

## Ordinary Meeting of Council

held at the Civic Centre, Civic Drive, Greensborough on Tuesday 1 August 2017.

### Minutes

**Mark Stoermer**  
**Chief Executive Officer**

Wednesday 2 August 2017

**Distribution:**

Civic Drive, Greensborough  
PO Box 476, Greensborough 3088  
Telephone 9433 3111  
Facsimile 9433 3777  
Website [www.nillumbik.vic.gov.au](http://www.nillumbik.vic.gov.au)  
Email [nillumbik@nillumbik.vic.gov.au](mailto:nillumbik@nillumbik.vic.gov.au)

*Domin je ka*

Nillumbik Shire Council

---

**Contents**

---

<b>1. Welcome</b>	<b>1</b>
<b>2. Reconciliation statement</b>	<b>1</b>
<b>3. Prayer</b>	<b>1</b>
<b>4. Apologies</b>	<b>1</b>
<b>5. Presentations</b>	<b>1</b>
<b>6. Confirmation of minutes</b>	<b>2</b>
<b>7. Disclosure of conflicts of interest</b>	<b>2</b>
<b>8. Petitions</b>	<b>2</b>
<b>9. Questions from the gallery</b>	<b>3</b>
<b>10. Reports of Advisory Committees</b>	<b>6</b>
AC.005/17 Advisory Committee Report	6
<b>11. Reports of Special Committees</b>	<b>7</b>
<b>12. Officers' reports</b>	<b>8</b>
OCM.091/17 Purchase of former Eltham CFA Station	9
OCM.080/17 Growing Suburbs Fund 2017-2019	10
OCM.081/17 State Government 2017-2018 Better Indoor Stadiums Fund	12
OCM.082/17 Emergency Management Update	13
OCM.083/17 Review of motorised toy vehicles arrangements	14
OCM.084/17 June Interim Financial Report	16
OCM.085/17 Council Plan Quarterly Performance Report June 2017	17
OCM.086/17 Provision of Photocopiers, Printers and associated services	19
OCM.087/17 Provision of bill payment services	20
OCM.088/17 Recycling Contract	21
OCM.089/17 Assemblies of Councillors	22
<b>13. Notices of Motion</b>	<b>27</b>
<b>14. Delegates' reports</b>	<b>27</b>
<b>15. Urgent business</b>	<b>27</b>
<b>16. Confidential reports</b>	<b>27</b>

**Nillumbik Shire Council**

**Minutes of the Ordinary Meeting of Nillumbik Shire Council held Tuesday 1 August 2017. The meeting commenced at 7.01pm.**

---

**Councillors present:**

Cr Peter Clarke	Wingrove Ward (Mayor)
Cr Grant Brooker	Blue Lake Ward
Cr Karen Egan	Bunjil Ward
Cr John Dumaresq	Edendale Ward
Cr Peter Perkins	Ellis Ward
Cr Jane Ashton	Sugarloaf Ward
Cr Bruce Ranken	Swipers Gully Ward

**Officers in attendance:**

Mark Stoermer	Chief Executive Officer
Rachel Cooper	Director Business and Strategy
Jeremy Livingston	Acting Director Services and Planning
Lisa Pittle	Acting Director Sustainability and Place
Phil Lovelace	Manager Community Safety
Vince Lombardi	Manager Finance
Allison Watt	Manager Governance
Naomi Paton	Manager Integrated Strategy
Suzy Ellingsen	Manager People, Culture and Innovation
Justin Murray	Executive Officer Emergency Management
Naomi Ellis	Corporate Planner
Mitch Grayson	Strategic Advisor to Mayor and Councillors
Clare Leporati	Arts and Cultural Programs Officer

---

**1. Welcome**

**2. Reconciliation statement**

The reconciliation statement was read by the Mayor, Cr Peter Clarke.

**3. Prayer**

A prayer was read by Father Steven Rigo of St Thomas the Apostle Greensborough.

**4. Apologies**

Nil

**5. Presentations**

**Cultural Achievement Grant**

**Tyrian Fratta (Bunjil Ward)** received \$200 as a contribution for her selection from Vocal Art Studios to travel to London in June 2017 for intensive training that will include vocal and song writing training, performances and workshops with industry professionals as well as recording sessions.

**Sporting presentations**

**Christian Ewings** (Blue Lake Ward) received \$150 as a contribution for his selection to represent Victoria at the Indoor Cricket National Championships in Queensland.

**5. Presentations (cont)**

**Hannah Bird** (Sugarloaf Ward) received \$150 as a contribution for being selected to represent Victoria at the Equestrian Interschools National Championships in Queensland. Hannah's grandmother accepted the grant on her behalf.

**Brooklyn Hutton** (Swipers Gully Ward) received \$200 as a contribution for her selection to represent Australia at the Japan Women's baseball Youth Leaders Exchange in Japan.

**Municipal Emergency Management Plan Certificate of Audit**

John Chaplain, Regional Operations Manager, Ray Jasper, Assistant Chief Officer and Diana Ferguson, Regional Operation Officer from the Victorian State Emergency Service presented Council with a Certificate of Audit for the Municipal Emergency Management Plan.

**Country Fire Authority**

Certificates of Recognition were presented to outgoing CFA captains and other key personnel from the 12 fire brigades across Nillumbik.

**Vale Philip McKenzie**

Philip McKenzie, a school crossing supervisor who served three years with Council, sadly passed away on 21 July 2017.

Philip was an extremely dedicated employee who thoroughly enjoyed the company of the children and families at all the crossings he worked at over the past three years. Council acknowledges his years of service and passes on its condolences to Philip's family and friends.

**6. Confirmation of minutes**

Confirmation of minutes of the Ordinary Meeting of Council held on Tuesday 27 June 2017.

**Motion**

**Cr Bruce Ranken  
Cr Karen Egan**

**That the minutes of the Ordinary Meeting of Council held on Tuesday 27 June 2017 be confirmed.**

**CARRIED**

**7. Disclosure of conflicts of interest**

Nil

**8. Petitions**

Nil

9. Questions from the gallery

**Fred Bauer** asked Council:

Does the current Council support the 'open letter to residents of Nillumbik Shire' adopted by a former Council at its meeting on 16 February 2004 and supported by former Councillors Draper, Hall, Johnson, Raunic, Stubbings, Woodley, Irwin and de Man in which the Council stated that the process for the introduction of Melbourne 2030, the Urban Growth Boundary, the Green Wedge and Rural Conservation Zones 'lacks procedural fairness and natural justice' and that 'Council proposed to undertake a non-urban land use capability study', which is similar to a submission to the Logical Inclusion Advisory Committee or its current equivalent which the current Council could undertake if it so chose?

**Mayor, Cr Peter Clarke** responded that this term of Council has not had a conversation or received a report concerning the UGB. To alter the UGB requires the ratification of both Houses of Parliament and the Minister for Planning has recently re-committed to the UGB. Should you wish to alter the UGB, this will require full parliamentary support at a State level. If you wish to commence dialogue at that level you may wish to contact your local MP, who is Vicky Ward.

**Fred Bauer** asked Council:

Given that:

- a) the State Section of the Planning Scheme states that the top priority for Planning in Victoria is the protection of human life;
- b) South-Eastern Australia is among the most fire-prone areas in the world and over the years has experienced several devastating bushfires with great loss of life and property;
- c) Rainfall in five of the first six months of 2017 has been well below average;
- d) Climate change and global warming seems to be real;
- e) Fuel for bushfires continues to build up on the other side of fences adjacent to my property and within the Shire generally. In this connection, the Panel, Jennifer A. Moles, stated, (inter alia) in her Panel Report dated 4th October 2011 in relation to Planning Scheme Amendment C74 on page 20 that 'Mr Bauer appears correct in suggesting that many households are not fire ready'.
- f) A legal precedent has been set in Hillsborough, England after 27 years for the deaths of 96 people on 15 April 1989 by 'unlawful killing' and six people, including a lawyer and four policemen have now been charged with 'manslaughter by gross negligence'; and
- g) summer is just around the corner;

What is Council doing by amending the Planning Scheme and doing other things, to protect the residents of the Shire from devastating bushfires and itself and individual Councillors and staff from the possibility of class action following deadly bushfires leading to the loss of life and/or property which are likely to occur either this year or in the years to come?

9. Questions from the gallery (cont)

**Mayor, Cr Peter Clarke** responded that this Council takes those matters very seriously and acknowledges that our community lives in one of the world's most bushfire prone areas, that the risk of bushfire is increasing and works with the community to manage that risk.

Council will be considering an Emergency Management Update report later in tonight's meeting and meets regular with CFA brigades to discuss and collaborate on issues and supports CFA programs such as 'Fire Ready Victoria'.

Council undertakes fuel management on its own land; engages with and informs the community about how they can actively manage bushfire risk on their own properties and protect their families; and works strategically with State Government agencies.

Council has a bushfire mitigation program developed in collaboration with CFA, Parks Victoria, VicRoads and other agencies through the Municipal Fire Management Planning Committee. The preparations for the 2017-2018 fire danger period are well underway.

**Stephen Wade** asked Council:

As part of the review and proposed changes to the use of motorised toy vehicles will you also review the process and procedures related to complaints?

**Mayor, Cr Peter Clarke** responded that, independent of Council's review of the arrangements concerning MTVs, as part of our ongoing continuous improvement, the Community Safety Department will review the processes and timeliness of complaint resolution where a breach of a permit trigger or permit condition has been identified.

**Colleen Hackett on behalf of Friends of Nillumbik** asked Council:

Council has flagged reviews of the Green Wedge Management Plan and the Nillumbik Planning Scheme. When will these occur? Is there a timeline available? Will plenty of time be allowed for public consultation?

**Mayor, Cr Peter Clarke** responded that we can confirm that reviews of the Green Wedge Management Plan and the Nillumbik Planning Scheme, as outlined in the recently adopted Council Plan, will be undertaken as a matter of priority.

Officers are currently briefing various State Government departments and agencies on the potential scope and timing of both projects so as to ensure the State Planning Policy and state-specific issues are considered.

We anticipate a report from officers in coming months detailing the scope, timeframes and community engagement methods for these projects, and Council will communicate the outcome of the Council decision in due course.

As both are substantial pieces of work for this term of Council, there will be extensive public consultation informing both reviews. We see this work being of both great interest and significance for our community.

9. Questions from the gallery (cont)

**Oriana Halliwell** asked Council:

In relation to funding grant Growing Suburbs Funds 2017-2019, is the Diamond Creek to Hurstbridge proposed trail implementation-ready (meaning if funding were committed, construction works would commence within 10 months of funding announcement in November 2017) for the infrastructure project?

If not, how does Nillumbik Shire the Growing Suburbs Grant 2017-2019 application meet the strict funding criteria for the priority of the Diamond Creek Trail Extension - Diamond Creek to Wattle Glen?

**Mayor, Cr Peter Clarke** responded that the Growing Suburbs Fund criteria stipulates that all funded projects must commence construction no later than September 2018 and that construction completion is required by mid-2021.

This project is seeking State funding to extend the Trail from its current termination in Diamond Creek to Wattle Glen. The project scope includes constructing a trail rest stop on Council land at Wattle Glen War Memorial Reserve, consisting of picnic and car-parking facilities. Should the Growing Suburbs Fund application be successful, Council would commence construction of the rest stop by September 2018.

The timing of the Trail's construction between Diamond Creek and Wattle Glen by mid-2021 will allow for the required processes through the Planning Scheme Amendment and Land Acquisition and Compensation Act to be worked through with affected property owners ahead of construction on the first stage of the Trail's implementation.

10. Reports of Advisory Committees

AC.005/17 Advisory Committee Report

---

**Distribution: Public**

**Manager: Allison Watt, Manager Governance**

**Author: Tracey Classon, Governance Officer**

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 minutes of meetings are presented to Council. This month, the following minutes are attached for information:

- Municipal Public Health and Wellbeing Plan Project Reference Group meeting held 16 May 2017
- Living & Learning Nillumbik Advisory Committee meeting held 28 June 2017

**Motion**

**Cr Jane Ashton**

**Cr Karen Egan**

**That Council notes the:**

1. **Municipal Public Health and Wellbeing Plan Project Reference Group minutes of 16 May 2017**
2. **Living & Learning Nillumbik Advisory Committee Meeting minutes of 28 June 2017.**

**CARRIED**



**11. Reports of Special Committees**

Nil

**12. Officers' reports**

Following the production and distribution of the agenda, Council received advice that Confidential report OCM.091/17 Purchase of former Eltham CFA Station does not need to be designated as confidential and can be considered under agenda item 12, Officers' reports, in the open section of the meeting.

**Motion**

**Cr Peter Perkins**

**Cr Bruce Ranken**

**That item OCM.091/17 Purchase of former Eltham CFA Station be moved from Confidential reports to Officers' reports and be considered in the open part of the meeting.**

**CARRIED**

12. Officers' report

OCM.091/17 Purchase of former Eltham CFA Station

**Distribution: Public**

**Manager: Lisa Pittle, Acting Director Sustainability and Place**

**Author: Jon Miller, Manager Assets and Property**  
**Vince Lombardi, Manager Finance**

**Summary**

In December 2016, Council considered and endorsed a recommendation to purchase the former Eltham Country Fire Authority (CFA) station, located at 909 Main Road, Eltham (the property). The Chief Executive Officer was authorised to negotiate the purchase of the property, up to a maximum amount.

The CFA has been advised of Council's intention to proceed with the purchase of the property on 31 May 2017. The CFA has provided Council with an updated valuation from the Victorian Valuer General (VVG). An independent, check valuation requested by the CFA indicated an even higher value than that provided by the VVG.

Council has formally offered to purchase the property from the CFA. The offer is conditional on Council endorsement of the purchase price.

The purpose of this report is to inform Council about the additional cost to purchase the property and how the additional cost may be funded.

**Motion**

**Cr Peter Perkins**

**Cr Karen Egan**

**That Council:**

1. **Seeks a meeting with the Minister for Emergency Services to clarify the Country Fire Authority's intention to sell the land at 909 Main Road, Eltham (being Lot 1 on Plan of Subdivision 63242).**
2. **Endorses the purchase price at the Victorian Valuer General's valuation of 16 June 2017 for 909 Main Road, Eltham (being Lot 1 on Plan of Subdivision 63242) as provided by the Country Fire Authority.**
3. **Allocates the additional funds of \$350,000 required for the purchase at the Victorian Valuer General's valuation from a portion of the 2016-2017 financial year end surplus.**
4. **Authorises the Chief Executive Officer, on confirmation that the CFA intends to sell the land, to complete the purchase of the property by signing the Contracts of Sale.**
5. **Signs and seals the documents relating to the transfer of the land to Council ownership.**

**CARRIED**

Cr Grant Brooker called for a division.

For: Crs Perkins, Ranken, Ashton, Egan, Clarke and Dumaresq.

Against: Cr Brooker.

12. Officers' report

OCM.080/17 Growing Suburbs Fund 2017-2019

---

**Distribution: Public**

**Manager: Naomi Paton, Manager Integrated Strategy**

**Author: Jeff Chambers, Acting Manager Leisure and Social Infrastructure  
Nichole Johnson, Coordinator Strategy Projects - Community and Leisure**

**Summary**

The State Government announced the Growing Suburbs Fund 2017-2019 available to interface Councils. The report discusses the funding objectives and recommends suitable candidate projects for this grant program.

The program seeks to provide funds to enhance the capacity of councils to deliver high priority community infrastructure projects that contribute to healthier and liveable communities and local economies across metropolitan Melbourne's interface.

Following discussions with Councillors, officers will be preparing the ten applications in the following priority order:

1. Diamond Creek Trail extension
2. Diamond Valley Sports and Fitness Centre redevelopment
3. Marngrook Oval pavilion, Diamond Creek
4. Hurstbridge Stadium expansion and multi-use change rooms
5. Eltham Central precinct community/sports hub
6. Diamond Creek Netball pavilion
7. Diamond Creek Regional playground
8. Hurstbridge Rail pedestrian crossing, Diamond Creek
9. Upgrade to Lower Eltham Park
10. Hurstbridge Open Space

Feedback has been obtained from State Government representatives from the Department of Environment, Land, Water and Planning (DELWP) regarding the proposed projects.

All projects have strategic links to the Council Plan and are identified in Council's long term financial plan. Securing State funding will enable Council to bring forward much needed community infrastructure.

**Motion**

**Cr Bruce Ranken**

**Cr Karen Egan**

**That Council:**

1. **Endorses funding applications in the following priority order to the Growing Suburbs Fund for:**
  - a) **Diamond Creek Trail extension**

12. Officers' reports

OCM.080/17 Growing Suburbs Fund 2017-2019

---

- b) Diamond Valley Sports and Fitness Centre redevelopment
  - c) Marngrook Oval pavilion, Diamond Creek
  - d) Hurstbridge Stadium expansion and multi-use change rooms
  - e) Eltham Central precinct community/sports hub
  - f) Diamond Creek Netball pavilion
  - g) Diamond Creek Regional playground
  - h) Hurstbridge Rail pedestrian crossing, Diamond Creek
  - i) Upgrade to Lower Eltham Park
  - j) Hurstbridge Open Space
2. Commits to providing required funding should the applications be successful.
  3. Acknowledges there will costs associated with the additional resources to collate supporting documentation and complete the grant application process that are not included in the 2017-2018 budget. If required, accommodations will be made at the mid-year budget review.
  4. Advocates for the Growing Suburbs Fund to continue as a recurrent State Government program beyond 2017-2019.

**CARRIED**

12. Officers' reports

OCM.081/17 State Government 2017-2018 Better Indoor Stadiums Fund

---

**Distribution: Public**

**Manager: Naomi Paton, Manager Integrated Strategy**

**Author: Howard Scott, Contractor Leisure and Social Infrastructure**

**Jeff Chambers, Acting Manager Leisure and Social Infrastructure**

**Summary**

This report recommends an application to the State Government 2017-2018 Better Indoor Stadiums Fund (BISF) for the redevelopment and upgrade of the Diamond Valley Sports and Fitness Centre (DVSFC).

The DVSFC redevelopment is a Council priority identified in the Recreation Strategy 2011-2019. The need to redevelop the ageing venue into a regional level facility has also been identified as a short term priority across the sub-region of Nillumbik, Banyule and Darebin in the Sub-Regional Indoor Sports Court Needs Analysis draft report.

The DVSFC redevelopment, estimated at \$16.5 million, will require a partnership funding model to deliver. In addition to the \$9.5 million commitment by Council in the strategic resource plan over, a maximum BISF grant of \$3 million will be sought. A further State Government grant through the Growing Suburbs Fund 2017-2019 (GSF) is also recommended in a separate officer report in this agenda.

To meet funding guidelines of project readiness, significant additional planning over the coming months is required.

**Motion**

**Cr Bruce Ranken**

**Cr Peter Perkins**

**That Council:**

- 1. Endorses an application to the Better Indoor Stadiums Fund for a maximum grant of \$3,000,000 towards the redevelopment of the Diamond Valley Sports and Fitness Centre.**
- 2. Notes \$500,000 is included in the 2017-2018 budget for planning/design and a further \$9,500,000 in the strategic resource plan for the redevelopment of the Diamond Valley Sports and Fitness Centre.**
- 3. Refers the funding shortfall for the redevelopment of Diamond Valley Sports and Fitness Centre for consideration in preparation of the 2018-2019 and 2019-2020 Strategic Resource Plan subject to the outcomes of State government grant applications.**

**CARRIED**

12. Officers' reports

OCM.082/17 Emergency Management Update

---

**Distribution: Public**

**Manager: Allison Watt, Manager Governance**

**Author: Justin Murray, Executive Officer Emergency Management**

**Summary**

It is a requirement of the *Emergency Management Act 1986*, that each municipal council prepares a Municipal Emergency Management Plan (MEMP).

The Victoria State Emergency Service audits each MEMP every three years.

The Nillumbik MEMP has been audited and assessed as 'more than adequately complying with the guidelines (best practice).'

All Neighbourhood Safer Places - Places of Last Resort are required to be assessed each year by the CFA and Council is required to record the outcome of these assessments. All sites have been reassessed as being compliant.

**Motion**

**Cr Peter Perkins**

**Cr Jane Ashton**

**That Council:**

1. **Notes that the Nillumbik Municipal Emergency Management Plan has been audited by an audit panel headed by the Victoria State Emergency Service.**
2. **Notes that the audit panel has assessed the plan as more than adequately complying with the guidelines (best practice).**
3. **Notes that as part of the annual review process, Neighbourhood Safer Places – Places of Last Resort sites at:**
  - a) **Civic Drive, Greensborough, the outdoor performance area**
  - b) **Diamond Hills Oval, Plenty River Drive, Greensborough**
  - c) **Collendina Reserve, Greensborough**
  - d) **Diamond creek Community Centre, Main Hurstbridge Road, Diamond Creek**
  - e) **Yarrambat Park, Yarrambat, golf course building**
  - f) **Circulatory Road, Eltham**
  - g) **Hurstbridge Basketball Stadium, Graysharps Road, Hurstbridge**

**have been reassessed by the CFA and have been found to still meet the criteria for designation as a Neighbourhood Safer Place – Place of Last Resort.**

**CARRIED**

**12. Officers' reports****OCM.083/17 Review of motorised toy vehicles arrangements**

---

**Distribution: Public****Manager: Jeremy Livingston, Acting Director Services and Planning****Author: Phil Lovelace, Manager Community Safety****Summary**

At the Ordinary Meeting of Council on 28 February 2017, Council resolved to alter the Amenity Local Law Administrative Policy Guidelines concerning motorised toy vehicles (MTVs). The change exempted the need for a local law permit for any person using a MTV on private land between the hours of 7am and 8pm Monday to Friday; and 9am and 8pm weekends and public holidays. Since the implementation of this change, feedback has been received both in support of and in opposition to the altered exemption. Opposition to the change has specifically come from neighbours of three properties which have been the subject of noise and activity complaints from neighbours. Based on the feedback following the changes made in February, it is appropriate for Council to review the current arrangements.

In undertaking this review, it is recommended that Council alters the permit trigger for a MTV permit be further amended. Specifically, it is recommended to set permit triggers for properties which do not contain a dwelling/residence, and introduce a property size threshold. This would enable Council to assess amenity impacts of MTVs on land where the users do not reside, as well as assess amenity impacts of MTV activity in higher density, residential/rural-residential locations. These changes can be readily made through a further amendment to Council's Amenity Local Law Administrative Policy Guidelines.

<b>Recommendation</b>
-----------------------

That Council:

1. Amends the Amenity Local Law Administrative Policy Guidelines to include the following three additional permit triggers for use of a motorised toy vehicle on private land which:
  - a) Is below one hectare in size; or
  - b) Does not contain a dwelling/residence; or
  - c) Is zoned Special Use Zone (Schedule 2 – Environmental Living – Bend of Islands) as identified by the Nillumbik Planning Scheme.
2. Where this new permit trigger does not apply, maintains the existing arrangement in the Amenity Local Law Administrative Policy Guidelines to exempt any person using a motorised toy vehicle on private land if the vehicle is used between the hours of 7am and 8pm Monday to Friday; and 9am and 8pm weekends and public holidays.
3. Sets the local law permit fee for a motorised toy vehicle at \$95 for the 2017-2018 financial year, with any budget adjustments reported as part of the mid-year budget review.
4. In accordance with section 112 of the *Local Government Act 1989*, publishes a notice of this resolution in the *Government Gazette*.



12. Officers' reports

OCM.083/17 Review of motorised toy vehicles arrangements

---

**Motion**

Cr Grant Brooker

Cr Jane Ashton

That Council:

1. Amends the Amenity Local Law Administrative Policy Guidelines to include the following four additional permit triggers for use of a motorised toy vehicle on private land which:
  - a) Is below two hectares in size; or
  - b) Does not contain a dwelling/residence; or
  - c) Is zoned Special Use Zone (Schedule 2 – Environmental Living – Bend of Islands) as identified by the Nillumbik Planning Scheme or
  - d) Has more than two motorised toy vehicles being used at any one time
2. The use of any motorised toy vehicle must not create any dust which detrimentally affects neighbouring properties and must not be used on any of the following days:
  - Total Fire Ban
  - Severe, Extreme and Code Red days
  - Smog alert days
  - Good Friday
  - Christmas Day
  - New Year's Day
3. Where this new permit trigger does not apply, maintains the existing arrangement in the Amenity Local Law Administrative Policy Guidelines to exempt any person using a motorised toy vehicle on private land if the vehicle is used between the hours of 7am and 8pm Monday to Friday; and 9am and 8pm weekends and public holidays.
4. Sets the local law permit fee for a motorised toy vehicle at \$95 for the 2017-2018 financial year, with any budget adjustments reported as part of the mid-year budget review.
5. In accordance with section 112 of the *Local Government Act 1989*, publishes a notice of this resolution in the *Government Gazette*.

**CARRIED**

12. Officers' reports

OCM.084/17 June Interim Financial Report

---

**Distribution:** Public

**Manager:** Vince Lombardi, Manager Finance

**Author:** Robert Malignaggi, Management Accountant

**Summary**

This report outlines Council's interim financial performance for the period ending 30 June 2017.

The June interim financial report is the fourth report presented to Council on the year-to-date performance against the approved 2016-2017 Budget, which includes changes resulting from the Mid-Year Financial Review process.

Quarterly reports are presented to Council for the September, December and March quarters. However due to the timing and preparation of the Annual Report, an interim quarterly report is prepared for the June quarter. This is to comply with the provisions of the *Local Government Act 1989* which requires that a financial report be presented to Council every three months.

The interim financial report shows an overall surplus (on a rate determination basis) of \$2.548 million. This is an improvement of \$1.867 million compared to the Mid-Year Financial Review in December 2016, when a surplus of \$681,504 was forecast. This favourable variance has been achieved through a combination of increased income received, and savings in expenditure. This surplus enables Council to make additional allocations to its financial reserves, which will strengthen Council's financial position and reduce risk exposure.

**Motion**

**Cr Karen Egan**

**Cr Bruce Ranken**

**That Council:**

1. **Receives and notes the Interim Financial Report for the period ended 30 June 2017.**
2. **Endorses the proposed allocation of the surplus into Council's financial reserves as detailed in the Interim Financial Report.**

**CARRIED**

12. Officers' reports

OCM.085/17 Council Plan Quarterly Performance Report June 2017

---

**Distribution:** Public

**Manager:** Allison Watt, Manager Governance

**Author:** Naomi Ellis, Corporate Planner

**Summary**

This report presents the Council Plan Quarterly Performance Report to Council for consideration and documents the progress of key actions that demonstrate how Council delivered the objectives of the Council Plan 2013-2017 for the Nillumbik community in 2016-2017.

The attached Council Plan Quarterly Performance Report provides the fourth and final update on the progress of the Annual Plan actions for the 2016-2017 financial year. This is also the last report on the Council Plan 2013-2017 and does not reflect the recent organisational restructure. The first report on the Council Plan 2017-2021 will be presented to Council in October 2017.

**Recommendation**

That Council receives the Council Plan Quarterly Performance Report for the period ending 30 June 2017.

**Motion**

**Cr Karen Egan**  
**Cr Jane Ashton**

**That Council receives the Council Plan Quarterly Performance Report for the period ending 30 June 2017 and requests the CEO make minor editorial changes.**

**CARRIED**

**12. Officers' reports**

The following Officers' reports were moved as a block motion and their recommendations as printed in the agenda were adopted without change:

- OCM.086/17 Provision of Photocopiers, Printers and associated services
- OCM.087/17 Provision of bill payment services
- OCM.088/17 Recycling Contract
- OCM.089/17 Assemblies of Councillors

**Motion**

**Cr Bruce Ranken**

**Cr Karen Egan**

**That the recommendations as printed in the agenda be adopted without change for the following Officers' Reports:**

- **OCM.086/17 Provision of Photocopiers, Printers and associated services**
- **OCM.087/17 Provision of bill payment services**
- **OCM.088/17 Recycling Contract**
- **OCM.089/17 Assemblies of Councillors**

**CARRIED**

12. Officers' reports

**OCM.086/17 Provision of Photocopiers, Printers and associated services**

---

**Distribution: Public**

**Manager: Suzy Ellingsen, Manager People, Culture and Innovation**

**Author: Eddie Cheng, Systems Analyst**

**Summary**

This report considers the awarding of the contract for the provision of photocopiers, printers and associated services for Council.

Currently, Council provides photocopying, printing and associated services to staff through a mix of 18 multi-functional devices (devices that can photocopy, print and scan) through a contract that has now expired and 19 other devices that were purchased and maintained through the purchasing of consumables as required.

The awarding of this contract will consolidate all Council photocopying and printing solutions under a single service provider for a period of four years at a fixed lease and guaranteed copy costs. A further option of a one-year extension is available at Council's discretion.

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. Text

**Motion**

**Cr Bruce Ranken**

**Cr Karen Egan**

**That Council:**

- 1. Notes the report.**
- 2. Makes public the decision regarding the contract but the service fee and schedules remain confidential.**

**CARRIED**

Note: This item was carried as part of a block motion.

12. Officers' reports

OCM.087/17 Provision of bill payment services

---

**Distribution: Public**

**Manager: Vince Lombardi, Manager Finance**

**Author: Lance Clarke, Senior Procurement Specialist**

**Summary**

This report recommends awarding a contract for the provision of bill payment services via agency tendered contract arrangement.

The purpose of this request is to formalise bill payment services for the next three years with two x one year options to extend.

Details of the service fee and schedules are included in a confidential report. It is proposed that the service fee and schedules remain confidential, but that the resolution to award the contract is made public in the interests of transparency.

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.

**Motion**

**Cr Bruce Ranken**

**Cr Karen Egan**

**That Council:**

1. **Notes the report.**
2. **Makes public the decision regarding the contract but the service fee and schedules remain confidential.**

**CARRIED**

Note: This item was carried as part of a block motion.

12. Officers' reports

OCM.088/17 Recycling Contract

**Distribution: Public**

**Manager: Lisa Pittle, Acting Director Sustainability and Place**

**Author: Lisa Pittle, Acting Director Sustainability and Place**

**Summary**

This report recommends awarding a contract for acceptance and processing of recyclables collected as part of Council's waste management services.

Council currently delivers approximately 7000 tonnes of recyclables annually to a materials recovery facility (MRF) capable of sorting comingled recyclables. These sorted materials can then be reprocessed and reused by industry. Council's existing contract with SKM Recycling Pty Ltd expires in August 2017.

Council has two options for a new contract: to either join with the Metropolitan Waste Management Group (MWRRG) Contract 2015/3 - Recyclables Processing Services for Councils in the Central and Western Suburbs of Melbourne with SKM Recycling or to tender separately. A Nillumbik request for tender process (Contract No 1617-23 Recyclables Acceptance and Sorting) has been carried out in order to determine the best option for Council.

The Tender Evaluation Panel (TEP) has assessed the submissions for Contract No 1617-23 in accordance with the evaluation criteria relating to capability, financial benefit to Council, capacity, financial viability, customer service, environmental management and local business content.

In addition, the TEP has assessed the outcome of the Contract No 1617-13 with the pricing offered in MWRRG Contract 2015/3 - Recyclables Processing Services for Councils in the Central and Western Suburbs of Melbourne with SKM Recycling.

The TEP has agreed on the results of the tender evaluation, the comparison with the MWRRG contract and the recommendation to award 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.

**Motion**

**Cr Bruce Ranken**

**Cr Karen Egan**

**That Council:**

1. **Notes the report.**
2. **Makes public the decision regarding the contract but the tender evaluation remain confidential.**

**CARRIED**

Note: This item was carried as part of a block motion.

12. Officers' reports

OCM.089/17 Assemblies of Councillors

**Distribution:** Public  
**Manager:** Allison Watt, Manager Governance  
**Author:** Naomi Ellis, Corporate Planner

**Summary**

In accordance with section 80A(2) of the *Local Government Act 1989* Council is required to report as soon as practicable to an Ordinary meeting of Council a record of any assemblies of Councillors held.

This report lists assemblies of Councillors forms that have been submitted since the matter was last reported to Council on 27 June 2017.

**Motion**

**Cr Bruce Ranken**  
**Cr Karen Egan**

That Council, in accordance with section 80A(2) of the *Local Government Act 1989*, receives the records of the following assemblies of Councillors:

1	<b>Date of assembly</b>	26 June 2017
	<b>Matters considered</b>	Arts Advisory Committee
	<b>Councillors present</b>	Cr Karen Egan                      Cr Jane Ashton
	<b>Staff present</b>	Michelle Zemancheff
	<b>Conflict of interest</b>	None declared

2	<b>Date of assembly</b>	27 June 2017
	<b>Matters considered</b>	Officer briefings of Councillors <ul style="list-style-type: none"> <li>• Diamond Creek Trail Amendment C108</li> <li>• Volunteers at Nillumbik</li> </ul>
	<b>Councillors present</b>	Cr Grant Brooker                      Cr Bruce Ranken Cr Karen Egan                          Cr Peter Perkins Cr John Dumaresq                      Cr Peter Clarke Cr Jane Ashton
	<b>Staff present</b>	Mark Stoermer                          Jeff Chambers Allison Watt                              Naomi Paton Paul Fyffe                                  Jane Lawson Nadine Sinclair                          Adrian Cully Steven Blight                              Rachel Deans Suzy Ellingsen
	<b>Conflict of interest</b>	None declared



12. Officers' reports

OCM.089/17 Assemblies of Councillors

<b>3</b>	<b>Date of assembly</b>	<b>27 June 2017</b>	
	<b>Matters considered</b>	<b>Pre-meet for Ordinary Council Meeting</b>	
	<b>Councillors present</b>	<b>Cr Grant Brooker Cr Karen Egan Cr John Dumaresq Cr Jane Ashton</b>	<b>Cr Bruce Ranken Cr Peter Perkins Cr Peter Clarke</b>
	<b>Staff present</b>	<b>Mark Stoermer Allison Watt Naomi Paton Suzy Ellingsen Lance Clarke Vince Lombardi Robert Malignaggi Jonathan McNally</b>	<b>Jeremy Livingston Diana Bell Nichole Johnson Lisa Pittle Joseph Emmanuel Paul Fyffe Paige McDonald</b>
	<b>Conflict of interest</b>	<b>None declared</b>	

<b>4</b>	<b>Date of assembly</b>	<b>28 June 2017</b>	
	<b>Matters considered</b>	<b>Living &amp; Learning Nillumbik Advisory Committee</b>	
	<b>Councillors present</b>	<b>Cr Jane Ashton</b>	
	<b>Staff present</b>	<b>Karen Kamminga</b>	
	<b>Conflict of interest</b>	<b>None declared</b>	

<b>5</b>	<b>Date of assembly</b>	<b>1 July 2017</b>	
	<b>Matters considered</b>	<b>Travelling Teapot Focus Group</b>	
	<b>Councillors present</b>	<b>Cr John Dumaresq</b>	
	<b>Staff present</b>	<b>Michelle Zemancheff</b>	<b>Sarah Hammond</b>
	<b>Conflict of interest</b>	<b>None declared</b>	

<b>6</b>	<b>Date of assembly</b>	<b>6 July 2017</b>	
	<b>Matters considered</b>	<b>Planning Application Conference</b>	
	<b>Councillors present</b>	<b>Cr Peter Clarke Cr John Dumaresq</b>	<b>Cr Karen Egan Cr Grant Brooker</b>
	<b>Staff present</b>	<b>Andrea de Boer</b>	<b>Tim Oldfield</b>
	<b>Conflict of interest</b>	<b>None declared</b>	

12. Officers' reports

OCM.089/17 Assemblies of Councillors

7	<b>Date of assembly</b>	11 July 2017	
	<b>Matters considered</b>	<b>Officer briefings of Councillors</b> <ul style="list-style-type: none"> <li>• Historical societies</li> <li>• Special charge scheme</li> <li>• Growing Suburbs Fund 2017-2019</li> <li>• Yarra Protection Bill</li> <li>• Heritage Amendment C104</li> </ul>	
	<b>Councillors present</b>	Cr John Dumaresq Cr Grant Brooker Cr Peter Clarke	Cr Jane Ashton Cr Peter Perkins
	<b>Staff present</b>	Mark Stoermer Allison Watt Clare Leporati Lisa Pittle Naomi Paton Jeff Chambers Suzy Ellingsen	Jeremy Livingston Patrick Wood Mathew Deayton Fiona Stevens Samantha Westbrooke Jackie Donkin
	<b>Conflict of interest</b>	None declared	
8	<b>Date of assembly</b>	18 July 2017	
	<b>Matters considered</b>	<b>Officer briefings of Councillors</b> <ul style="list-style-type: none"> <li>• Recreation Trails Advisory Committee</li> <li>• Better Indoor Stadium Funds and Growing Suburbs Fund</li> </ul>	
	<b>Councillors present</b>	Cr Peter Clarke Cr Karen Egan Cr John Dumaresq Cr Grant Brooker	Cr Jane Ashton Cr Bruce Ranken Cr Peter Perkins
	<b>Staff present</b>	Mark Stoermer Allison Watt Naomi Paton Mitch Grayson	Lisa Pittle Nichole Johnston Jeff Chambers Jeremy Livingston
	<b>Conflict of interest</b>	None declared	

12. Officers' reports

OCM.089/17 Assemblies of Councillors

<b>9</b>	<b>Date of assembly</b>	<b>18 July 2017</b>	
	<b>Matters considered</b>	<b>Pre-meet for Future Nillumbik Committee</b>	
	<b>Councillors present</b>	<b>Cr Peter Clarke Cr Karen Egan Cr John Dumaresq Cr Grant Brooker</b>	<b>Cr Jane Ashton Cr Bruce Ranken Cr Peter Perkins</b>
	<b>Staff present</b>	<b>Mark Stoermer Allison Watt Naomi Paton Lisa Pittle</b>	<b>Mitch Grayson Jeremy Livingston Phil Lovelace</b>
	<b>Conflict of interest</b>	<b>None declared</b>	

<b>10</b>	<b>Date of assembly</b>	<b>25 July 2017</b>	
	<b>Matters considered</b>	<b>Officer briefings of Councillors</b> <ul style="list-style-type: none"> <li>• <b>Eltham Community and Reception Centre reopening events</b></li> <li>• <b>Update on Amendment C108 (Extension of the Diamond Creek Trail to Hurstbridge)</b></li> <li>• <b>Nillumbik Intentional Communities and Downsizing Project</b></li> <li>• <b>Councillors Expenses Reporting Period ended 30 June 2017</b></li> <li>• <b>June Interim Financial Report</b></li> <li>• <b>Recyclables acceptance and sorting contract options</b></li> </ul>	
	<b>Councillors present</b>	<b>Cr Peter Clarke Cr Karen Egan Cr John Dumaresq Cr Grant Brooker</b>	<b>Cr Jane Ashton Cr Bruce Ranken Cr Peter Perkins</b>
	<b>Staff present</b>	<b>Mark Stoermer Allison Watt Naomi Paton Lisa Pittle Jeremy Livingston Rachel Cooper Mitch Grayson Vince Lombardi Suzy Ellingsen</b>	<b>Nadine Wooldridge Nichole Johnson Jon Miller Hannah Burns Tobey Henry Neil Hordern Aleisha Hayes Paige Macdonald Russ Wood (consultant)</b>

12. Officers' reports

OCM.089/17 Assemblies of Councillors

---

		<b>Adrian Cully</b> <b>Melissa Houselander</b> <b>Paul Fyffe</b>	<b>Graeme Stewart</b> <b>(consultant)</b> <b>Joseph Connellan</b> <b>(consultant)</b>
	<b>Conflict of interest</b>	<b>None declared</b>	

**CARRIED**

Note: This item was carried as part of a block motion.

**13. Notices of Motion**

Nil

**14. Delegates' reports**

Nil

**15. Urgent business**

Nil

**16. Confidential reports**

The Meeting may be closed to members of the public to consider confidential matters.

<b>Motion</b>
---------------

**Cr Peter Perkins**

**Cr Karen Egan**

**That Council closes the meeting to the public pursuant to section 89(2) of the *Local Government Act 1989* to consider the following items, which are confidential for the reasons indicated:**

<b>Report No.</b>	<b>Title</b>	<b>Reason for confidentiality</b>
<b>OCM.090/17</b>	<b>Recreation Trails Advisory Committee Nominations</b>	<b>(h) any other matter which the Council or special committee considers would prejudice the Council or any person</b>
<b>OCM.092/17</b>	<b>Provision of Photocopiers, Printers and associated services</b>	<b>(d) contractual matters</b>
<b>OCM.093/17</b>	<b>Provision of Bill Payment Services - Australia Post 1617-107</b>	<b>(d) contractual matters</b>
<b>OCM.094/17</b>	<b>Recycling Contract</b>	<b>(d) contractual matters</b>

**CARRIED**

The meeting closed to the public at 8.19pm.

Cr Jane Ashton left the Chamber at 8.20pm and returned at 8.22pm.