026-2029

Council plans and policies

9. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
- Continuously improve service delivery with a strong focus on customer experience and operational excellence.

Access, Equity and Inclusion

10. The proposed amendments to the Revenue and Rating Plan refine Council's rating framework and do not introduce barriers to access for any particular group within the community.
11. The introduction of differential rate categories relating to sustainable agriculture and land subject to conservation covenants is intended to recognise land uses that provide broader environmental benefits to the municipality. These changes replace existing rebate arrangements and are designed to improve transparency and consistency in the application of Council's rating structure.
12. The draft Plan will be placed on public exhibition, providing all community members with the opportunity to review the document and make submissions prior to Council considering its final adoption.

Sustainability implications

13. The proposed amendments to the Revenue and Rating Plan support Council's long-term financial sustainability by improving the transparency and administrative efficiency of Council's rating framework.
14. The transition from rebate-based arrangements to differential rating categories for Sustainable Agriculture Land and Trust for Nature Land simplifies the administration of these concessions while continuing to recognise land uses that deliver environmental benefits to the municipality.
15. This approach aligns the level of support provided with the value of the property and integrates these incentives directly into Council's rating structure, supporting a more consistent and sustainable revenue framework over the life of the Revenue and Rating Plan.

Community engagement

16. Following Council's endorsement of the Revenue and Rating Plan 2026-2029, public notice will be provided that allows the community the opportunity to lodge submissions. Public exhibition will be for 28 days, and the draft plan will be available for inspection at the Civic Centre and on Council's website.
17. Public submissions in relation to the draft Plan will be considered at the Planning and Consultation Committee Meeting on Tuesday 12 May 2026.
18. Following the consideration of any submissions reviewed, the Plan will then be presented for adoption at the Council Meeting on Tuesday 26 May 2026.

Innovation and continuous improvement

19. These changes support Council's ongoing commitment to continuous improvement in financial management and governance practices.

12. Officers' reports

CM.015/26 Draft Revenue and Rating Plan 2026-2029

Collaboration

20. The development of the proposed amendments to the Revenue and Rating Plan involved consultation with relevant internal teams responsible for the administration of the existing rebate programs, together with the Executive Leadership Team.
21. Councillors were also briefed on the proposed changes to the rating framework, including the transition from rebate arrangements to differential rate categories for Sustainable Agriculture Land and Trust for Nature Land.
22. Broader community engagement will occur through the public exhibition process, which will provide residents, landowners and other stakeholders with the opportunity to review the draft Plan and provide submissions prior to Council considering the final adoption of the Plan. Text

Budget considerations

23. The costs of preparing and exhibiting the Rating and Revenue Plan are funded from operating budget allocations.

Relevant law

24. Section 93 of the *Local Government Act 2020* is relevant to consideration of an updated Plan.

Regional, state and national plans and policies

25. Not applicable.

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.016/26 Draft Budget 2026-2027****Distribution: Public****Manager: Jeremy Livingston, Director Culture and Performance****Author: Bulent Oz, Chief Financial Officer****Summary**

This report presents the draft Budget 2026-2027 for Council approval prior to exhibition for public consultation. The Budget provides resources for the ongoing delivery of Council services, delivery of Council Plan actions and for the development and maintenance of infrastructure throughout the Shire.

The draft Budget proposes a 2.75% increase to rates levied and an increase of 4.26% to the waste management standard charge.

The Draft Budget proposes the introduction of two additional differential rating categories – Sustainable Agriculture and Trust For Nature Land (TFN) – which are designed to replace existing rebate arrangements and better align the rating framework with Council's policy objectives. These changes are subject to the adoption of the updated Rating and Revenue Plan (RRP), which will be placed on public exhibition concurrently with the Draft Budget. In addition, Council acknowledges the recently released Ministerial Guidelines relating to Waste Service Charges and intends to progressively align its waste management charge framework with these guidelines over the coming years to ensure transparency, equity and best practice in cost recovery.

A range of capital works projects have been identified through planning and community consultation. The draft Budget also provides significant resources to maintain and develop existing infrastructure.

Recommendation**That Council:**

1. Adopts the draft Budget 2026-2027 (**Attachment 1**) for the purposes of section 94 of the *Local Government Act 2020*.
2. Authorises the Chief Executive Officer to give public notice in accordance section 96 of the *Local Government Act 2020* of Council's intention to adopt, at a Council Meeting proposed to be held at 7:00 pm on 26 May 2026, the Budget 2026-2027.
3. Notes that any person who makes a written submission in relation to the draft Budget 2026-2027 and requests to be heard in support of the written submission, be heard at the Planning and Consultation Committee meeting on Tuesday 12 May 2026.
4. Authorises the Chief Executive Officer to undertake any and all administrative procedures necessary to enable Council to carry out its functions under sections 94 and 96 of the *Local Government Act 2020*.

Attachments

- 1  Draft Budget 2026-2027

12. Officers' reports**CM.016/26 Draft Budget 2026-2027**

Discussion

1. Council is required by the *Local Government Act 2020* to prepare a Budget for each financial year.
2. Adoption of the Budget is an important policy decision by Council in terms of resource allocation for services and projects in the coming year.
3. The draft Budget has been prepared for the purposes of public exhibition in accordance with statutory requirements.

Draft Budget 2026-2027

4. The major features of the draft Budget are summarised below and in **Attachment 1**.

Property rates and charges

5. The draft Budget proposes a 2.75% increase in property rates, in compliance with and as set by the Minister under the Fair Go Rates System.
6. The waste management standard charge is proposed to be increased by 4.26%, which is largely driven by an increase in waste disposal costs.
7. The draft Budget includes the proposed introduction of two additional differential rating categories—Sustainable Agriculture Land Rate (65% of General rate) and Trust For Nature Land (85% of General Rate)—subject to the adoption of the updated Rating and Revenue Plan, which will be exhibited concurrently with the Draft Budget.

Other fees and charges revenue

8. Other fees and charges have been adjusted to reflect cost increases, regulatory requirements and market considerations.

Operating expenditure

9. Recurrent operating budgets for Council services have been budgeted to reflect changes in unit costs, including inflationary impacts and contract prices.

New Operating Initiatives

10. The draft Budget provides resources through major initiatives for delivery of Council plan action items including policy development, implementation and service improvements.
11. A full list of major initiatives is provided in the draft Budget document.

Capital works

12. The draft Budget includes \$15.12 million of capital works projects, of which \$2.89 million will be funded by external grants.

Loan Borrowings

13. New loan borrowings up to \$1.25 million are proposed in 2026-2027.

Related Council decisions

14. Council endorsed the 2025-2026 Budget at the May 2025 Council meeting. Adoption of the 2026-2027 Budget is anticipated to be tabled at the 26 May 2026 Council Meeting for Council consideration.

12. Officers' reports

CM.016/26 Draft Budget 2026-2027

Options

15. Adoption the draft Budget for the purposes of sections 94 and 96 of the *Local Government Act 2020*.

Council plans and policies

16. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
- Strengthen financial sustainability to support long-term service delivery and community infrastructure.

Access, Equity and Inclusion

17. A Gender Impact Assessment has been conducted and Gender Responsive Budgeting included within the guidelines throughout the budget development process.

Sustainability implications

18. Council undertakes long-term financial planning to ensure it can continue to deliver services and maintain infrastructure in a financially sustainable manner while operating within the State Government's rate capping framework.
19. The Draft Budget has been developed having regard to Council's long-term financial projections and seeks to balance service delivery, infrastructure investment and responsible financial management.
20. Council's financial sustainability is monitored through key financial indicators referenced by the Victorian Auditor-General's Office (VAGO), including measures of operating performance, liquidity, indebtedness and asset renewal, which are considered as part of the budget development process.

Community engagement

21. Public exhibition will be for 28 days, and the draft Budget will be available for inspection at the Civic Centre in Greensborough and on Council's website.
22. Public submissions in relation to the draft Budget will be considered at the Planning and Consultation Committee meeting to be held on 12 May 2026.
23. The Budget will then be presented for adoption at the Council Meeting on 26 May 2026.

Innovation and continuous improvement

24. Continuous improvement and innovation opportunities identified have been considered.

Collaboration

25. The drafting of budget is conducted in consultation with managers and Executive Leadership Team.

Budget considerations

26. The costs of preparing and exhibiting the Budget, such as public notices, are funded from operating budget allocations.

Relevant law

27. Sections 94 and 95 of the *Local Government Act 2020* are relevant to the draft Budget.

12. Officers' reports

CM.016/26 Draft Budget 2026-2027

28. The budget and financial statements are prepared reflective of the overall compliance with the Australian Accounting Standards.

Regional, state and national plans and policies

29. Not applicable.

Conflicts of interest

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

12. Officers' reports

CM.017/26 Review of Council's Advisory Committee Policy and Terms of Reference template

Distribution: Public

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

Author: Katia Croce, Manager Governance and Property

Summary

A review has been undertaken of Council's Advisory Committee Policy and the Advisory Committee Terms of Reference template.

The Policy provides the overarching framework for consistent governance, guidance and expectations for all Council advisory committees. The Terms of Reference template ensures a consistent structure across committees while allowing flexibility to outline each committee's specific aims, objectives, purpose and membership requirements.

The review focused on identifying any gaps in the existing documents, particularly relating to standards of conduct, governance requirements, and processes to address any alleged breaches of the policy or terms of reference.

This report seeks Council's endorsement of the revised Policy and Terms of Reference template.

Recommendation

That Council:

1. Endorses the Advisory Committee Policy and Procedures (**Attachment 1**).
2. Endorses the Advisory Committee Terms of Reference template (**Attachment 2**).

Attachments

- 1  Advisory Committee Policy and Procedures
- 2  Advisory Committee Terms of Reference template

Discussion

1. Council establishes a range of advisory committees to provide advice, expertise and community perspectives that assist Council in its decision-making. To support consistent governance across these committees, Council has adopted an Advisory Committee Policy and a standard Advisory Committee Terms of Reference template.
2. The Advisory Committee Policy sets out the overarching principles, governance expectations and operational requirements applying to all advisory committees. The Terms of Reference template provides a consistent structure while allowing each committee to outline its own purpose, objectives, scope and membership needs.

12. Officers' reports**CM.017/26 Review of Council's Advisory Committee Policy and Terms of Reference template**

-
3. The review considered potential gaps in the current framework, with a particular focus on clarifying standards of conduct, roles and responsibilities, and the processes to be followed in the event of an alleged breach of the Policy or Terms of Reference. This work aims to strengthen transparency, accountability and consistent practices across all advisory committees.
 4. Furthermore, amendments and additions have been considered to capture feedback relating to the current endorsed documents.

Advisory Committee Policy

5. It is proposed that the Advisory Committee Policy should now be referred to as the Advisory Committee Policy and Procedures to capture the inclusion of the grievance procedures contained within. The revised Advisory Committee Policy and Procedures (the revised Policy) is included as (**Attachment 1**) to this report.
6. Amendments of an administrative nature have been made to the revised Policy to capture matters such as updating legislation and internal procedures, and to reflect the current organisational structure.
7. The revised Policy combines the headings of Initiation and Establishment of Advisory Committees, and includes a new workflow is included that sets out the process for consideration and establishment of an advisory committee.
8. The revised Policy clearly notes the role of Councillors, committee members and Council staff and sets the explicit standards of behaviour of all committee members and Council staff.
9. The process of progressing recommendations made by Advisory Committees has been expanded to clarify the process, including but not limited to consideration of Council's role, legislative requirement and budget implications.
10. Actions resulting from an advisory committee recommendation will be considered by the nominated Councillor representatives, including the committee chairperson, councillor representative and relevant Council staff.
11. The revised Policy outlines that a mid-term review will be prepared for Councillors in a Councillor Briefing report and a public report to Council for noting will follow.
12. Grievance and breach procedures have been included in Section 4: Dispute resolution, Point 33.
13. Point 33 clarifies the correct recipient for raising grievances and allegations of misconduct, potential outcomes for substantiated breaches and a work when an allegation is made or a complaint received.

Advisory Committee Terms of Reference (revised TOR)

14. Minor administrative amendments were made to the relevant selection criteria without changing the intent, however, allows for individual advisory committees to consider and include relevant criteria. Duplications with the draft Policy have been removed.
15. A maximum of 3 x two-year consecutive terms of appointment for an individual member has been included when application numbers exceed the vacant positions.

12. Officers' reports

CM.017/26 Review of Council's Advisory Committee Policy and Terms of Reference template

- 16. Processes clarified for the appointment of community groups and nomination of a representative, and if a committee member is unable to continue in their role.
- 17. Referring to the ability to cease a member's term when they fail to attend a meeting without prior notice has been reduced from three meetings to two. This does not include instances where a member has provided prior notice.

Related Council decisions

- 18. The existing policy and terms of reference were endorsed by Council 27 August 2024.

Options

19. Option 1: Support the revised Advisory Committee Policy and Procedures and Terms of Reference template (recommended)

It is recommended that Councillors endorse the revised Policy and revised ToR template and the Policy and Procedures shared with Council's advisory committee members as soon as practicable and published to Councils website.

Option 2: Defer consideration and request further amendments and schedule a follow-up briefing prior to presenting the documents to Council

Councillors may request more substantial changes or seek clarification on specific elements of the revised documents. A further briefing session would then be arranged to resolve outstanding matters before presenting a final version to a future Council Meeting for endorsement.

Council plans and policies

- 20. 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

- 21. An Equity Impact Assessment has not been undertaken for this review, given the varied membership needs of each committee. It is recommended that each area consider the policy principles and requirement for an EIA prior to seeking endorsement of their Terms of Reference

Sustainability implications

- 22. Not applicable

Community engagement

- 23. Not applicable

Innovation and continuous improvement

- 24. This review considers the feedback received relating to the existing Policy and TOR template.

Collaboration

- 25. The review included the consideration of Councillor feedback and general queries and questions from the conveners group since the existing documents were endorsed.

12. Officers' reports

CM.017/26 Review of Council's Advisory Committee Policy and Terms of Reference template

26. The advisory committee conveners group were requested to provide any feedback on the policy and TOR, however no responses were received.

Budget considerations

27. This review is administrative in nature. Advisory committees are considered within Council's existing operating budget and there are no budget considerations arising from continuing the existing advisory committee arrangements.

Relevant law

28. The Policy and TOR were developed in response to the implementation of the *Local Government Act 2020*, and the repeal of sections of the *Local Government Act 1989*.

Regional, state and national plans and policies

29. Not applicable.

Conflicts of interest

30. 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.018/26 Gambling Harm Minimisation Policy**

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

The Gambling Harm Minimisation Policy 2016-2021 (**Attachment 1**) is due for review. To inform this update, a Gambling Community Profile (**Attachment 2**) was developed.

The updated Gambling Harm Minimisation Policy (**Attachment 3**) has three key differences – is more concise, includes all forms of gambling not just electronic gaming machines (EGMs), and doesn't contain an implementation plan.

The updated Policy (**Attachment 3**) strengthens Council's strategic approach to preventing and reducing gambling-related harm, ensuring its continued relevance and effectiveness for the community.

Recommendation

That Council:

1. Adopts the updated Gambling Harm Minimisation Policy (**Attachment 3**).
2. Notes the Gambling Community Profile (**Attachment 2**) which includes updated evidence used to inform the Policy review.
3. Publishes the adopted Gambling Harm Minimisation Policy (**Attachment 3**) on Council's website for public access.

Attachments

- 1  Gambling Harm Minimisation Policy 2016-2021
- 2  Gambling Community Profile
- 3  Gambling Harm Minimisation Policy
- 4  Cosigned Letter to Ministers on Victorian EGM Trails

12. Officers' reports**CM.018/26 Gambling Harm Minimisation Policy**

Discussion

1. In 2023, a parliamentary inquiry into online gambling and its impacts on Australian communities released its report, *You win some, you lose more*, commonly referred to as the *Peta Murphy Report*. The 31 recommendations applied a public health lens to online gambling to reduce harm to Australians. Despite growing public concern and increasing gambling-related harm, the Federal Government has not yet provided a formal response to the report's recommendations.
2. In Victoria, reducing gambling harm is embedded in regulatory and public health planning frameworks. The Victorian Government passed the *Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill* in 2024, enabling mandatory pre-commitment and carded play for all electronic gaming machines. Nillumbik Shire Council in partnership with other Councils and the Alliance for Gambling Reform raised concerns (**Attachment 4**) about the overall transparency and governance of the pilot, including removal of the mandatory precommitment, evaluation processes and implementation timelines, as well as the limited recognition of local government as a stakeholder in the trial's development and rollout.
3. Gambling harm continues to increase and is no longer confined to electronic gaming machines, with online platforms and mobile applications increasing accessibility and contributing to higher levels of risk.
4. Local governments play a critical role in preventing and reducing gambling harm, as they see its social and economic impacts in their communities.
5. The Gambling Harm Minimisation Policy 2016-2021 (**Attachment 1**) was adopted in 2016, updated in 2018 and required review to ensure it continues to include the latest evidence and reflect the changing landscapes and the needs of the community.
6. Reducing gambling harm continues to be a key health priority for Council, reflected in the current Nillumbik Health and Wellbeing Plan 2025–2029 and the two preceding Health and Wellbeing Plans. This emphasises Council and the community's concern about the impact of gambling-related harm in the community.
7. The Nillumbik Health and Wellbeing Plan's Year One Action Plan 2025-2026 addresses gambling-related harm by implementing the Prevention of Gambling Harm Action Plan, and working in coordination with community groups, schools, and local services to strengthen awareness, education, early intervention and harm minimisation efforts.
8. In 2024, Council received funding from VicHealth through the Leading Healthy Communities Grant to overcome structural and systemic barriers to achieving good health and wellbeing for young Victorians aged 0-25 and their families. The funding allowed Council to conduct community engagement and create a Community Profile (**Attachment 2**) with a focus on gambling and young people in Nillumbik. The engagement explored young people's attitudes, participation, and experiences within the gambling environment.
9. The Profile (**Attachment 2**) included community engagement through focus groups, surveys and consultation activities including pop ups and incidental data gathering at the Nillumbik Youth Hub and in the community.

12. Officers' reports**CM.018/26 Gambling Harm Minimisation Policy**

10. The Profile (**Attachment 2**) also incorporated an updated review of the gambling landscape and associated harm in Nillumbik, including a review of legislation and local data.
11. Key points for consideration include:
 - a) Gambling-related harm is an issue in our community. Recent statistics on EGM use show that gambling losses in Nillumbik increased to \$10,015,312 in FY2024/2025, up from \$9,368,870 in FY2023/2024. This expenditure occurred across just two venues.
 - b) Gambling-related harm is increasing, especially among young people, due to the ease of access to gambling online through gaming and through mobile apps. Research demonstrates that 60 to 80 per cent of young people engage in gambling at some point prior to them turning 18.
 - c) Participants in community consultation identified several gambling-harm reduction opportunities for Council, including providing more activities for young people, increasing education and awareness, advocating to state and federal governments, and supporting community groups to reduce reliance on gambling-related income.
12. To support the update of the Policy (**Attachment 3**) a consultant with urban and social planning expertise was engaged to peer review the Policy, to ensure the proposed updates were accurate, comprehensive and relevant.
13. Following a detailed review, the updated Gambling Harm Minimisation Policy (**Attachment 3**) is presented to strengthen Council's strategic approach to preventing and reducing gambling-related harm, ensuring it's continued relevance and effectiveness for the community.
14. The key differences in the updated Policy (**Attachment 3**) are:
 - a) The updated Policy (**Attachment 3**) is more concise, with background information now summarised in the Community Profile (**Attachment 2**).
 - b) The scope has been broadened to address all forms of gambling, not just electronic gaming machines (EGMs).
 - c) An implementation plan is not included in this version with actions to be implemented through the Nillumbik Health and Wellbeing Plan and supporting Annual Action Plans.

Related Council decisions

15. The Gambling Harm Minimisation Policy 2016-2021 (**Attachment 1**) was adopted at the 9 February 2016 Policy and Services Committee meeting.
16. The Gambling Harm Minimisation Policy 2016-2021 (**Attachment 1**) was updated and adopted at the 11 December 2018 Future Nillumbik Committee meeting, with minor changes to the implementation plan.
17. 'Reducing harm from alcohol, drugs, vaping, tobacco, and gambling' is a key priority in the Nillumbik Health and Wellbeing Plan 2025-2029, adopted at the 30 September 2025 Council meeting.

12. Officers' reports**CM.018/26 Gambling Harm Minimisation Policy**

Options

18. That Council adopts the updated Gambling Harm Minimisation Policy (**Attachment 3**).

Council plans and policies

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

- Address the social determinants of health by supporting initiatives that promote safe housing, education, community connection and food environments.
- In partnership with local organisations, agencies and service providers, deliver coordinated health and wellbeing outcomes.

Access, Equity and Inclusion

20. Gambling-related harm is not experienced equally across the community. Some groups are more vulnerable due to factors such as socio-economic disadvantage, age, gender, disability, mental health challenges, cultural background and exposure to targeted gambling marketing. Council acknowledges that people have different experiences and may face different barriers to support and participation.

21. The updated Policy (**Attachment 3**) promotes fairness, respect and inclusion by supporting environments where people feel safe, valued and able to access support. Leaders, staff and partners are expected to uphold these values by treating all community members with respect, supporting equal access to information and support, and fostering welcoming, inclusive and gambling-free community spaces and ensuring that people have input into decisions that impact them.

22. An Equity Impact Assessment (EIA) has been undertaken on the updated Policy (**Attachment 3**) and further EIAs will be conducted in its implementation and application.

Sustainability implications

23. Social sustainability implications of gambling-related harm include relationship harm, health harm, emotional and psychological harm, financial harm, work/study harm, cultural harm and criminal activity, these impact community wellbeing. Vulnerable groups are also disproportionately affected, further impacting inequity.

24. Economic sustainability implications of gambling-related harm include financial loss resulting in less income expended in the local economy, an increased demand for social and health services and loss of productivity in work or study.

25. Environmental sustainability implications of gambling-related harm include resources redirected to address gambling-related harm, resulting in a reduction in resources for other sustainability initiatives. In addition, local venues with gambling activity may prioritise gaming revenue over more socially and environmentally responsible business practices.

Community engagement

26. For the development of the Community Profile (**Attachment 2**) community consultation was undertaken between 9 November and 8 December 2024. Consultation included young people, parents, guardians, carers, workers, community members, community service organisations and local schools including consultation with people with autism.

12. Officers' reports**CM.018/26 Gambling Harm Minimisation Policy**

27. Community engagement activities included focus groups, surveys and consultation activities such as pop-ups and incidental data gathering at the Youth Hub and within the community. A total of 34 young people aged 16-25 participated in three focus groups. An additional 73 young people, parents, guardians, carers, workers, and community members contributed through a survey. A further 46 participants were engaged through targeted consultations community service organisations, local schools and people with autism.

Innovation and continuous improvement

28. The Policy update reflects Council's commitment to continuous improvement by strengthening its prevention-focused public-health approach to minimising gambling harm.
29. The updated Policy (**Attachment 3**) incorporates the latest data, community experience and expectations and sector expertise, ensuring that Council's decisions are evidence-based, accountable and proactive. Further, it supports ongoing learning, collaboration and improvement in how Council prioritises and protects community wellbeing.

Collaboration

30. Council continues to advocate to the state and federal government, in partnership with neighbouring Councils and statutory bodies, to prevent and reduce gambling-related harm in the community. This includes recent joint advocacy on the *Your Play* card trial with the Alliance for Gambling Reform (**Attachment 4**).

Budget considerations

31. The implementation of the updated Policy can be accommodated within existing operational budgets.

Relevant law

32. *Gambling Regulation Act 2003* – supports harm minimisation and responsible gambling
33. *Planning and Environment Act 1987* – guides land-use planning, community consultation and sustainable development
34. *Charter of Human Rights and Responsibilities Act 2006* – underpins fair and right-based decision making
35. *Gender Equality Act 2020* – informs EIAs and gender responsive planning
36. *Victorian Local Government Act 2020* – supports community engagement, transparency and best value
37. *Victorian Public Health and Wellbeing Act 2008* – guides action to improve health and reduce inequities

Regional, state and national plans and policies

38. *Victorian Public Health and Wellbeing Plan 2023-2027* – sets statewide health priorities and actions to reduce inequities.

12. Officers' reports

CM.018/26 Gambling Harm Minimisation Policy

39. *National Consumer Protection Framework* – provides national standards to reduce gambling harm and strengthen consumer safeguards.

Conflicts of interest

40. 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.019/26 Risk and Safety Quarterly Report - December 2025

Distribution: Public

Manager: Jeremy Livingston, Director Culture and Performance

Author: David Taylor, Risk and Safety Lead

Summary

This report provides a summary of Council's Risk and Safety Report for the quarter ending December 2025.

The report is presented in accordance with the *Local Government (Planning and Reporting) Regulations 2020*, which requires the presentation of a report to Council at least every six months, detailing the strategic risks, operational risks, the consequences and likelihood of occurrence, and risk mitigation strategies.

Risk and Safety reporting to Council is tabled each quarter following consideration by Council's Audit and Risk Committee, which occurred on 2 March 2026.

The full confidential Risk and Safety Report for December 2025 is attached to this report (**Attachment 1**) and provides detailed information for Council's consideration.

Recommendation

That Council:

1. Notes the summary of the confidential Risk and Safety Report for the quarter ending December 2025.
2. Resolves that the Quarterly Risk and Safety Report – December 2025 (**Attachment 1**) remains confidential in accordance with section 3(1)(a) and (f) of the *Local Government Act 2020*.

Attachments

1. Risk and Safety Quarterly Report - December 2025 - *CONFIDENTIAL*

Discussion

1. Council's commitment to risk management is outlined in the Risk Management Policy, with the following objectives:
 - The Risk Management Program protects the organisation, its employees and the broader community from a broad range of influences which could negatively impact Council financially, reputationally, operationally or in its sustainability.
 - Ensure that all risks that could affect the achievement of Council's goals, strategies and actions are identified, assessed and treated to a commercially and professionally acceptable level of risk
 - Integrate risk management into Council's decision-making processes and embedding it into the organisational culture

12. Officers' reports

CM.019/26 Risk and Safety Quarterly Report - December 2025

- Ensure necessary resources are allocated in support of the Policy and supporting Risk Management Framework
 - Maintain stakeholders' trust and due diligence
 - Align all risk practices across all systems and to promote and support a consistent corporate approach to risk that can be clearly understood
 - Ensure that risk management is seen as the responsibility of all staff, i.e. – *risk management is everyone's business*.
2. In addition to the Risk Management Policy, Council's Risk Management Framework communicates and describes the risk management principles and processes that are used to identify, analyse, evaluate, treat, monitor and communicate key risks, including management reporting.
 3. The context of the Risk Management Policy and Framework takes into account that local government presents a distinct risk character and profile that needs to be taken into account when considering risk management. Many assets and services are available 24 hours a day, seven days a week in an unsupervised way, some are managed or provided by volunteers or committees of management or are managed by contractors, others are regulated by compliance legislation.
 4. This Risk and Safety report broadly reports on:
 - Risk management
 - Business continuity
 - (Anti) Fraud and corruption control
 - Insurance premiums
 - Incident management and insurance claims
 - Strategies and initiatives
 - Occupational health and safety.
 5. The Quarterly Risk and Safety Report has been prepared in accordance with Council's Risk Management Policy and Framework, and is consistent with the Australian Standard AS/NZS 31000:2018 Risk Management.
 6. The following tables summarise recorded incidents by type for matters involving Council. Note that these tables show all reported incidents, rather than all claims, as not every incident results in a claim being made.

12. Officers' reports

CM.019/26 Risk and Safety Quarterly Report - December 2025

All Incidents by Type	Jan - Mar 25	Apr - Jun 25	Jul - Sep 25	Oct - Dec 25	Total Jan - Dec 2025	Total Jan - Dec 2024
Property	23	13	24	22	82	40
Motor Vehicle	13	13	11	4	41	42
Professional Indemnity	0	0	0	0	0	1
Public Liability	16	24	27	27	94	102
Occupational Health and Safety	37	29	28	27	121	109
Total All Incidents	89	79	90	80	338	294

7. There were 80 incidents recorded in the December 2025 quarter. The total number of incidents for the year ending December 2025 (338) was higher compared to the previous year's (December 2024) corresponding number of 294.

8. The following table summarises all incidents by directorate.

Incidents by Directorate	Jan - Mar 25	Apr - Jun 25	Jul - Sep 25	Oct - Dec 25	Total Jan - Dec 2025	Total Jan - Dec 2024
Culture and Performance	10	7	6	8	31	32
Governance, Communications and Community Safety	8	6	6	6	26	41
Planning, Environment and Strategy	1	0	5	1	7	13
Communities	9	5	1	4	19	32
Operations	61	61	72	61	255	176
Total	89	79	90	80	338	294

9. A high proportion of reported incidents during the December 2025 quarter are generated within the normal course of business in the Operations directorate (75%), and represents an increase compared to the previous quarter (70%).

10. All incidents relate to major classes of asset or maintenance type incidents for Council buildings, recreational facilities, playgrounds, trees, drainage, footpath, road damage and major plant.

11. Tree related risks are mitigated through the:

- Tree Management Policy
- Reactive tree maintenance program
- Proactive electric power line clearance program

12. Officers' reports**CM.019/26 Risk and Safety Quarterly Report - December 2025**

- Proactive box clearance program
 - Proactive inspections of high risk trees
 - Meeting the objectives of the Municipal Emergency Management Plan and Municipal Fire Management Plan.
12. Road, footpath, drainage and roadside related risks are mitigated through the:
- Road Management Plan
 - Road Asset Management Plans
 - Proactive and reactive maintenance programs.
13. Property incidents typically reported are property theft, break-ins, storm damage vandalism and accidental damage to Council buildings or fixed equipment such as in playgrounds and recreational facilities. Risks are mitigated through maintenance programs and insurance.
14. There were 22 property incidents reported during the December 2025 quarter. This is slightly lower than the corresponding figure from the previous quarter (24). A total of 82 property incidents were recorded for the year ending December 2025 – over double the amount compared to the year ending December 2024. Council will closely monitor some of these incidents, as some of them relate to vandalism and theft.
15. Motor vehicle incidents include accidental damage involving Council's light and heavy fleet, including incidents caused by third parties. Risks are mitigated through maintenance, education and insurance.
16. There were 4 motor vehicle incidents during the December 2025 quarter. The total number of motor vehicle related incidents for the year ending December 2025 (41), was slightly lower compared to the year ending December 2024 (42).
17. Professional indemnity relates to incidents and claims for alleged negligence or breach of duty arising from an act, error or omission in the performance of Council services. No new professional indemnity incidents were received this quarter, and no such incidents have been reported over the past 12 months.
18. Public liability incidents are reported where the third party is seeking compensation for personal injury, property damage and economic loss. Note that compensation claims are only paid where Council has been negligent or there is a clear legal liability. Claims are managed by an external claims manager or Council's insurer. Typical incidents primarily relate to vehicle road damage, property damage, tree related or trip and fall incidents.
19. There were 27 public liability incidents reported during the December 2025 quarter and 94 for the year ending December 2025. This is slightly fewer than the number of public liability incidents reported in the year ending December 2024 (103). Property damage, falling or overhanging trees, and slips, trips and falls were the most notable public liability incidents this quarter.

12. Officers' reports**CM.019/26 Risk and Safety Quarterly Report - December 2025**

20. Council's four major leisure facilities recorded 96 incidents in the quarter. Predominate injuries were bruises, sprains and strains, pain, bleeding, cuts and dizziness, with the majority of incidents taking place at the Diamond Valley Sports and Fitness Centre and Eltham Leisure Centre.
21. Occupational health and safety incidents during the quarter (27) were a combination of incidents, hazards and near misses. These incidents are managed through the Occupational Health & Safety Management System. There were 23 more OHS incidents reported for the year ending December 2025 compared to year end December 2024. This increase is most likely attributable to the organisation actively promoting a culture of reporting, so that causal factors can be fully considered and addressed rather than being disregarded and potentially repeated.
22. Incident costs, including under excess claim costs and insurance excesses, are managed within existing budgets. Where appropriate, repairs are undertaken via the safest and most cost-effective method, with all matters being reported to the Police.

Related Council decisions

23. This summary, along with the confidential Quarterly Risk and Safety Report, has been provided to meet the requirements of the *Local Government (Planning and Reporting) Regulations 2020* and consolidation of management reporting.
24. Ongoing reporting to Council on risk and safety matters is presented quarterly following each meeting of Council's Audit and Risk Committee.

Council plans and policies

25. 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

26. Not applicable to this report.

Sustainability implications

27. Trend data from this report is used to inform management processes for the mitigation of risks associated with property, motor vehicle, professional indemnity, public liability and safety as they relate to Council's strategic and operational risks.
28. Council's risk profile includes environmental risks and climate change, as a consequence of failure to adequately mitigate those risks.

Community engagement

29. Not applicable.

Innovation and continuous improvement

30. Trend data from this report is used to inform management processes and gap analysis to identify continuous improvement opportunities associated with property, motor vehicle, professional indemnity, public liability and occupational health and safety.

12. Officers' reports

CM.019/26 Risk and Safety Quarterly Report - December 2025

Collaboration

31. Not applicable.

Budget considerations

32. The resources for managing and reporting risk management and safety are accommodated within existing operational budgets.

Relevant law

33. The following legislation is applicable to this report:

- *Occupational Health and Safety Act 2004*
- *Occupational Health and Safety Regulations 2017*
- *Occupational Health and Safety (Psychological Health) Regulations 2025*
- *Local Government Act 2020.*

Regional, state and national plans and policies

34. Not applicable.

Conflicts of interest

35. 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.020/26 Lease - Eltham Redbacks Football Club

Distribution: Public

Manager: Derek Rotter, Chief Operating Officer

Author: Stewart Broussard, Manager Recreation and Leisure

Summary

Eltham Redbacks Football Club (ERFC) is one of Victoria's largest community soccer clubs, with over 1,000 players across all age groups and competition levels, from National Premier League to local community leagues.

ERFC uses Council facilities under various agreements with two agreements requiring finalisation for their continued use of the Eltham North Reserve Pavilion and synthetic soccer pitch.

The proposed lease agreement for the pavilion secures ERFC use following the 2019/20 project which included a contribution by ERFC for the upgrade of the facility.

This new licence agreement for the synthetic soccer pitch supersedes any previous management agreement(s) and clearly defines ERFCs responsibility to contribute to the ongoing maintenance of the entire facility as well as a contribution to the replacement of the synthetic playing surface.

Both agreements are for 9.5 years.

Council also currently holds ERFC funds, as part of a superseded agreement which is proposed to be returned to ERFC under the new agreement moving forward.

Recommendation

That Council:

1. Executes a new lease and licence agreement with Eltham Redbacks Football Club (ERFC) for their use of facilities at Eltham North Reserve over the next 9.5 years.
2. Returns funds held by Council to ERFC.
3. Resolves that **Attachments 1 - 3** remain confidential in accordance with section 3(1)(g) of the *Local Government Act 2020*.

Attachments

1. Agreement - Eltham Redbacks Football Club - 8-32 Cedar Ave Eltham North - Pavilion Lease and Licence Agreement - Exp 31 Mar 2035 - *CONFIDENTIAL*
2. Agreement - Eltham Redbacks Football Club - 8-32 Cedar Ave, Eltham North - Soccer Pitch Licence Agreement - Exp 31 Mar 2035 - *CONFIDENTIAL*
3. Eltham Redbacks Football Club - Financial Attachment - *CONFIDENTIAL*

12. Officers' reports**CM.020/26 Lease - Eltham Redbacks Football Club**

Discussion1. Club History

- a. The Club was founded in 1967 as Eltham Soccer Club, later relocating and rebranding in 2009 to modernise and support growth in facilities, coaching and resources.
- b. Today, its teams' 1,000 members compete at all levels, ranging from the National Premier League to local community competitions and are supported by accredited coaches and a strong commitment to player development and inclusivity.

2. Use of Nillumbik Shire Council facilities

- a. ERFC use the following facilities at Eltham North Reserve:
 - i. Two natural turf sports grounds (Eltham North Top Oval and Eltham North Adventure Playground Oval) - Seasonal User Agreement (Winter season – April to September).
 - ii. Eltham North Pavilion – Proposed Lease Agreement (All year round).
 - iii. Eltham North synthetic soccer pitch (FIFA certified) – proposed License Agreement (All year round).
- b. ERFC use Eltham High School Oval on an ad hoc basis through casual hire agreements.

3. Proposed Agreementsa. Lease agreement for pavilion

- i. This includes the following key conditions:
 1. Length of term is 9.5 years.
 2. Permitted use is for football related activities and associated purposes in accordance with any applicable planning permit.

b. Licence agreement for synthetic surface

- i. This includes the following key conditions:
 1. Length of term is 9.5 years.
 2. ERFC required to contribute to all ongoing maintenance and renewal costs.
- ii. Under the proposed new lease agreement ERFC is required to provide audited annual financial statements to confirm funds are available for renewal in line with agreed annual targets for full cost replacement of the current synthetic pitch.
- iii. Failure to provide statements or meet annual agreed targets will result in a breach of the licence agreement, and the default provisions will apply.
 - a. Default licence provisions provide a mechanism for remedy for Council up to and including cancellation of the agreement.

12. Officers' reports

CM.020/26 Lease - Eltham Redbacks Football Club

- b. Council retains the right and ability to program use of the synthetic surface during school hours to continue to support the local community and schools being able to use the facility.

4. Return of funds held by Council

- a. Council currently holds ERFC funds because of the 2021 management agreement which this new proposed lease agreement supersedes by the licence agreement for the synthetic soccer pitch.
- b. At the request of ERFC, Council will return their contributions under the former agreement to the Club which represents a balance of contributions made by ERFC minus the deductions required as per the management agreement.

Related Council decisions

- 5. In the Council Briefing on 18 March 2025 Council discussed the ERFC pitch renewal sinking fund as part of the 2021 Management Plan.

Options

- 6. Endorse the proposed new lease agreement for pavilion and coordinate execution of the agreement by both Council and ERFC.
- 7. Endorse the proposed new licence agreement for synthetic soccer pitch and coordinate execution of the agreement by both the Council and ERFC.
- 8. Return funds held by Council to Eltham Redbacks Football Club.

Council plans and policies

- 9. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
 - Strengthen financial sustainability to support long-term service delivery and community infrastructure.

Access, Equity and Inclusion

- 10. ERFC supports women and girls through junior and elite pathways, the Go Girls Program, Social Football for Women, and a female referee development program, while promoting inclusive participation for players of all abilities.
- 11. ERFC provides clear pathways through these programs into senior women's football (playing or referee) within a safe and supportive environment.
- 12. The facilities provided at Eltham North Reserve were enhanced as part of the pavilion project with unisex facilities to support the ongoing growth in the women and girls' programs.

Sustainability implications

- 13. Council is considering the sustainability implications of maintaining a synthetic pitch and is actively planning environmental improvements as part of the pitch renewal in 2030. With increasing environmental scrutiny and evolving regulations surrounding artificial turf systems, a sustainable upgrade is strongly recommended.

12. Officers' reports

CM.020/26 Lease - Eltham Redbacks Football Club

14. The project will involve supplying and installing a new synthetic grass system with sustainable infill to reduce microplastic pollution and enhance the environmental performance of the pitch.

Community engagement

15. Not applicable.

Innovation and continuous improvement

16. ERFC remains actively engaged with FIFA and European partners regarding the development of new technologies for future playing surfaces, with the expectation that this work may lead to more cost-effective and highly efficient solutions.

Collaboration

17. The proposed new lease has been prepared in collaboration with multiple internal teams including property and finance.
18. Council officers continue to have a positive collaborative working relationship with ERFC on the proposed new lease and its associated conditions.

Budget considerations

19. Ongoing maintenance costs will continue to be funded through Council's operating budget.
20. Council to consider the inclusion in a future Capital Works Program (indicatively 2030/31) for Councils contribution to the renewal of the synthetic soccer pitch, subject to prioritisation and funding availability.

Relevant law

21. Not applicable

Regional, state and national plans and policies

22. Not applicable

Conflicts of interest

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

12. Officers' reports

CM.021/26 Tender Report - Contract 2526-034 Bouchiers Road Special Charge Scheme - Construction

Distribution: Public

Manager: Derek Rotter, Chief Operating Officer

Author: Steven Blight, Manager Capital and Infrastructure

Summary

This report recommends the awarding of contract 2526-034 for Bouchiers Road Special Charge Scheme - Construction.

The contract commencement date is 1 April 2026 with a completion date of 28 August 2026.

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.

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 (inclusive of GST) and enter into the following contract:
Number: 2526-034
Title: Bouchiers Road Special Charge Scheme - Construction
Term: 1 April 2026 to 28 August 2026
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 2425-034 (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.
7. Resolves that the preferred tenderer be named.

12. Officers' reports

CM.021/26 Tender Report - Contract 2526-034 Bouchiers Road Special Charge Scheme - Construction

Attachments

- Attachment 1 - Tender Evaluation Summary Report - Confidential - 2526-034 - *CONFIDENTIAL*

Discussion

- This project is for the upgrade of Bouchiers Road, Kangaroo Ground.
- The works will improve vehicle safety and reduce maintenance and dust issues by upgrading the unsealed road to a bituminised spray seal.
- This project is being funded through a Special Charge Scheme.

Related Council decisions

- Council resolved at the Council Meeting on 26 October 2021 (Item CM.157/21) to proceed with the development of a Special Charge Scheme for the sealing of Bouchiers Road.

Council plans and policies

- This report directly supports the achievement of the Council Plan 2025-2029 strategy Good governance, communication and engagement.
 - Make transparent, well-informed decisions that prioritise the community's best interests through practising good governance.

Tender overview

The Tender Evaluation Panel (TEP) advises that:

- A public tender was issued on 29 January 2026 through Council's tendering platform VendorPanel.
- The period for tender submissions closed at 2pm on Thursday 19 February 2026.
- The following tenders were received:

9.	TENDERER
	Tenderer A – Preferred Tender
	Tenderer B
	Tenderer C
	Tenderer D
	Tenderer E

All submissions were deemed to conform and were evaluated by the TEP.

12. Officers' reports

CM.021/26 Tender Report - Contract 2526-034 Bouchiers Road Special Charge Scheme - Construction

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

Criteria	Weighting %
Financial Benefit to Council (Price)	50%
Capability (Quality/Technical) & Capacity (Resources)	30%
Collaborative Approach	10%
Economic and Social Sustainability (Social and Local)	10%

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

12. The members of the TEP were:

Position Title	Business Unit	Scoring Member or Advisory Member
Capital Works Coordinator	Operations and Infrastructure	Scoring
Infrastructure Design Coordinator	Operations and Infrastructure	Scoring
Contract Works Supervisor	Operations and Infrastructure	Scoring
Senior Procurement Specialist	Finance, Assets and Procurement	Advisory
Procurement Specialist	Finance, Assets and Procurement	Advisory

12. Officers' reports**CM.021/26 Tender Report - Contract 2526-034 Bouchiers Road Special Charge Scheme - Construction**

13. The final evaluation outcome was as follows:

TENDERER	SCORE	RANK
Tenderer A – Preferred Tender	91	1
Tenderer B	80	2
Tenderer C	69	5
Tenderer D	75	3
Tenderer E	75	4

14. The recommended tender was the highest ranked and is considered best value based on experience and capability as well as price.

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

16. The Tender Evaluation Summary Report (**Attachment 1**) is 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

17. The preferred tenderers submission provides a detailed methodology and demonstrates that tenderer has successfully completed similar scoped projects for Nillumbik Shire Council and other Local Government Agencies (LGA's).

18. The details of key nominated staff provided as part of the preferred tenderers submission indicates that they have the required skills and expertise to successfully deliver the project.

19. The proposed works program of eleven (11) weeks meets Councils expectations and timelines.

20. Previous experience working with this tenderer has demonstrated their ability to work well with Council and the wider community on similar projects.

Contingency and Risks

21. A traffic management plan will be implemented to reduce level of disruption to users during the road works. Access to Bouchiers Road will only be available to local resident for the duration of works.

22. Weather conditions - most of the works will be undertaken in the cooler and often wetter winter months. Councils Capital Works Coordinator and Contract Works Supervisor will work closely with the appointed Civil Works Contractor to mitigate any delays due to unforeseen weather impacts.

Tender Interviews and Reference checks

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

12. Officers' reports

CM.021/26 Tender Report - Contract 2526-034 Bouchiers Road Special Charge Scheme - Construction

Collaboration

24. Not applicable.

Budget considerations

- 25. This project is being funded through a Special Charge Scheme.
- 26. The scheme includes Nillumbik Shire Council and ten (10) privately owned properties abutting Bouchiers Road.
- 27. Contributions have been apportioned in accordance with Council's Special Rate and Special Charge Policy and Guidelines.
- 28. The total project budget includes all design costs, permits, approvals, construction, vegetation removal and other project related costs.

Sustainability implications

- 29. The preferred tenderers business is located within the Northern Council Alliance Area (NCA) and provides full time employment for more than 15 residents from within the NCA.
- 30. Upon completion of this project, the tenderer is required to provide a report to Council a Waste to Landfill Minimisation Report that details the type of waste, the quantity and the destination of all recycled, re-used or repurposed waste.

Stakeholder Consultation/communication

- 31. Extensive consultation was carried out with all property owners throughout the preparation and implementation of the Special Charge Scheme.

Innovation and continuous improvement

32. Not applicable.

Relevant law

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

Regional, state and national plans and policies

34. Not applicable.

Conflicts of interest

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

12. Officers' reports

CM.021/26 Tender Report - Contract 2526-034 Bouchiers Road Special Charge Scheme - Construction

THIS PAGE WAS LEFT INTENTIONALLY BLANK

12. Officers' reports

CM.022/26 Seeking Endorsement of Nillumbik Shire Council Motions - MAV State Council Meeting 29 May 2026

Distribution: Public

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

Author: Michele Purtle, Manager Advocacy Communications and Engagement

Summary

The Municipal Association of Victoria (MAV) State Council meets biannually to consider matters of state-wide significance. The deadline for motions to be submitted for consideration is Monday 30 March 2026.

Motions must have state-wide significance or relevance across the Victorian Local Government sector and be related to issues and initiatives that affect the livelihood and wellbeing of the Nillumbik community.

This report seeks endorsement from Council of two motions for formal submission to the Municipal Association of Victoria's State Council Meeting to be held on 29 May 2026.

Recommendation

That Council resolves to adopt the following two (2) motions for formal submission to the Municipal Association of Victoria's State Council Meeting to be held on 29 May 2026:

1. That the Victorian Government provides a framework to support local government in determining the timing, scope and methodology of climate performance reporting.
2. That the Victorian Government allocates funding to investigate and trial initiatives to reduce harm to wildlife, particularly in identified key wildlife vehicle collision hotspots.

Attachments

- 1  MAV Strategic Plan 2024-2027

Discussion

1. The Municipal Association of Victoria (MAV) State Council Meeting is the peak forum for Victorian councils to raise matters of state-wide significance, with meetings held twice annually in May and September. The next meeting is scheduled for 29 May 2026.
2. Councils are invited to submit motions for consideration, with all motions for the May meeting due by midnight Monday 30 March 2026. Motions may be amended up to 5pm Monday 6 April 2026.
3. The MAV has advised that motions should be strategically aligned with the MAV Strategic Plan 2024–2027 and the Future is Local Report, ensuring proposals reflect sector-wide priorities and emerging challenges.

12. Officers' reports**CM.022/26 Seeking Endorsement of Nillumbik Shire Council Motions - MAV State Council Meeting 29 May 2026**

4. The MAV Strategic Plan outlines ten priority focus areas for the sector, including active local democracy, connected places, health and wellbeing, climate and regenerative design, and intergenerational infrastructure.
5. The Future is Local Report identifies key forces of change influencing local government, including climate volatility, democratic shifts, digital proliferation, social fragmentation, and infrastructure resilience.
6. Under the MAV Rules, motions must demonstrate state-wide significance. Motions initially assessed as not meeting this threshold will be subject to follow-up with the submitting council before being reviewed by the MAV CEO and MAV Board. The Board also determines whether motions received after the deadline are accepted as late motions.
7. Resolutions adopted at State Council strengthen the sector's collective advocacy position and enable the MAV to progress issues of strategic importance with State and Federal Governments.
8. Business papers for the May meeting will be circulated to MAV representatives and published on the MAV website on Wednesday 29 April 2026.
9. For the May meeting, Mayor Cr Naomi Joiner will attend as Council's substitute proxy representative, as Cr Perkins is unable to attend.
10. To support Council's participation, a summary of all submitted motions will be circulated internally to relevant officers. Officers will be asked to indicate whether Nillumbik supports each motion and to provide commentary on relevance, implications, and any operational or policy considerations.
11. The MAV has introduced a new online motions reporting dashboard, enabling councils to track the status of previous motions. Nillumbik's motions from the May and October 2025 State Council Meetings are recorded on the dashboard and summarised on the MAV website.

Related Council decisions

12. Not applicable.

Options

13. Council may choose to endorse the submission of both motions as outlined below, recognising that each addresses a matter of state-wide significance and aligns with sector priorities identified in the MAV Strategic Plan 2024–2027 and the Future is Local Report.
14. Alternatively, Council may resolve not to submit either motion to the May 2026 State Council Meeting.

Motion 1: Climate Performance Reporting Requirements

15. That the MAV calls on the Victorian Government to provide a framework to support local government in determining the timing, scope and methodology of climate performance reporting.

12. Officers' reports**CM.022/26 Seeking Endorsement of Nillumbik Shire Council Motions - MAV State Council Meeting 29 May 2026**

Rationale

16. Local Governments are preparing to start reporting on their climate performance to comply with new legislation introduced by the Australian Government. The legislative requirements are intended to improve transparency around climate related risks, impacts, and opportunities across commonwealth entities. There is currently no information that is specific to local government functions, responsibilities and capacities.
17. As a result, Victorian LGAs currently lack clarity on the reporting expectations that will apply to them. It remains uncertain whether local governments will be required to meet the same reporting standards as private sector entities, align with state level public sector requirements, or operate under a dedicated framework designed specifically for LGAs. This uncertainty limits the ability of councils to plan, resource, and prepare for compliance.
18. The Victorian Government is being asked to ensure tailored information is provided (based on the suite of national guidance materials that have been released for corporate and commonwealth organisations to prepare their climate related reporting) to assist the sector in preparing its reports.
19. Council officers support lodging the motion calling on the Victorian Government to provide clear, tailored guidance on climate performance reporting requirements for local government. This option recognises the sector-wide uncertainty created by new Commonwealth legislation and the need for a consistent, fit-for-purpose reporting framework that reflects local government functions, responsibilities and capacity.

Motion 2: Funding for Wildlife Collision Reduction Trials

20. That the MAV calls on the Victorian Government to allocate funding to investigate and trial initiatives to reduce harm to wildlife, particularly in identified key wildlife vehicle collision hotspots.

Rationale

21. Findings from the Parliamentary Inquiry into Wildlife Roadstrikes in Victoria were handed down in November 2025, ruling that virtual fencing was ineffective in reducing the incidence of wildlife being injured on roads.
22. These findings align with advice from the Department of Energy, Environment and Climate Action (DEECA), the NSW Government, RSPCA and ecological experts. Collectively, their evidence states that current virtual fencing technology is largely ineffective and carries financial, safety and reputation risks for Councils.
23. The enquiry recommended that “further funding of virtual fencing should be tied to the emergence of new, more viable technologies only. All funding should be conditional on strict trials, statistically credible test design and data capture methodologies.”
24. This motion calls on the Victorian Government to implement these alternative fauna protection and management trials in a bid to reduce the significant issue of increasing wildlife strikes on roads across Victoria.

12. Officers' reports

CM.022/26 Seeking Endorsement of Nillumbik Shire Council Motions - MAV State Council Meeting 29 May 2026

25. Council Officers support lodging the motion requesting Victorian Government funding for research and trials into effective wildlife-protection and driver-safety initiatives. This option aligns with recent Parliamentary Inquiry findings, expert advice, and the need for evidence-based alternatives to virtual fencing in reducing wildlife roadstrikes.

Council plans and policies

26. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
- Proactively advocate to all levels of government and key stakeholders to secure investment and support for community-prioritised projects.

Access, Equity and Inclusion

27. Not applicable.

Sustainability implications

28. The motions being considered at State Council cover a range of matters.
29. The motions being proposed in this report relate to issues that have economic, environmental, social and economic sustainability implications.
30. The motions proposed by Council have the potential to achieve worthwhile results for the Nillumbik community and the broader Victorian community.

Community engagement

31. Not applicable.

Innovation and continuous improvement

32. The proposed motions may represent continuous improvement opportunities by pursuing solutions to issues that have been identified as important to local communities across the state.

Collaboration

33. Not applicable.

Budget considerations

34. There are no budget implications associated with submitting motions to the MAV.

Relevant law

35. Not applicable.

Regional, state and national plans and policies

36. The MAV State Council is an important opportunity for Council to influence actions that support key priorities of the sector that are of state-wide significance.

Conflicts of interest

37. 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.023/26 Instrument of Delegation to the Chief Executive Officer**

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

Council approved the current Instrument of Delegation of powers, duties and functions to the Chief Executive Officer (CEO) on 9 December 2025.

The *Local Government Act 2020* (the Act) provides for each Council to establish a delegation of power. The Act also requires Council to review the delegation within one year of each general election. This report meets Councils obligations under the Act.

The delegation of powers is considered essential to enable day-to-day decisions to be made to ensure the operations of Council are enacted efficiently and effectively. Delegations are standard practice across all Councils. Delegations should be regularly updated to reflect any legislative changes and or a more appropriate level of accountability.

The review of the Instrument of Delegation to the Chief Executive Officer in this instance does not recommend any changes.

Recommendation

That Council in the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020* resolves that:

1. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer, (Attachment 1)* subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Attachments

- 1  Instrument of Delegation to the Chief Executive Officer

12. Officers' reports**CM.023/26 Instrument of Delegation to the Chief Executive Officer**

Discussion

1. The Instrument of Delegation to the CEO which flows from section 11(1) is a broad, 'by exception' delegation. This means that Council's powers, duties and functions, under any legislation, are delegated by the Instrument, excepting those matters specifically excluded from delegation by the Instrument.
2. Council subscribes to a service provided by Maddocks lawyers in which recommended delegation updates are provided.
3. The delegation of powers is considered essential to enable day-to-day decisions to be made to ensure the operations of Council are enacted efficiently and effectively. Delegations are standard practice across all Councils. Delegations should be regularly updated to reflect any legislative changes and or a more appropriate level of accountability.
4. The Council is a legal entity composed of its members (ie. the Councillors). Because it is not a "natural person", the Council can act in only one of two ways: by resolution; or through others acting on their behalf.
5. Where the latter is to occur, the authority to act needs to be formalised through written 'Instruments of Delegation'. The Act and other legislation make express provision for the appointment of delegates to act on behalf of the Council.
6. The Act requires that Council review and update the instruments of delegation to the CEO. In turn, the CEO will review and update various Instruments of Delegation by the CEO to other officers.

Related Council decisions

7. The Instrument of Delegation to the Chief Executive Officer was last considered by Council at the 9 December 2025 meeting.
8. The common seal of Council was affixed and signed at the Council Meeting on 9 December 2025.

Options

9. As legislation is amended from time to time, all councils are required to update delegations conferred on various positions within the organisation by Council, to ensure officers are operating and enforcing under the current legislation.
10. The Instrument of Delegation to the Chief Executive Officer (**Attachment 1**) has been reviewed to ensure it remains consistent with current legislation and business practices.
11. The current Instrument of Delegation from Council to the Chief has been in force since 9 December 2025. No change is proposed to the level of delegation provided to the Chief Executive Officer.

Council plans and policies

12. 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.

12. Officers' reports

CM.023/26 Instrument of Delegation to the Chief Executive Officer

Access, Equity and Inclusion

13. The Instrument applies equally to any person undertaking the role of Chief Executive Officer and therefore a Gender Impact Assessment was not undertaken.

Sustainability implications

14. This report seeks to update the current Council to CEO delegation, therefore there would be no change to the existing sustainability impacts.

Community engagement

15. As the delegation to Council staff is an operational matter that allows for staff to undertake their duties, no community engagement was undertaken.

Innovation and continuous improvement

16. Not applicable.

Collaboration

17. Council's Instruments of Delegation have been developed in conjunction with Council's solicitors, Maddocks and satisfies current legislative requirements.

Budget considerations

18. The regular updates of Council's Instruments of Delegation are an administrative function, the cost of which is included within Council's operational budget.

Relevant law

19. Section 11 of the *Local Government Act 2020*, and by various Acts and regulations.
20. Consistent with Council's obligations under the *Local Government Act 2020* and Council's Public Transparency Policy, this instrument will be published on Council's website.

Regional, state and national plans and policies

21. Not applicable

Conflicts of interest

22. 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.023/26 Instrument of Delegation to the Chief Executive Officer

THIS PAGE WAS LEFT INTENTIONALLY BLANK

12. Officers' reports**CM.024/26 Instrument of Delegation from Council to Council staff**

File: GF/20/96**Distribution:** Public**Manager:** Blaga Naumoski, Director Governance, Communications and Community Safety**Author:** Katia Croce, Manager Governance and Property**Summary**

Council is empowered under various legislation to undertake duties and functions in accordance with that legislation. To undertake these duties and functions, it is necessary for Council to delegate relevant powers to the administration of the Council.

It is also necessary for Council to delegate some of its other functions to the administration for reasons of efficiency and to prevent Council from having to make many operational decisions at Council meetings.

Directors and Officers have undertaken a review of the existing Instrument of Delegation – Council to Council staff (**Instrument**) provisions in addition to new and amended provisions since it was last presented to Council.

This report requests that Council resolves to adopt the amended Instrument of Delegation (**Attachment 1**) to reflect legislative changes and organisational requirements.

Recommendation

That Council in the exercise of the powers conferred by the legislation referred to in the attached Instrument of Delegation (**Attachment 1**) resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council Staff, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument.
2. The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.
3. On the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

12. Officers' reports**CM.024/26 Instrument of Delegation from Council to Council staff**

Attachments

- 1  Instrument of Delegation from Council to Council staff
- 2  Summary of the new and changed provisions

Discussion

1. The power conferred by the legislation enables Council, by Instrument of Delegation, to delegate to a member of Council staff any power, duty or function of Council under the Act or any other Act, other than certain specified powers.
2. The delegations are necessary to enable the Chief Executive Officer and Council staff to carry out the day-to-day management of Council's operations.
3. Council subscribes to a service provided by Maddocks lawyers in which half-yearly recommended updates to Instruments of Delegations are provided to reflect legislative changes.
4. Officers have amended the Instrument of Delegation (**Attachment 1**) to reflect legislative changes and organisational requirements.
5. **Attachment 2** outlines the new and amended provisions that have been added to the instrument since Council last reviewed and considered an update in December 2025.

Related Council decisions

6. The Instrument of Delegation to Members of Council Staff was last considered by Council at the 9 December 2025 meeting.
7. The common seal of Council was affixed and signed at the Council Meeting on 9 December 2025.

Options

8. Under the Act, one of Council's objectives is to delegate decision-making to appropriate levels within the organisation.
9. The Instrument comprises those delegations which only Council can delegate directly to staff, unlike, other matters which the Chief Executive Officer can sub-delegate to Council staff. They comprise powers, functions and duties that are delegated to positions such as environmental health officers, town planners and other officers authorised under certain legislation.
10. The Instrument covers delegations from Council to Directors, Executive Managers, relevant Managers and staff under a range of legislation including, but not limited to, the:
 - *Domestic Animals Act 1994*
 - *Food Act 1984*
 - *Heritage Act 2017*
 - *Local Government Act 1989*

12. Officers' reports**CM.024/26 Instrument of Delegation from Council to Council staff**

- Planning and Environment (Fees) Regulations 2016
 - *Planning and Environment Act 1987*
 - Planning and Environment Regulations 2015
 - Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024
 - *Residential Tenancies Act 1997*
 - Road Management (General) Regulations 2016
 - Road Management (Works and Infrastructure) Regulations 2015
 - *Road Management Act 2004*
11. As legislation is amended from time to time, all councils are required to update delegations conferred on various positions within the organisation by Council, to ensure officers are operating and enforcing under the current legislation.
12. The Instrument presented as **Attachment 1** satisfies Council's requirements to review the delegation and considers amended and new provisions to the various Acts since Council resolved the current Instrument.
13. It is recommended that Council adopt the Instrument as shown in **Attachment 1**.

Council plans and policies

14. 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

15. The Instrument applies equally to any member of Council staff undertaking the role that is prescribed in the Schedule and therefore an Equity Impact Assessment was not undertaken.

Sustainability implications

16. This report seeks to update the current Council to staff delegations, therefore there would be no change to the existing sustainability impacts.

Community engagement

17. As the delegation to Council staff is an operational matter that allows for staff to undertake their duties, no community engagement was undertaken.

Innovation and continuous improvement

18. Not applicable.

Collaboration

19. Council's Instruments of Delegation have been developed in conjunction with Council's solicitors, Maddocks and satisfies current legislative requirements.

12. Officers' reports

CM.024/26 Instrument of Delegation from Council to Council staff

Budget considerations

20. The regular updates of Council's Instruments of Delegation and Authorisation are an administrative function, the cost of which is included in Council's operational budget.

Relevant law

21. Section 11 of the *Local Government Act 2020*.
22. As outlined in this report this effects a range of legislation under various Acts and regulations.
23. Consistent with Council's obligations under the Local Government Act 2020 and Council's Public Transparency Policy, this instrument will be published on Council's website.

Regional, state and national plans and policies

24. Not applicable.

Conflicts of interest

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

12. Officers' reports**CM.025/26 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)****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.

Prior to this meeting where a new Instrument is being considered, the Chief Executive Officer has made these appointments by authority conferred by Instrument of Delegation by Council dated 9 December 2025.

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.

Recommendation

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

1. 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.
2. The common seal of Council be affixed to the Instrument.
3. The Instrument comes into force immediately after the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.

Attachments

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

12. Officers' reports**CM.025/26 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)**

Discussion

1. The purpose of this report is for Council to consider executing an Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* (Instrument).
2. Instruments of Appointment and Authorisation enable Council staff to exercise powers permitted to authorised officers under legislation or Council local laws.
3. Council subscribes to the Maddocks Authorisations and Delegations service. The appointment and authorisation of officers for the purposes of enforcing the *Planning and Environment Act 1987* enables day to day statutory and operational decisions to be made in relation to this Act.
4. The proposed Instrument (**Attachment 1**) is based on the model developed by Maddocks Lawyers and available through the subscription service.
5. Maddocks recommend that Officers enforcing the *Planning and Environment Act 1987* be authorised by Council resolution and that Instruments of Appointment and Authorisation be refreshed on a regular basis. The instruments are reviewed by Governance as required to ensure they are up to date.

Related Council decisions

6. The current Instrument was resolved by Council on 9 December 2025.

Options

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

Council plans and policies

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. Not applicable.

Sustainability implications

10. Not applicable.

Community engagement

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

Innovation and continuous improvement

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

12. Officers' reports

CM.025/26 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Collaboration

13. Not applicable.

Budget considerations

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

Relevant law

15. Section 224 of the *Local Government Act 1989*

16. Section 147(4) of the *Planning and Environment Act 1987*

Regional, state and national plans and policies

17. Not applicable.

Conflicts of interest

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

12. Officers' reports

CM.025/26 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

THIS PAGE WAS LEFT INTENTIONALLY BLANK

12. Officers' reports

CM.026/26 Tender Report - Contract 2526-023 Diamond Creek Outdoor Pool Heating Plant Upgrade

Distribution: Public**Manager: Derek Rotter, Chief Operating Officer****Author: Steven Blight, Manager Capital and Infrastructure****Summary**

This report recommends the awarding of contract 2526-023 for Diamond Creek Outdoor Pool Heating Plant Upgrade.

The contract commences on 1 April 2026 with an intended completion date of 16 October 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 2526-023 for Diamond Creek Outdoor Pool Heating Plant Upgrade.

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 (inclusive of GST) as disclosed in (**Attachment 1**) and enter into the following contract:
Number: 2526-023
Title: Diamond Creek Outdoor Pool Heating Plant Upgrade
Term: 1 April 2026 to 16 October 2026
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 2526-023 (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.
7. Resolves that the preferred tenderer be named.

12. Officers' reports

CM.026/26 Tender Report - Contract 2526-023 Diamond Creek Outdoor Pool Heating Plant Upgrade

Attachments

1. Attachment 1 - Tender Evaluation Summary Report - Confidential - 2526-023 - *CONFIDENTIAL*

Discussion

1. This project is co-funded by the Federal Government and Nillumbik Shire Council.
2. The Diamond Creek Pool’s plant is at end of life and no longer fit for purpose. This upgrade will increase efficiency, de-gas the facility and compliment recent improvements to the pool and pavilion.

Council plans and policies

3. This report directly supports the achievement of the Council Plan 2025-2029 strategy Local climate action.
 - Act locally on climate change by reducing Council’s emissions and supporting our community to do the same, through a wide range of initiatives that promote clean energy, sustainable transport, efficient buildings, and climate-resilient practices.

Tender overview

The Tender Evaluation Panel (TEP) advises that:

4. A public tender was issued on Monday 15 December 2025 through Council’s tendering platform VendorPanel.
5. The period for tender submissions closed at 2pm on Friday 30 January 2026.
6. The following tenders were received:

7.	TENDERER
	Tenderer A
	Tenderer B – Preferred Tender
	Tenderer C
	Tenderer D
	Tenderer E

Only tenders that were conforming and considered competitive were fully evaluated. Tender submissions that were evaluated as non-conforming or not sufficiently competitive were set aside from further evaluation.

12. Officers' reports

CM.026/26 Tender Report - Contract 2526-023 Diamond Creek Outdoor Pool Heating Plant Upgrade

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

TENDERER	Reasons why tender was set aside from further evaluation
Tenderer E	Did not submit a completed tender submission within the required closing date and time.

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

Criteria	Weighting %
Financial Benefit to Council (Price)	50%
Capability (Quality/Technical) & Capacity (Resources)	30%
Asset Management	15%
Economic and Social Sustainability (Social and Local)	5%

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

12. Officers' reports

CM.026/26 Tender Report - Contract 2526-023 Diamond Creek Outdoor Pool Heating Plant Upgrade

11. The members of the TEP were:

Position Title	Business Unit	Scoring Member or Advisory Member
Capital Works Coordinator	Operations and Infrastructure	Scoring
Strategic Project Management Lead	Operations	Scoring
Recreation and Community Infrastructure Project Manager	Recreation and Leisure	Scoring
Senior Procurement Specialist	Finance, Assets and Procurement	Advisory
Procurement Specialist	Finance, Assets and Procurement	Advisory

12. The final evaluation outcome was as follows:

TENDERER	SCORE	RANK
Tenderer A	82	3
Tenderer B – Preferred Tender	84	1
Tenderer C	83	2
Tenderer D	79	4

- 13. The preferred tender was the highest ranked and is considered best value based on their capability, capacity and quality of their proposed system.
- 14. **Attachment 1** - Tender Evaluation Summary Report – Confidential, provides the tenderer names and the Evaluation Scorecard Summary.
- 15. The Tender Evaluation Summary Report (**Attachment 1**) is to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

Capability and Capacity

- 16. The preferred tenderer;
 - a) has in place, skilled and experienced staff to successfully deliver against the project requirements.
 - b) has successfully delivered similar pool heating projects for other Victorian Councils.
 - c) Provided a proposed project programme that suggests they have the capacity to deliver the project by the practical completion date.

12. Officers' reports

CM.026/26 Tender Report - Contract 2526-023 Diamond Creek Outdoor Pool Heating Plant Upgrade

Asset Management

17. The preferred tenderer has a large in-house service and maintenance team to carry out ongoing scheduled maintenance.

Peer Review and Reference checks

18. Council officers engaged industry consultant, Beca, to assist with the concept design of the plant and provide technical guidance and assessment of the tender submissions. **Attachment 1** provides detail of their review.
19. Reference checks confirmed the preferred tenderers capability and capacity, with feedback indicating they are professional, responsive and accommodating in their delivery.

Contingency and risks

20. Weather conditions - most of the works will be undertaken in the cooler and often wetter winter months. Councils Capital Works Coordinator and Contract Works Supervisor will work closely with the appointed Civil Works Contractor to mitigate any delays due to unforeseen weather impacts.
21. Pool Operations – Any significant delay could impact the operation of the pool. The new pool plant must be operational before 1 November 2026. The project team intends to award the contract in March to ensure the successful tenderer has sufficient time to procure plant, program resources and deliver the works within the pool closure period (1 April to 31 October).

Budget considerations

22. This project is co-funded by Federal Government (Investing in Our Communities program – Department of Infrastructure, Transport, Regional Development, Communications and the Arts) and Council.

Sustainability implications

23. Through the adoption of Nillumbik's Climate Action Plan 2022-2032, Nillumbik Council has committed to reduce Council's operational reliance on gas. The electrification of the Council owned leisure facilities is a high priority.

Stakeholder Consultation/communication

24. Council has worked closely with the facility contract manager, Aligned Leisure, throughout the project, who are supportive of the proposed works. Officers have also consulted with the current plant maintenance contractor, Commercial Aquatics, to confirm the condition of the existing plant equipment. This assessment has identified the need to replace the existing gas boiler which has reached end of useful life.

Innovation and continuous improvement

25. Not applicable.

12. Officers' reports

CM.026/26 Tender Report - Contract 2526-023 Diamond Creek Outdoor Pool Heating Plant Upgrade

Relevant law

26. Sections 108 and 109 of the Local Government Act 2020.

Regional, state and national plans and policies

27. Not Applicable.

Conflicts of interest

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

29. There were no disclosable conflicts of interest raised.

12. Officers' reports**CM.027/26 Tender Report - Contract 2526-003 Booked Kerbside Hard/Green Waste Collection**

Distribution: Public**Manager: Jeremy Livingston, Director Culture and Performance****Author: Bulent Oz, Chief Financial Officer****Summary**

This report recommends the awarding of contract 2526-003 for Booked Kerbside Hard/Green Waste Collection.

The contract term is for an initial period of five (5) years, with two (2) x two (2) year options to extend the contract. The total duration of the contract, including the exercise of any options, shall not exceed nine (9) 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 2526-003 for Booked Kerbside Hard/Green Waste Collection.

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

Recommendation**That Council:**

1. Accepts the tender submitted by the **preferred tenderer** for the schedule of rates disclosed in (**Attachment 1**) and enter into the following contract:
Number: 2526-003
Title: Booked Kerbside Hard/Green Waste Collection
Term: 1 August 2026 to 31 July 2031
Options: Term extensions up to 31 July 2035
2. Authorises the Director of Culture and Performance to finalise and execute the contract documentation.
3. Authorises the Director of Culture and Performance to approve contract term extensions.
4. Authorises the Director of Culture and Performance to approve variations that are a result of changes to operational requirements throughout the term of the contract.
5. Advises all tenderers accordingly.
6. Makes public the decision regarding this contract but the Tender Evaluation Report (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.
7. Resolves that the preferred tenderer be named.

12. Officers' reports

CM.027/26 Tender Report - Contract 2526-003 Booked Kerbside Hard/Green Waste Collection

Attachments

1. Tender Evaluation 2526-003 Booked Kerbside Hard/Green Waste Collection - *CONFIDENTIAL*

Discussion

1. The purpose of this report is to recommend a preferred contractor for Council endorsement as an outcome of the tender process for a hard waste collection service for Nillumbik residents.
2. The current contract 1718-144 Booked/Scheduled Hard/Green Waste Collection Service commenced on 1 August 2019 for a total term of seven (7) years and expires on 31 July 2026.
3. The current level of service for Nillumbik's hard waste collection service is one annual collection of two cubic metres per year, for residential properties paying the waste management charge.
4. The contract specification for the new contract includes an expanded range of service options including multiple hard waste collections and green waste collection options that Council may take up at a future time.
5. These options provide Council with flexibility to expand the current hard waste service in the term of the contract with financial certainty.

Council plans and policies

6. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
 - Advance sustainable procurement and waste minimisation practices that align with circular economy outcomes, low-emissions goals and green development.
 - Continuously improve service delivery with a strong focus on customer experience and operational excellence.

Tender overview

The Tender Evaluation Panel (TEP) advises that:

7. A public tender was issued on 10 November 2025 and advertised in the Melbourne Age on Wednesday 12 November 2025.
8. The period for tender submissions closed at 2pm on Thursday 11 December 2025.

12. Officers' reports

CM.027/26 Tender Report - Contract 2526-003 Booked Kerbside Hard/Green Waste Collection

9. The following tenders were received:

10.	TENDERER
	Tenderer A – Preferred Tender
	Tenderer B
	Tenderer C
	Tenderer D

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.

11. 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 D	Mandatory pricing not provided. This tender was therefore deemed non-conforming.

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

Criteria	Weighting %
Financial Benefit to Council (Price)	30
Capability (Quality/Technical)	25
Capacity (Resources)	20
Collaborative Approach	5
Hard Waste Recycling Rate	10
Economic and Social Sustainability	10

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

12. Officers' reports

CM.027/26 Tender Report - Contract 2526-003 Booked Kerbside Hard/Green Waste Collection

14. The members of the TEP were:

Position Title	Business Unit	Scoring Member or Advisory Member
Kerbside Services Lead	Waste Management and Circular Economy	Scoring Member
Senior Waste Management Specialist	Waste Management and Circular Economy	Scoring Member
External consultant		Scoring Member
Customer Service Team Leader	Customer Experience and Business Performance	Scoring Member
Chief Financial Officer	Finance, Assets and Procurement	Advisory Member
Senior Procurement Specialist	Finance, Assets and Procurement	Advisory Member
External Probity Advisor		Advisory Member

15. In accordance with Council's Procurement Policy, a tender with an estimated value exceeding \$3 million requires the appointment of an independent Probity Advisor.

16. Accordingly, an independent Probity Advisor was appointed to provide independent oversight and assurance that the tender was conducted fairly, transparently and in compliance with probity principles.

17. The final evaluation outcome was as follows:

TENDERER	SCORE	RANK
Tenderer A – Preferred Tender	87/100	1
Tenderer B	49/100	2
Tenderer C	47/100	3

18. The recommended tender was the highest ranked and is considered best value as it demonstrates the required resources, capability, capacity and expertise to deliver the required services at a competitive price.

19. **Attachment 1** - Tender Evaluation Summary Report 2526-003 – Confidential, provides the tenderer names and the Evaluation Scorecard Summary.

20. 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

21. The preferred tenderer has demonstrated it has the resources, capacity, capability, and expertise required to fulfil the requirements of the contract.

12. Officers' reports

CM.027/26 Tender Report - Contract 2526-003 Booked Kerbside Hard/Green Waste Collection

- 22. The preferred tenderer specialises in and demonstrated a strong background and expertise in hard waste and green waste collections, including a thorough understanding of collection challenges and requirements to service the contract.
- 23. The preferred tenderer demonstrated adequate capacity to deliver the contract through the allocation of appropriate fleet, staffing, resources and operational support arrangements, supported by contingency measures to maintain service continuity.
- 24. Evidence of a good knowledge, understanding and implementation of the required resourcing for customer service, contract management, quality, risk, safety and operations was provided.

Capability

- 25. The preferred tenderer demonstrated many years' experience across management, customer service and operational/collection teams.
- 26. The preferred tenderer demonstrated adequate fleet quantities of collection vehicles including meeting demand in peak collection periods.
- 27. The preferred tenderer demonstrated work systems including integrated management and maintenance systems, including an established logistics platform with a dedicated customer service team.
- 28. Evidence of well-developed systems and procedures, including certified Health and Safety Management Systems, Environmental Management Systems, and Quality Management System Certificate was provided.

Tender interviews and reference checks

- 29. Liaison with the preferred tenderer clarified details to further demonstrate the required resources, capability and expertise.
- 30. Reference checks further demonstrated the ability of the preferred tenderer to meet the requirements of the contract.

Contingency and risks

- 31. The preferred tenderer has provided evidence of business continuity, contingency and emergency planning and procedures, including the availability of alternative collection methods and staffing methods.
- 32. Financial assessment indicates the preferred tenderer has sufficient capacity to undertake the contract at low risk.

Collaboration

- 33. Collaborative opportunities with other councils were explored, however, a joint procurement model was not available due to varying timeframes and priorities.

Budget considerations

- 34. Costs associated with the hard waste collection service are included as part of the waste management charge in the draft budget 2026-2027 and planned for as part of the annual budget cycle.

12. Officers' reports

CM.027/26 Tender Report - Contract 2526-003 Booked Kerbside Hard/Green Waste Collection

Sustainability implications

- 35. The preferred tenderer operates a number of works depots including one within the Northern Region Councils area with some local workforce.
- 36. The preferred tenderer provided evidence of well-developed policies including Climate Change and Greenhouse Gas Reduction Policy, Workplace Diversity Policy, Industrial Relations Policy, and Fair Jobs Code Pre-Assessment Certificate.
- 37. A well-established approach to resource recovery with scope to further optimise waste diversion during the life of the contract including pursuing advanced waste technologies was demonstrated.
- 38. Evidence of collection fleet with EURO 6 emissions standard was provided.

Access, equity and inclusion

- 39. Council's Access, Equity and Inclusion Policy is being considered and an Equity Impact Assessment undertaken on Council's hard waste collection service.

Stakeholder consultation/communication

- 40. Options have been built into the contract to provide flexibility to change the level of service within the contract term.
- 41. The preferred tenderer demonstrated a collaborative approach to reviewing and improving booking and educational materials and communications, to which internal and customer feedback will be incorporated.

Innovation and continuous improvement

- 42. To increase efficiency, decrease cost, minimise environmental impact and allow for a later booking cut-off time for the following week, digital communication with the customer will be enhanced and a hard copy booking pack including a booking sticker will no longer be required.
- 43. Digital collection reporting that integrates with Council's systems will allow fast and reliable identification of a booked collection from illegally dumped rubbish.
- 44. As well as online booking, residents will have the ability to cancel or reschedule booked collections 24 hours a day via the online booking portal.
- 45. Customers with non-conforming or excessive items can be notified via email and text message.

Relevant law

- 46. Sections 108 and 109 of the *Local Government Act 2020* are relevant to this report.

Regional, state and national plans and policies

- 47. Not applicable.

Conflicts of interest

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

12. Officers' reports**CM.028/26 Informal Meetings of Councillors Records - 24 March 2026**

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 24 February 2026.

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

1. Positive Ageing Advisory Committee meeting held 13 February 2026 ;
2. Arts and Cultural Advisory Committee meeting held 16 February 2026;
3. CEO Employment Matters Advisory Committee meeting held 17 February 2026;
4. Councillor Briefing held 17 February 2026;
5. Council Meeting Pre-Meet held 24 February 2026;
6. Health and Wellbeing Advisory Committee meeting held 26 February 2026;
7. Inclusion and Access Advisory Committee meeting held 27 February 2026;
8. Youth Council Meeting held 2 March 2026;
9. Councillor Briefing held 3 March 2026;
10. CEO Employment Matters Advisory Committee meeting held 3 March 2026; and
11. Planning and Consultation Committee Pre- Meet held 10 March 2026.

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 Records 24 March 2026

12. Officers' reports

CM.028/26 Informal Meetings of Councillors Records - 24 March 2026

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.

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.

12. Officers' reports

CM.028/26 Informal Meetings of Councillors Records - 24 March 2026

Community engagement

11. Not applicable.

Innovation and continuous improvement

12. Not applicable.

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.

12. Officers' reports

CM.028/26 Informal Meetings of Councillors Records - 24 March 2026

THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK

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

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

CM.029/26 Car Parks for Commuters Project - Eltham Station Car Park

This item is confidential because it is legal privileged information, being information to which legal professional privilege or client legal privilege applies pursuant to paragraph (e) of the definition of confidential information under section 3(1) of the *Local Government Act 2020*. This ground is applied because it is information that, if publicly released at the time, is likely to be inappropriately detrimental to the Council or any person (natural or corporate).

Recommendation

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

- 17. Close of Meeting