

Council Meeting

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

Minutes

Carl Cowie
Chief Executive Officer

Friday 27 March 2026

Distribution: Public

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Nillumbik Shire Council

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Nillumbik Shire Council

**Minutes of the Meeting of Nillumbik Shire Council held Tuesday 24 March 2026.
The meeting commenced at 7.00pm.**

Councillors present:

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

Officers in attendance:

Carl Cowie	Chief Executive Officer
Derek Rotter	Chief Operating Officer
Blaga Naumoski	Director Governance, Communications and Community Safety
Corrienne Nichols	Director Communities
Frank Vassilacos	Director Planning, Environment and Strategy
Jeremy Livingston	Director Culture and Performance
Bulent Oz	Chief Financial Officer
Katia Croce	Manager Governance and Property
Elishia Jansz	Manager Community Safety

1. Welcome

2. Acknowledgement

Acknowledgement of Country was read by the Mayor, Cr Naomi Joiner.

3. Good Governance Pledge

The Good Governance Pledge was read by Cr Kelly Joy.

4. Prayer

A prayer was read by Peter Ness from Green Wedge Community Church.

5. Apologies\Leave of Absence

To accept apologies from any Councillors not in attendance at the meeting.

A request for a leave of absence was received by Cr Peter Perkins.

Council Resolution

MOVED: Cr Grant Brooker

SECONDED: Cr Kelly Joy

That Council accepts the leave of absence for Cr Peter Perkins for 24 March 2026.

CARRIED UNANIMOUSLY

6. Declarations of conflict of interest

Nil

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.

Photos were taken with Ward Councillors and grant recipients thanked Council.

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.

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr Kim Cope

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

CARRIED UNANIMOUSLY

9. Petitions

Nil

10. Questions from the gallery

Nil

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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.

Council Resolution

MOVED: Cr Kelly Joy

SECONDED: Cr Kim Cope

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

CARRIED UNANIMOUSLY

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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.

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr Kim Cope

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**).

CARRIED UNANIMOUSLY

12. Officers' reports

CM.014/26 Audit and Risk Committee Update

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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.

Council Resolution

MOVED: Cr Grant Brooker

SECONDED: Cr John Dumaresq

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.

CARRIED UNANIMOUSLY

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.

Council Resolution

MOVED: Cr Grant Brooker**SECONDED: Cr Kate McKay****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*.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.016/26 Draft Budget 2026-2027

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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.

Council Resolution

MOVED: Cr Kelly Joy**SECONDED: Cr Grant Brooker****That Council:**

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

CARRIED UNANIMOUSLY

12. Officers' reports

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

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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.

Council Resolution

MOVED: Cr Grant Brooker**SECONDED: Cr Kim Cope****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.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.018/26 Gambling Harm Minimisation Policy

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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.

Council Resolution

MOVED: Cr Kate McKay**SECONDED: Cr Grant Brooker****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*.

CARRIED UNANIMOUSLY

12. Officers' reports

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

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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*.

Motion**MOVED: Cr Kelly Joy****SECONDED: Cr John Dumaresq****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*.
4. **Officers brief Council annually on the contribution for the renewal costs.**

12. Officers' reports

CM.020/26 Lease - Eltham Redbacks Football Club

THE MOTION WAS PUT TO THE VOTE AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr Kelly Joy

SECONDED: Cr John Dumaresq

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*.
4. Officers brief Council annually on the contribution for the renewal costs.

CARRIED UNANIMOUSLY

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

Council Resolution

MOVED: Cr Kim Cope

SECONDED: Cr John Dumaresq

1. Accepts the tender submitted by the **preferred tenderer MJ Construction Group** for the sum of **\$309,529.00 plus \$46,429.35** 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.

CARRIED UNANIMOUSLY

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.

Council Resolution

MOVED: Cr Kim Cope

SECONDED: Cr Grant Brooker

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.

CARRIED UNANIMOUSLY

12. Officers' reports

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

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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.

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr John Dumaresq

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.

CARRIED UNANIMOUSLY

12. Officers' reports

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

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

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.

Council Resolution

MOVED: Cr Kim Cope**SECONDED: Cr Kate McKay**

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.

CARRIED UNANIMOUSLY

12. Officers' reports

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

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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.

Council Resolution

MOVED: Cr Grant Brooker

SECONDED: Cr Kelly Joy

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.

CARRIED UNANIMOUSLY

12. Officers' reports

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

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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

Council Resolution

MOVED: Cr Kelly Joy
SECONDED: Cr John Dumaresq

That Council:

1. Accepts the tender submitted by the **preferred tenderer Entire Services and Maintenance** for the sum of **\$350,160.00 plus \$35,016.00** 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.

CARRIED UNANIMOUSLY

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

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr Kim Cope

That Council:

1. Accepts the tender submitted by the **preferred tenderer WM Waste Management** 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.

CARRIED UNANIMOUSLY

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.

Council Resolution

MOVED: Cr John Dumaresq**SECONDED: Cr Kim Cope**

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

CARRIED UNANIMOUSLY

Bulent Oz, Chief Financial Officer left the meeting during discussion of this item at 8:21pm and did not return.

12. Officers' reports

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

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13. Notices of Motion

Nil

14. Delegates' Reports

Cr Kate McKay reported:

A little summary about some of the enjoyable and great events that the Council, and I think I can say the Council group are very proud to support

One of our recipients of the triennial funding, there was a great turnout at the Eltham Jazz Festival in February. I've never seen Commercial Place so full and everyone was having such a wonderful time. There was a makeshift dance floor in the Town Square and I just wanted to endorse this event and thank the organisers and relay how fantastic it was. I enjoyed seeing Councillor Brooker and Councillor Dumaresq there.

We also had a wonderful International Women's Day event, and I just wanted to give a shout out to the Communities Team here for putting that on. It was a sellout, it had great reviews and we were absolutely chuffed to host keynote speaker, 2015 Australian of the Year Rosie Batty. What a very powerful and inspirational woman and that was just such a great event. It was also a great panel of our community award members, local Nillumbik women. So that was a hit too.

Thank you to the Nillumbik Chinese Senior Citizens Association for hosting myself and Mayor Joiner celebrating the lunar New Year celebrations, that was on a Community Grant and that was a great event. We felt very welcome, the local State member and local Federal member were also in attendance. They're doing some great work there and Tuesday is the Chinese Senior Citizens day at the Senior Citizens Hall.

15. Supplementary and urgent business

Nil

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).

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr Kim Cope

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

CARRIED UNANIMOUSLY

The meeting closed to the public at 8:24pm

17. Close of Meeting

The meeting closed at 8:27pm.

Confirmed: _____
Cr Naomi Joiner, Mayor