

Council Meeting

held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 22 March 2022 commenced at 7:00pm.

Minutes

Carl Cowie
Chief Executive Officer

Friday 25 March 2022

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 22 March 2022.
The meeting commenced at 7.00pm.

Councillors present:

Cr Frances Eyre	Swipers Gully Ward (Mayor)
Cr Richard Stockman	Blue Lake Ward
Cr Karen Egan	Bunjil Ward
Cr Natalie Duffy	Edendale Ward
Cr Peter Perkins	Ellis Ward
Cr Ben Ramcharan	Sugarloaf Ward (Deputy Mayor)
Cr Geoff Paine	Wingrove Ward

Officers in attendance:

Carl Cowie	Chief Executive Officer
Vince Lombardi	Chief Financial Officer
Hjalmar Philipp	Director Operations and Infrastructure
Blaga Naumoski	Executive Manager Governance, Communications and Engagement
Corrienne Nichols	Executive Manager Community Services
Jeremy Livingston	Executive Manager Business Transformation and Performance
Rosa Zouzoulas	Executive Manager Planning and Community Safety
Eddie Cheng	Manager Infrastructure and Technology
Emma Christensen	Senior Governance Advisor

1. Welcome by the Mayor

2. Acknowledgement of Country

Acknowledgement of Country was read by the Mayor, Cr Frances Eyre.

3. Good Governance Pledge

The Good Governance Pledge was read by Cr Geoff Paine.

4. Prayer

A prayer was read by Alison Footer from the Salvation Army.

5. Apologies

Nil

6. Presentations

Condolence – Ron Mendelson

The Mayor acknowledged one of Nillumbik's long standing volunteers Ron Mendelson, who sadly passed away over the recent long weekend.

Ron joined Community Support Services as a volunteer with Nillumbik Shire Council in 2012. Ron provided transport to older people in need, whether it be medical appointments, shopping or social activities. All Nillumbik staff and clients who knew him, loved him.

Community Support Services considered Ron to be the backbone of the community transport service. Ron was famous for taking on the "long-shift" and was always willing to help out at the last moment. Nothing was too much trouble for him.

Because of his amazing commitment and contribution to our community, Ron received the Volunteer of the Year Award in 2015. Ron continued to provide support to older people through the community transport service until his recent passing at 83 years of age.

Council are so appreciative of Ron's service and our thoughts are with his family at this time.

7. Confirmation of Minutes

Confirmation of the minutes of the Council Meeting held on Tuesday 22 February 2022.

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Karen Egan

That Council confirms the minutes of the Council Meeting held on Tuesday 22 February 2022 (**Attachment 1**).

CARRIED UNANIMOUSLY

8. Disclosure of conflicts of interest

Carl Cowie declared a material conflict of interest in Item CM.028/22 CEO Employment Committee – 2021/2022 Mid-year Performance Review.

9. Petitions

Nil

10. Questions from the gallery

Nil

11. Reports of Advisory Committees

AC.002/22 Advisory Committee Report - 22 March 2022

Distribution: Public**Manager: Blaga Naumoski, Executive Manager Governance, Communications and Engagement****Author: Emma Christensen, Acting Governance Lead****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 and Cultural Advisory Committee Meeting held 15 November 2021;
2. Youth Council Formal Advisory Committee Meeting held 7 February 2022;
3. Environment and Sustainability Advisory Committee Meeting held 16 February 2022; and
4. Panton Hill Bushland Reserve System User Group Advisory Committee held 17 February 2022.

Council Resolution

MOVED: Cr Natalie Duffy**SECONDED: Cr Geoff Paine****That** the minutes of the Advisory Committee meetings (**Attachment 1**) reported be noted.**CARRIED UNANIMOUSLY**

12. Officers' reports

CM.017/22 Planning Scheme Amendment C138nill - Applying the Heritage Overlay on a Permanent Basis to 14-26 Browns Lane, Plenty

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Leigh Northwood, Strategic Planning Lead

Summary

The purpose of this report is to update Council in regard to the outcomes of exhibition of Amendment C138nill (the Amendment) and to provide an officer recommendation based on the outcomes of such exhibition in meeting the requirements of consideration required by Council in accordance with Section 22 of the *Planning and Environment Act 1987* (the Act).

The Amendment seeks to apply a Heritage Overlay (HO) on a permanent basis to part of 14-26 Browns Lane, Plenty. The property is also subject to a current planning permit application (807/2021/14P), which is a subdivision application into 4 lots.

The property was programmed to be reviewed as part of Council's Stage B Heritage Review, however Council received a Section 29A demolition consent application pursuant the *Building Act* 1993 to demolish the dwelling located on the property in July 2021, which facilitated the need to bring review of this property forward.

Given threat of demolition, officers sought approval (under delegation) from the Minister for Planning for Amendment C137nill to introduce the HO to the property on an interim basis pursuant to Section 20(4) of the Act, providing protection and allowing this planning scheme amendment to introduce the HO permanently.

Amendment C138nill was placed on exhibition pursuant to the requirements of the Act, from 9 December 2021 to 27 January 2022 and notifications were sent out to relevant stakeholders as well as being advertised in local media. Council received one (1) submission in total (from the landowner) in total during the exhibition period objecting to the amendment.

The submitter was invited to attend the 8 March 2022 Planning and Consultation Committee Meeting (PCC) to speak to their submission. Council officers have engaged in negotiations with the submitter regarding an alternate curtilage for the HO mapping as proposed in the received submission (**Attachment 6** Plan 26648M2).

Council's heritage consultant has reviewed the proposed reduced curtilage (as identified above) and provided advice that they are satisfied with the curtilage as per the plan marked as 26648M2 on heritage grounds.

Where an objection to an amendment cannot be resolved, Council must refer the submission to Panel, however given that an effective outcome has been agreed to by the submitter (the submitter has withdrawn their objection subject to agreement by Council to the reduced curtilage), there is no requirement to convene a panel to consider the Amendment.

As such, this report recommends that Council resolve to adopt the amendment with the identified changes and seek approval from the Minister for Planning.

12. Officers' reports

CM.017/22 Planning Scheme Amendment C138nill - Applying the Heritage Overlay on a Permanent Basis to 14-26 Browns Lane, Plenty

Council Resolution

MOVED: Cr Richard Stockman

SECONDED: Cr Ben Ramcharan

That Council:

1. Adopts Amendment C138nill to the Nillumbik Planning Scheme subject to changes to the Amendment mapping to be made in accordance with the plan at **Attachment 6** and directs officers under Section 31(1) of the *Planning and Environment Act 1987* to submit the adopted planning scheme amendment to the Minister for Planning for approval and gazettal.
2. Notifies submitters to the planning scheme amendment of Council's resolution of 22 March 2022 regarding Amendment C138nill and updates Participate Nillumbik accordingly.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.018/22 Proposed Planning Scheme Amendments C143 (Eltham Major Activity Centre) and C144 (Diamond Creek Major Activity Centre)

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Leigh Northwood, Strategic Planning Lead

Summary

This report considers the views expressed at the February 2022 meeting of Council's Planning and Consultation Committee (PCC) on proposed planning scheme amendments C143 (Eltham MAC) and C144 (Diamond Creek MAC), which have been drafted to implement and give statutory weight to the structure plans which Council adopted in 2020 for each Major Activity Centre (MAC).

The Council Meeting on 14 December 2021 considered an officer report that introduced the draft amendments and recommended Council take the formal steps to commence and exhibit the amendments. In response, Council deferred the items for consideration by the February 2022 meeting of the PCC.

Certain views expressed by the speakers to the February PCC are considered to present no issue for the amendments for the following reasons:

- It requests an appropriate minor change which can be made without issue.
- It supports an aspect of the amendments, such as increased front setbacks.
- It is already responded to by the amendments or elsewhere in the planning scheme.

There were also views that cannot be reasonably or easily addressed by the draft amendments. For example:

- An incorrect view that a new height limit range of 3-5 storeys is proposed.
- A request for a scale of development that would be too low to satisfy the binding requirements of State Planning Policy.
- A request that would require the structure plans to be reviewed with significant cost and delay and with likely little benefit, or chance of success.

The draft amendment documents have been revised, including to reflect views expressed to the PCC that can be appropriately accommodated without changing the strategic basis of the amendments, or to conflict with State Planning Policy. The revised amendments are attached as **Attachments 1-8** and it is the officers' view that Council proceed to commence the statutory process to consider the planning scheme amendments. This process will include full exhibition pursuant to the requirements of the *Planning and Environment Act 1987* before Council decides its final position on the amendments.

12. Officers' reports**CM.018/22 Proposed Planning Scheme Amendments C143 (Eltham Major Activity Centre) and C144 (Diamond Creek Major Activity Centre)**

Recommendation

That Council:

1. Requests the Minister for Planning, under Section 8A of the *Planning and Environment Act 1987*, to authorise the preparation and exhibition of Amendments C143 and C144 to the Nillumbik Shire Planning Scheme, as detailed in **Attachments 1-8**.
2. On receipt of that authorisation, places Amendments C143 and C144 to the Nillumbik Planning Scheme on exhibition.

Motion

MOVED: Cr Geoff Paine

SECONDED: Cr Peter Perkins

That Council:

1. Directs Officers to modify the proposed Amendments C143 (Eltham Major Activity Centre) and C144 (Diamond Creek Major Activity Centre) as follows:
 - a) Modify **Attachment 4** (Revised ACZ1 – Eltham MAC) and **Attachment 7** (Revised ACZ2 – Diamond Creek MAC) to remove any exemption from notice, in accordance with the provision that allows this to occur at Clause 37.08 (Exemption from notice and review) of the Nillumbik Planning Scheme.
 - b) Modify **Attachment 5** (Proposed SLO1 Schedule – Eltham) and **Attachment 8** (Proposed SLO6 – Diamond Creek) to require a planning permit to construct a building or carry out works, in accordance with Clause 42.03-2 (SLO Permit Requirements).
 - c) Modify **Attachment 3** (Explanatory Report for Amendment C143 - Eltham) and **Attachment 6** (Explanatory Report for Amendment C144 – Diamond Creek) to incorporate and reflect the modifications required by Points 1 a) and b) above.
2. Requests the Minister for Planning, under Section 8A of the *Planning and Environment Act 1987*, to authorise the preparation and exhibition of Amendments C143 and C144, as modified in accordance with Points 1a) to c) above, to the Nillumbik Planning Scheme.
3. On receipt of that authorisation, places Amendments C143 and C144 to the Nillumbik Planning Scheme on exhibition.

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

12. Officers' reports

CM.018/22 Proposed Planning Scheme Amendments C143 (Eltham Major Activity Centre) and C144 (Diamond Creek Major Activity Centre)

Council Resolution

MOVED: Cr Geoff Paine**SECONDED: Cr Peter Perkins****That Council:**

1. Directs Officers to modify the proposed Amendments C143 (Eltham Major Activity Centre) and C144 (Diamond Creek Major Activity Centre) as follows:
 - a) Modify **Attachment 4** (Revised ACZ1 – Eltham MAC) and **Attachment 7** (Revised ACZ2 – Diamond Creek MAC) to remove any exemption from notice, in accordance with the provision that allows this to occur at Clause 37.08 (Exemption from notice and review) of the Nillumbik Planning Scheme.
 - b) Modify **Attachment 5** (Proposed SLO1 Schedule – Eltham) and **Attachment 8** (Proposed SLO6 – Diamond Creek) to require a planning permit to construct a building or carry out works, in accordance with Clause 42.03-2 (SLO Permit Requirements).
 - c) Modify **Attachment 3** (Explanatory Report for Amendment C143 - Eltham) and **Attachment 6** (Explanatory Report for Amendment C144 – Diamond Creek) to incorporate and reflect the modifications required by Points 1 a) and b) above.
2. Requests the Minister for Planning, under Section 8A of the *Planning and Environment Act 1987*, to authorise the preparation and exhibition of Amendments C143 and C144, as modified in accordance with Points 1a) to c) above, to the Nillumbik Planning Scheme.
3. On receipt of that authorisation, places Amendments C143 and C144 to the Nillumbik Planning Scheme on exhibition.

CARRIED UNANIMOUSLY

12. Officers' reports**CM.019/22 Nillumbik Neighbourhood Character Strategy and Guidelines - Project Inception and Programming**

Distribution: Public**Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety****Author: Leigh Northwood, Strategic Planning Lead****Summary**

This report introduces a project to implement a priority action in the Council Plan 2021-2025, which is to prepare a Neighbourhood Character Strategy (the Strategy) for the municipality.

Recognising the scale and importance of developing the Strategy, Council has provided a budget of \$220,000 (exclusive of GST) for the project over the 2021-2022, 2022-2023 and 2023-2024 financial years.

The project is scheduled to be completed in late 2023 (around October subject to no programme changes) with Council adopting the final Strategy and supporting the commencement of a planning scheme amendment to implement the Strategy.

In accordance with State Planning Policy, the study area for the Neighbourhood Character Strategy will be restricted to land within residential zones only.

It is a requirement of State Planning Policy that each Council develop a Strategy as part of its policy framework to provide appropriate growth in housing supply in residential zones, noting in addition to providing a Neighbourhood Character Strategy, a Council is required to develop a Housing Strategy.

Development of a Housing Strategy is also a priority action in the Council Plan and work on a Housing Strategy is scheduled to commence later this year (subject to budget allocation).

The Neighbourhood Character Strategy and the Housing Strategy work together to set the direction for housing and development within a municipality's residential zones – where the objectives of protecting neighbourhood character, but also providing additional housing have to be suitably blended in accordance with State Government Planning Policy to provide sufficient housing growth within metropolitan Melbourne.

The future planning scheme amendment to implement the Neighbourhood Character Strategy, will also need to be informed by an updated Housing Strategy. This in accordance with the relevant framework required by the State Government, as discussed above, for a Council to articulate its housing policy and objectives.

This officer report explains in detail that:

- Council has engaged consultants to assist in preparing the Strategy.
- Key stages and milestones have been developed to complete the Strategy.
- There will be significant opportunities for community input into development of the Strategy, including three rounds of public engagement.

The first round of engagement is scheduled to occur from late March to early May 2022. The purpose of this first round, named "Championing the Strategy", is to inform the community about the scope of the project and to ascertain from the community what it sees as the key elements that contribute to neighbourhood character in the Shire's residential zones. As part of engagement the program includes engaging with Councillors through various workshops at strategic milestone points with the first such workshop undertaken on 15 March 2022.

12. Officers' reports

**CM.019/22 Nillumbik Neighbourhood Character Strategy and Guidelines - Project
Inception and Programming**

This report recommends Council endorses the first round of public engagement.

Council Resolution

MOVED: Cr Natalie Duffy

SECONDED: Cr Geoff Paine

That Council:

1. Notes the commencement of the project to develop a Nillumbik Neighbourhood Character Strategy.
2. Endorses a first round of engagement for the project, which is scheduled to be conducted from late March to early May 2022.
3. Notes a report will be presented to an upcoming meeting of Council's Planning and Consultation Committee which will consider the response to the first round of engagement.

CARRIED UNANIMOUSLY

Leigh Northwood left the meeting at the conclusion of the above item at 7:29pm

12. Officers' reports

CM.020/22 National General Assembly 2022 - Motions

File: **DOC/22/8072****Distribution:** **Public****Manager:** **Blaga Naumoski, Executive Manager Governance, Communications and Engagement****Author:** **Emma Christensen, Acting Governance Lead**
 Licardo Prince, Communications and Advocacy Lead**Summary**

The Australian Local Government Association (ALGA), National General Assembly (NGA) provides the opportunity for councils throughout Australia to contribute to the development of national local government policy and receive updates on the major policy issues facing local government. The 28th NGA is to be held in Canberra from 19-22 June 2022, will be a Hybrid event and this year's theme is 'Partners in Progress'. The ALGA Secretariat has prepared a short discussion paper (**Attachment 1**) to assist councils to identify motions that address the theme of the 2022 NGA. The Assembly is a major event and typically attracts more than 600 Mayors, Councillors and Senior Officers from councils across Australia.

The NGA is an opportunity for individual councils to identify matters of national relevance to the sector, influence the future direction of our Council and our community and to submit notices of motion to seek support at the NGA for these matters to be considered by NGA as national policy.

This report seeks endorsement of the Motion (**Attachment 2**) to be put forward to the ALGA, NGA in June 2022. The Motions submitted will be reviewed by a committee of the ALGA Board as well as by State and Territory Local Government Associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the committee considers the importance and relevance of the issue to local government.

Motions need to be submitted no later than 25 March 2022. Motions that are carried by the NGA become resolutions. These resolutions are then considered by the ALGA Board when setting national local government policy and will also feed into the Australian Council of Local Government processes.

Council Resolution

MOVED: **Cr Ben Ramcharan****SECONDED:** **Cr Geoff Paine**

That Council resolves to adopt and lodge the following motion to the Australian Local Government Association, National General Assembly to be held in Canberra on 19-22 June 2022:

'This National General Assembly calls on the Australian Government to support the zero-emissions targets of local government Climate Emergency acknowledgements and declarations by:

12. Officers' reports

CM.020/22 National General Assembly 2022 - Motions

- a) *legislating a federal government target of zero emissions by 2035*
- b) *supporting a renewable energy led Covid economic recovery in preference to the nationally proposed gas-led recovery (by providing funding support on a national scale for increased renewable energy infrastructure)*
- c) *preparing the national grid to support electric vehicles and increased battery storage integration.'*

CARRIED UNANIMOUSLY

12. Officers' reports

CM.021/22 Draft Budget 2022-2023

Distribution: Public**Manager: Vince Lombardi, Chief Financial Officer****Author: Melika Sukunda, Finance Manager****Summary**

This report presents the draft Budget 2022-2023 for Council approval prior to exhibition for public consultation. The Budget provides resources for the ongoing delivery of Council services to the community, delivery of Council Plan actions and for the development and maintenance of infrastructure throughout the Shire.

Rates and charges

- The draft Budget proposes a 1.75 per cent increase to rates levied and an increase of 21.98 per cent to the waste management standard charge.

Capital Works

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

Strategic Resource Plan

- In conjunction with the Council Plan, the Strategic Resource Plan has also been prepared for the next ten financial years.

Council Resolution

MOVED: Cr Geoff Paine**SECONDED: Cr Ben Ramcharan****That Council:**

1. Adopts the draft Budget 2022-2023 (**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 24 May 2022, the Budget 2022-2023 presented to this meeting.
3. Notes that any person who makes a written submission in relation to the draft Budget 2022-2023 and requests to be heard in support of the written submission, be heard at the Planning and Consultation Committee meeting to be held in the Council Chamber, Civic Centre, at 7:00 pm on 10 May 2022.
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.022/22 Quarterly Risk and Safety Report - December 2021

Distribution: Public**Manager:** Jeremy Livingston, Executive Manager Business Transformation and Performance**Author:** Craig Commene, Risk and Safety Lead**Summary**

This report provides a summary of Council's Risk and Safety Report for the quarter ending December 2021.

The report is presented in accordance with the Local Government Performance Reporting Framework (LGPRF). This reporting framework 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 in this quarter occurred on 14 February 2022.

The full confidential Risk and Safety Report for December 2021 is attached to this report (**Attachment 1**) and provides detailed information for Council's consideration.

Council Resolution

MOVED: Cr Peter Perkins**SECONDED:** Cr Natalie Duffy**That** Council:

1. Notes the summary of the confidential Risk and Safety Report (**Attachment 1**) for the quarter ending December 2021.
2. Resolves that the attached Risk and Safety Report (**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.023/22 Audit and Risk Committee Meeting February 2022

Distribution: Public**Manager:** Vince Lombardi, Chief Financial Officer**Author:** Melika Sukunda, Finance Manager**Summary**

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

As resolved at the 23 June 2020 Ordinary Council Meeting, the minutes of an Audit and Risk Committee meeting are to be reported and presented to a subsequent Council Meeting.

The Audit and Risk Committee met on 14 February 2022. The minutes for the meeting are shown in **Attachment 1**.

Motion

MOVED: Cr Ben Ramcharan**SECONDED:** Cr Richard Stockman

That Council notes the minutes of the Audit and Risk Committee meeting held on 14 February 2022 (**Attachment 1**).

CARRIED UNANIMOUSLY

12. Officers' reports**CM.024/22 Draft Access Equity and Inclusion Policy****Distribution: Public****Manager: Nichole Johnson, Acting Executive Manager Communities****Author: Lauren Treby, Coordinator Social Planning and Equity
 Yasmin Green, Strategy and Policy Advisor****Summary**

The purpose of this report is to seek endorsement of the Draft Access Equity and Inclusion Policy (the Policy) (**Attachment 1**) for public consultation from 23 March to 24 April 2022.

The Draft Policy outlines Council's commitment to accessible, equitable and inclusive practice across all Council activities. The Policy is a high level commitment that sets the foundation for culture change within the organisation and builds on work already being undertaken across Council.

Council Resolution

MOVED: Cr Peter Perkins**SECONDED: Cr Ben Ramcharan****That Council:**

1. Endorses the Draft Access Equity and Inclusion Policy (**Attachment 1**) for the purposes of public exhibition.
2. Invites written submissions on the Draft Access Equity and Inclusion Policy to Council by 24 April 2022.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 14 June 2022.
4. Notes that any person who makes a written submission in relation to the Draft Access Equity and Inclusion Policy and requests to be heard in support of the written submission, be heard at the June 2022 Planning and Consultation Committee meeting.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.025/22 Youth Council Advisory Committee Recruitment

Distribution: Public

Manager: Nichole Johnson, Acting Executive Manager Communities

Author: Katie Camilleri, Coordinator Youth, Community and Place

Summary

The endorsed Terms of Reference (**Attachment 1**) for the Youth Council outlines that membership will consist of up to fifteen young people aged 15-25 years of age who are passionate for their community and represent the views, ideas and needs of young people in the municipality. There are currently four vacant positions on the Youth Council to complete their current two year term until March 2023.

Recruitment for the Youth Council opened Thursday 17 February 2022 and closed Sunday 6 March 2022. A total of six applications were received and assessed against the selection criteria by an internal assessment panel.

This report seeks Council endorsement for four elected Youth Councillor members to the Nillumbik Youth Council.

Recommendation

That Council:

1. Endorses the four recommended applicants listed onto the Nillumbik Youth Council Advisory Committee (see **Attachment 2**):
 - (a) Applicant 2 _____ for their role as a Youth Council Advisory Committee Member
 - (b) Applicant 3 _____ for their role as a Youth Council Advisory Committee Member
 - (c) Applicant 4 _____ for their role as a Youth Council Advisory Committee Member
 - (d) Applicant 5 _____ for their role as a Youth Council Advisory Committee Member
2. Authorises the Executive Manager Community Services to appoint Applicant 1 (**Attachment 2**) if one of the above applicants decline the position or additional Youth Council members resign before the end of their term.
3. Acknowledges and thanks all community members who submitted applications to the Youth Council Advisory Committee.
4. Resolves that the Applications and Interviews and Panel Assessment (**Attachment 2** and **Attachment 3**) to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the *Local Government Act 2020*.

12. Officers' reports

CM.025/22 Youth Council Advisory Committee Recruitment

Motion**MOVED: Cr Natalie Duffy****SECONDED: Cr Richard Stockman****That Council:**

1. Endorses the four recommended applicants listed onto the Nillumbik Youth Council Advisory Committee (see **Attachment 2**):
 - (a) Applicant 2 _____ for their role as a Youth Council Advisory Committee Member
 - (b) Applicant 3 _____ for their role as a Youth Council Advisory Committee Member
 - (c) Applicant 4 _____ for their role as a Youth Council Advisory Committee Member
 - (d) Applicant 5 _____ for their role as a Youth Council Advisory Committee Member
2. Authorises the Executive Manager Community Services to appoint Applicant 1 (**Attachment 2**) if one of the above applicants decline the position or additional Youth Council members resign before the end of their term.
3. Acknowledges and thanks all community members who submitted applications to the Youth Council Advisory Committee.
4. Resolves that the Applications and Interviews and Panel Assessment (**Attachment 2** and **Attachment 3**) to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the *Local Government Act 2020*.
5. **Resolves that the successful applicants be named.**

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

Council Resolution**MOVED: Cr Natalie Duffy****SECONDED: Cr Richard Stockman****That Council:**

1. Endorses the four recommended applicants listed onto the Nillumbik Youth Council Advisory Committee (see **Attachment 2**):
 - (a) Applicant 2 Niamh Coffey for their role as a Youth Council Advisory Committee Member
 - (b) Applicant 3 Martina Charalambous for their role as a Youth Council Advisory Committee Member

12. Officers' reports

CM.025/22 Youth Council Advisory Committee Recruitment

- (c) Applicant 4 Ava Crzechnik for their role as a Youth Council Advisory Committee Member
- (d) Applicant 5 Rhys Warrillow for their role as a Youth Council Advisory Committee Member
- 2. Authorises the Executive Manager Community Services to appoint Applicant 1 (**Attachment 2**) if one of the above applicants decline the position or additional Youth Council members resign before the end of their term.
- 3. Acknowledges and thanks all community members who submitted applications to the Youth Council Advisory Committee.
- 4. Resolves that the Applications and Interviews and Panel Assessment (**Attachment 2** and **Attachment 3**) to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the *Local Government Act 2020*.
- 5. Resolves that the successful applicants be named.

CARRIED

12. Officers' reports

CM.026/22 Tender Report Evaluation - Contract 2122-029 - Provision for Haulage and Processing of Scrap Metal & E-waste

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

**Author: Lisa Pittle, Manager Environment
 Lance Clark, Senior Procurement Specialist**

Summary

This report recommends the awarding of contract 2122-029 for Provision for Haulage and Processing of Scrap Metal & E-waste.

The contract term is for an initial period of five years, with two x one year options to extend the contract. The total duration of the contract, including the exercise of any options, shall not exceed seven years.

The Tender Evaluation Panel has assessed all submissions and this report provides a summary of their evaluation in recommending the awarding of the contract for 2122-029 for Provision for Haulage and Processing of Scrap Metal & E-waste.

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: 2122-029
Title: Provision for Haulage and Processing of Scrap Metal & E-waste
Term: 1 July 2022 to 30 June 2027
Options: 2 x 1 Year extension options
2. Authorises the Director Operations and Infrastructure to finalise and execute the contract documentation.
3. Authorises the Director Operations and Infrastructure to approve contract term extensions.
4. Authorises the Director Operations and Infrastructure to approve changes to operational requirements throughout the term of the contract.
5. Advises all tenderers accordingly.
6. Makes public the decision regarding this contract but the Tender Evaluation Report (**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.026/22 Tender Report Evaluation - Contract 2122-029 - Provision for Haulage and Processing of Scrap Metal & E-waste

Council Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Peter Perkins

That Council:

1. Accepts the tender submitted by the **preferred tenderer Ecocycle Pty Ltd** for the schedule of rates disclosed in (**Attachment 1**) and enter into the following contract:
Number: 2122-029
Title: Provision for Haulage and Processing of Scrap Metal & E-waste
Term: 1 July 2022 to 30 June 2027
Options: 2 x 1 Year extension options
2. Authorises the Director Operations and Infrastructure to finalise and execute the contract documentation.
3. Authorises the Director Operations and Infrastructure to approve contract term extensions.
4. Authorises the Director Operations and Infrastructure to approve changes to operational requirements throughout the term of the contract.
5. Advises all tenderers accordingly.
6. Makes public the decision regarding this contract but the Tender Evaluation Report (**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.027/22 Informal Meetings of Councillors Records - 22 March 2022

Distribution: Public**Manager: Blaga Naumoski, Executive Manager Governance, Communications and Engagement****Author: Emma Christensen, Acting Governance Lead****Summary**

In accordance with *Item 19 of Council's Governance Rule – Meeting Procedure*, adopted on 25 August 2020, 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 22 February 2022.

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

1. Councillor Workshop held 10 & 11 February 2022;
2. Eltham Train Station Carpark Meeting held 14 February 2022;
3. Councillor Briefing held 15 February 2022;
4. Recreation Trails Advisory Committee Meeting held 16 February 2022;
5. Environment and Sustainability Advisory Committee Meeting held 16 February 2022;
6. Panton Hill Bushland Reserve System User Group Advisory Committee Meeting held 17 February 2022;
7. Arts and Cultural Advisory Committee Meeting held 21 February 2022;
8. Council Meeting Pre-Meeting held 22 February 2022;
9. Melbourne Water Christmas Hills Divestment Community Meeting held 23 February 2022;
10. CEO Employment Matters Advisory Committee Meeting held 28 February 2022;
11. Councillor Briefing held 1 March 2022; and
12. Planning and Consultation Committee Pre-Meeting held 8 March 2022.

Council Resolution

MOVED: Cr Karen Egan**SECONDED: Cr Natalie Duffy**

That Council, in accordance with *Item 19 of Council's Governance Rule – Meeting Procedure*, receives the Informal Meetings of Councillors Records (**Attachment 1**) for the meetings held.

CARRIED UNANIMOUSLY

14. Notices of Motion

Nil

15. Delegates' Reports

Nil

16. Supplementary and urgent business

Nil

17. Confidential reports

Carl Cowie declared a material conflict of interest in the following confidential item as it was in relation to his Employment Contract. Carl Cowie left the meeting prior to this item being heard at 8:00pm.

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.028/22 CEO Employment Committee - 2021/2022 Mid-year Performance Review

This item is confidential because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs pursuant to paragraph (f) 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 Geoff Paine

SECONDED: Cr Peter Perkins

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 members of the public at 8:01pm.

18. Close of Meeting

The meeting closed at 8:06pm.

Confirmed: _____
 Cr Frances Eyre, Mayor