

Ordinary Meeting of Council

Held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 31 July 2018 commencing at 7.30pm.

Minutes

Mark Stoermer
Chief Executive Officer

Friday 3 August 2018

Distribution: Public

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Domin je ka

Nillumbik Shire Council

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Nillumbik Shire Council

**Minutes of the Ordinary Meeting of Nillumbik Shire Council held
Tuesday 31 July 2018. The meeting commenced at 7.30pm.**

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
Matt Kelleher	Director Services and Planning
Hjalmar Philipp	Director Sustainability and Place
Adrian Cully	Director Business and Strategy
Blaga Naumoski	Executive Manager Governance
Katia Croce	Governance Lead
Aleksandra Treneska	Governance Administration Officer
Mitch Grayson	Chief of Staff to Mayor and Councillors
Jeremy Livingston	Executive Manager Organisational Performance
Vince Lombardi	Manager Finance

1. Welcome

2. Reconciliation statement

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

3. Prayer

A prayer was read by Pastor Tim Stringer of the Calvary Lutheran Church Greensborough.

4. Apologies

Nil

5. Presentations

Cr Karen Egan recognised and congratulated Jemima Portman (Bunjil Ward) on her selection to represent Australia at the Mounted Games 2018 Nations Teams Championships in America. Jemima was presented with \$200 as a contribution and a certificate from Council.

Jemima thanked Council.

Mayor, Cr Peter Clarke recognised and congratulated Tiana Inglis (Wingrove Ward) on her selection to represent Victoria at the U17 Volleyball Nationals in Queensland. Tiana was presented with \$150 as a contribution and a certificate from Council.

Tiana thanked Council.

6. Confirmation of minutes

Confirmation of minutes of the Council Meeting held on Tuesday 26 June 2018.

Council Resolution

MOVED: Cr John Dumaresq

SECONDED: Cr Peter Perkins

That the minutes of the Council Meeting held on Tuesday 26 June 2018 be confirmed.

CARRIED

7. Disclosure of conflicts of interest

Nil

8. Petitions

9. Questions from the gallery

The Chairperson, Mayor Peter Clarke responded to the following questions submitted.

Lucinda Congreve asked Council:

1. Council provides the rate payers in the community with two free green waste vouchers for use at the local waste depot. This is fantastic for those who have utes or trailers available. I'm not so lucky and having just recently investigated the cost of trailer hire (over \$130 for 24hours) it's almost cheaper and definitely more convenient for me to have a skip bin delivered and removed. This however means my green waste goes to landfill. Murrindindi Shire Council recently announced free green waste disposal and are investigating social enterprise models for private green waste collection models and are holding a community workshop. Will Nillumbik consider such an initiative?
2. The Children's playgrounds within Greensboroughs Apollo Parkways estate are getting very old in the tooth and are in desperate need of some love and an upgrade. Can Council advise when the upgrades to these parks are scheduled

Response

In her absence, a written response will be provided to Lucinda Congreve.

Michael Dove asked Council:

1. Re Special Charge Scheme Given that there is evidence of mail theft and fraud in relation to at least one response from an affected property owner, and that such criminal activity can result in substantial and unwanted cost burdens for owners who are victims of such fraud, why will Council not adopt Registered Mail or email as its preferred method for all communications?
2. Re Potential Brinkkötter Road Special Charge Scheme Given that a process was initiated on 19th June 2018 and that Council has not yet adopted a revised Policy and Procedure for its Special Charge Scheme, why does the Brinkkötter Road case not conform to Council's existing Policy and Procedure, particularly in relation to the content of "Mail-out No. 1"?

Response

1. Under both the existing and proposed special charge scheme policy, property owners who do not return the initial scheme questionnaire are sent a follow up letter by registered mail.

Council recognises mail fraud as a serious issue for victims and will investigate the potential for electronic mechanisms (e.g. email or website login) to support mail-outs.

2. The letter sent on 19 June 2018 acknowledges the petition received and requests an initial indication of interest for further investigation. It is preliminary in nature and not a decision making step.

10. Reports of Advisory Committees

AC.006/18 Advisory Committee Report

Distribution: Public

Manager: Katia Croce, Governance Lead

Author: Emma Christensen, 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:

- Arts Advisory Committee held on 21 May 2018.

Council Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Jane Ashton

That Council notes the Arts Advisory Committee meeting minutes held on 21 May 2018.

CARRIED UNANIMOUSLY

11. Reports of Special Committees

12. Officers' reports

OCM.103/18 Special Charge Schemes for Road and Drainage Works Policy Review

Distribution: Public

Manager: Hjalmar Philipp, Director Sustainability and Place

Author: Patrick Wood, Coordinator Design

Previous Items: Special Charge Schemes for Roads & Drainage Works Policy Review - Future Nillumbik Committee - 17 Jul 2018 7.30pm

Summary

In late 2017, Council commenced a review of its Special Charge Scheme Policy. The overarching objective of the review was to develop a policy that is more responsive to the needs of the community by providing greater flexibility. The review was completed in May 2018 and a new policy was drafted based on the recommendations of that review. Following submission of the draft policy to Council, feedback has now been sought from the community. Twelve submissions from the public have been received in relation to the draft policy. After consideration of these submissions, Council officers recommend that Council adopt the revised Special Charge Scheme Policy.

Recommendation

That Council:

1. Notes that twelve (12) submissions were received in relation to the draft revised Special Charge Scheme Policy.
2. Having considered these submissions, adopts the revised 'Special Charge Schemes for Road and Drainage Works – Policy and Guidelines'.
3. Notifies all submitters of Council's decision.

Motion

MOVED: Cr Peter Perkins
 SECONDED: Cr John Dumaresq

That Council:

1. Notes that twelve (12) submissions were received in relation to the draft revised Special Charge Scheme Policy.
2. Having considered these submissions, adopts the revised 'Special Charge Schemes for Road and Drainage Works – Policy and Guidelines', subject to the following additions:
 - a) Include in Objectives 1.2:
 Number 1 "To facilitate the protection of Neighbourhood Character across the Shire" and then number other objectives 2-6 accordingly.
 - b) Add in specific reference to "compatibility with adjacent land use zone" at the top of the list of bullet points that will be considered under section 5.2.

12. Officers' reports

OCM.103/18 Special Charge Schemes for Road and Drainage Works Policy Review

- c) Conclude Section 5.2 with the following:
“these considerations must be clearly documented in the rationale for the proposed design standard”.
- d) Introduce a sub point “Land Use Zoning” before 5.4 Neighbourhood Character:
“A ‘rural’ standard of construction is the general preference for Council initiated road sealing projects in rural conservation zones and outside the UGB and Township Zones. The use of concrete curb and channel will be minimised in the Green Wedge and any proposed use shall be coloured to match the colour of the road.

3. Notifies all submitters of Council’s decision.

Cr Karen Egan proposed a change to the wording in 2. d) to read as follows:

- d) *“A ‘rural’ standard of construction is the general preference for Council initiated road sealing projects in rural conservation zones and outside the UGB and Township Zones. The use of concrete curb and channel will be minimised in the Green Wedge and any proposed use shall be coloured to blend with the surrounding environment.*

This was accepted by the Cr Peter Perkins and Cr John Dumaresq.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

MOVED: Cr Peter Perkins
SECONDED: Cr John Dumaresq

That Council:

- 1. Notes that twelve (12) submissions were received in relation to the draft revised Special Charge Scheme Policy.
- 2. Having considered these submissions, adopts the revised ‘Special Charge Schemes for Road and Drainage Works – Policy and Guidelines’, subject to the following additions:
 - a) Include in Objectives 1.2:
Number 1 “To facilitate the protection of Neighbourhood Character across the Shire” and then number other objectives 2-6 accordingly.
 - b) Add in specific reference to “compatibility with adjacent land use zone” at the top of the list of bullet points that will be considered under section 5.2.
 - c) Conclude Section 5.2 with the following:
“these considerations must be clearly documented in the rationale for the proposed design standard”.

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OCM.103/18 Special Charge Schemes for Road and Drainage Works Policy Review

- d) Introduce a sub point "Land Use Zoning" before 5.4 Neighbourhood Character:
"A 'rural' standard of construction is the general preference for Council initiated road sealing projects in rural conservation zones and outside the UGB and Township Zones. The use of concrete curb and channel will be minimised in the Green Wedge and any proposed use shall be coloured to blend with the surrounding environment.

3. Notifies all submitters of Council's decision.

AS CHAIRPERSON, MAYOR PETER CLARKE PROPOSED THAT EACH LINE ITEM BE VOTED ON INDIVIDUALLY. THIS WAS AGREED BY CR PETER PERKINS.

THE AMENDED MOTION WAS PUT TO THE VOTE WITH EACH LINE ITEM RESOLVED INDIVIDUALLY AS FOLLOWS:

Council Resolution

MOVED: Cr Peter Perkins
SECONDED: Cr John Dumaresq

That Council:

- 1. Notes that twelve (12) submissions were received in relation to the draft revised Special Charge Scheme Policy.

CARRIED

- 2. Having considered these submissions, adopts the revised 'Special Charge Schemes for Road and Drainage Works – Policy and Guidelines', subject to the following additions:

- a) Include in Objectives 1.2:

Number 1 "To facilitate the protection of Neighbourhood Character across the Shire" and then number other objectives 2-6 accordingly.

CARRIED UNANIMOUSLY

- b) Add in specific reference to "compatibility with adjacent land use zone" at the top of the list of bullet points that will be considered under section 5.2.

LOST

- b) Conclude Section 5.2 with the following:

"these considerations must be clearly documented in the rationale for the proposed design standard".

CARRIED

12. Officers' reports

OCM.103/18 Special Charge Schemes for Road and Drainage Works Policy Review

- c) Introduce a sub point "Land Use Zoning" before 5.4 Neighbourhood Character:
"A 'rural' standard of construction is the general preference for Council initiated road sealing projects in rural conservation zones and outside the UGB and Township Zones. The use of concrete curb and channel will be minimised in the Green Wedge and any proposed use shall be coloured to blend with the surrounding environment.

CARRIED

- 3. Notifies all submitters of Council's decision.

CARRIED UNANIMOUSLY

12. Officers' reports**OCM.104/18 Fordhams Road Special Charge Scheme - Declaration**

Distribution: Public**Manager: Hjalmar Philipp, Director Sustainability and Place****Author: Matthew Theuma, Engineer****Summary**

Following a consultation process, Council resolved on 29 May 2018 (Item OCM.076/18), to commence the statutory process for a Special Charge Scheme for Fordhams Road, Eltham.

Council's notice of its intention to declare a scheme was publicly advertised in the *Diamond Valley Leader* newspaper on 6 June 2018.

A letter and notice of the proposal was sent to all property owners with a liability under the scheme. Council has received six submissions and six objections from affected property owners.

This report recommends that Council formally declares the Fordhams Road Special Charge Scheme.

Council Resolution**MOVED: Cr Peter Perkins****SECONDED: Cr John Dumaresq****That Council:**

1. Notes that six (6) submissions and six (6) objections were received for this scheme.
2. Having considered these submissions and objections, gives notice under section 163 (4) of the *Local Government Act 1989* of the declaration of a special charge for the purpose of constructing Fordhams Road, Eltham.
3. Incorporates the following outline of declaration:
 - a) The Special Charge Scheme shall apply to the properties in Fordhams Road, as shown in Attachment 1.
 - b) The apportionment cost to each property is based on the method shown in the report and Attachment 2.
 - c) The total estimated cost to each property is shown in Attachment 3 and may be paid as a lump sum or by quarterly instalments over a 10 year period with interest as provided by section 163(1)(b) of the *Local Government Act 1989*.
 - d) The interest rate applicable to instalments paid by each due date is to be one per cent higher than the rate applying to Council in relation to funds borrowed for this project.
 - e) The Special Charge Scheme for Fordhams Road shall remain in place for 10 years.
 - f) The estimated total project cost is \$325,682 with a benefit ratio of 0.9556 (95.56 per cent). The total amount to be levied under this special charge is \$311,213. Council will be contributing \$14,469 for a Council property at 620 Main Road. This amount is included in the 2018/2019 Capital Works Program.

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OCM.104/18 Fordhams Road Special Charge Scheme - Declaration

- g) Within 12 months of the completion of works a final cost statement will be issued to all of the property owners in the Fordhams Road Special Charge Scheme and any adjustments to liabilities will be made at that time.
4. That the submitters and objectors be advised of Council's decision and the reason for the decision.

CARRIED

12. Officers' reports

OCM.105/18 Yarrambat Township Plan

Distribution: Public

Manager: Adrian Cully, Director Business and Strategy

Author: Anthony Calthorpe, Strategic Planning Coordinator

Summary

Council prepared draft planning scheme Amendment C109 (draft Amendment C109) for a Yarrambat Township Plan that was conditionally authorised by the Minister for Planning (Ministerial Authorisation) in November 2016. The proposal included a housing component that would increase housing density in the Township.

Council originally sought to have the Urban Growth Boundary (UGB) around the township to enable further detailed planning to occur with certainty. This was denied by the Minister for Planning as one of the conditions of the Ministerial Authorisation.

The Ministerial Authorisation required, amongst other things, further consultation with officers of the Department of Environment, Land, Water and Planning (DELWP) about possible residential housing zones and their suitability.

Advice provided by senior DELWP staff in December 2017 and reconfirmed through ongoing discussions in 2018 indicated that Amendment C109, in its current form, would unlikely to be supported. Additional housing density outside the UGB (beyond current subdivision controls), is the major policy challenge for the State Government. A hardening of State Government Green Wedge policy, confirmed in 2017 with the release of Plan Melbourne, has been cited by DELWP as confirmation of its policy position.

In June 2018, Advisors to the Minister for Planning have now confirmed that the advice of senior DELWP officers should be relied upon.

Council is now required to consider DELWP advice and how best to progress any township planning for Yarrambat. Officers recommend Council continue township planning focusing initially on public realm and beautification improvements, followed by the exploration with DELWP of the potential of a small scale commercial centre to meet local needs.

Recommendation

That Council:

1. Continues township planning for Yarrambat, with a revised scope of:
 - a) Removing any housing or residential subdivision components;
 - b) Investigate a staged approach to the preparation of township planning that involves two stages:
 - i) Stage 1: A public realm and beautification plan
 - ii) Stage 2: Investigates with the State Government the possibility of a small scale commercial centre for the township
2. Subject to the above, invite landowners to consider a proponent led planning scheme amendment as a way of determining market demand for any commercial outcomes.

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OCM.105/18 Yarrambat Township Plan

3. Requests officers to prepare a revised project scope for Council's endorsement to include indicative costings and a community engagement programme based on Recommendation 1 and report this to Council no later than September 2018.
4. Advises all Yarrambat residents in writing immediately of Council's decision and the next steps for the project.

Motion

MOVER: Cr Grant Brooker

SECONDER: Cr Karen Egan

That Council:

1. Continues township planning for Yarrambat, with a revised scope of:
 - a) Removing any housing or residential subdivision components;
 - b) Investigate a staged approach to the preparation of township planning that involves two stages:
 - i) Stage 1: A public realm and beautification plan
 - ii) Stage 2: Investigates with the State Government the possibility of a small scale commercial centre for the township
2. Subject to the above, invite landowners to consider a proponent led planning scheme amendment as a way of determining market demand for any commercial outcomes.
3. Requests officers to prepare a revised project scope for Council's endorsement to include indicative costings and a community engagement programme based on Recommendation 1 and report this to Council no later than September 2018.
4. Advises all Yarrambat residents in writing immediately of Council's decision and the next steps for the project.

WITH LEAVE OF THE CHAIRPERSON, MAYOR PETER CLARKE, CR GRANT BROOKER AMENDED HIS MOTION TO ADD THE FOLLOWING POINT 1. c):

- c) Retains the rural character of Yarrambat which is the single most consistent theme arising from community consultation.

THE AMENDED MOTION THEN READ AS FOLLOWS:

Amended Motion

MOVER: Cr Grant Brooker

SECONDER: Cr Karen Egan

That Council:

1. Continues township planning for Yarrambat, with a revised scope of:
 - a) Removing any housing or residential subdivision components;

12. Officers' reports

OCM.105/18 Yarrambat Township Plan

- b) Investigate a staged approach to the preparation of township planning that involves two stages:
 - i) Stage 1: A public realm and beautification plan
 - ii) Stage 2: Investigates with the State Government the possibility of a small scale commercial centre for the township
 - c) Retains the rural character of Yarrambat which is the single most consistent theme arising from community consultation.
2. Subject to the above, invite landowners to consider a proponent led planning scheme amendment as a way of determining market demand for any commercial outcomes.
 3. Requests officers to prepare a revised project scope for Council's endorsement to include indicative costings and a community engagement programme based on Recommendation 1 and report this to Council no later than September 2018.
 4. Advises all Yarrambat residents in writing immediately of Council's decision and the next steps for the project.

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

Council Resolution

MOVED: Cr Grant Brooker

SECONDED: Cr Karen Egan

That Council:

1. Continues township planning for Yarrambat, with a revised scope of:
 - a) Removing any housing or residential subdivision components;
 - b) Investigate a staged approach to the preparation of township planning that involves two stages:
 - i) Stage 1: A public realm and beautification plan
 - ii) Stage 2: Investigates with the State Government the possibility of a small scale commercial centre for the township
 - c) Retains the rural character of Yarrambat which is the single most consistent theme arising from community consultation.
2. Subject to the above, invite landowners to consider a proponent led planning scheme amendment as a way of determining market demand for any commercial outcomes.
3. Requests officers to prepare a revised project scope for Council's endorsement to include indicative costings and a community engagement programme based on Recommendation 1 and report this to Council no later than September 2018.
4. Advises all Yarrambat residents in writing immediately of Council's decision and the next steps for the project.

CARRIED UNANIMOUSLY

12. Officers' reports

OCM.106/18 Arts Advisory Committee Terms of Reference and membership vacancy

Distribution: Public

Manager: Adrian Cully, Director Business and Strategy

**Author: Michelle Zemancheff, Coordinator Arts and Cultural Services
Kylie Lethbridge, Manager Business, Tourism and Marketing**

Summary

A position vacancy has arisen within the voluntary community membership of Council's Arts Advisory Committee. In implementing processes to advertise and fill that vacancy, there is an opportunity to review the Terms of Reference so that it reflects current policy and operational requirements.

Council Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Jane Ashton

That Council:

1. Endorses the amended Arts Advisory Committee Terms of Reference.
2. Endorses the public exhibition of expressions of interest for nomination of one vacant volunteer community position, with preferential criteria for performing arts expertise.
3. Receives a report from officers of nominations for the Arts Advisory Committee to Council for endorsement.
4. Recognises the contribution of recently retired volunteer community member, Mr Michael Wilson, to Council through the Arts Advisory Committee.
5. Instructs officers to formally convey Council's gratitude to Mr Wilson.

CARRIED

12. Officers' reports

OCM.107/18 Synthetic Cricket Pitch Conversion Program Funding

Distribution: Public

Manager: Adrian Cully, Director Business and Strategy

Author: Joanne Massoud, Acting Coordinator Recreation and Open Space Planning

Summary

To seek Council's endorsement to allocate additional funds and amend the funding model for the cricket pitch conversion program, to reduce the clubs financial contribution.

In 2016, Council endorsed the conversion of the Shire's all-season cricket pitches to short pile synthetic cricket pitches following overwhelming support from cricket clubs across the Shire and the Diamond Valley Cricket Association (DVCA). Conversion to the short pile pitch was recommended by Cricket Victoria as the short pile pitch has a lower bounce and provides a more predictable and consistent ball trajectory which promotes skill development and contributes to greater player safety.

The current funding model requires each club to contribute approximately \$20,000 per pitch conversion; most clubs are allocated multiple facilities therefore increasing the total cost. The proposed new model reduces clubs contribution by approximately \$10,000 per conversion.

Council Resolution

MOVED: Cr Bruce Ranken

SECONDED: Cr John Dumaresq

That Council:

1. Endorses the proposed funding model, which proposes that:
 - a) The club contribution be capped at \$10,000 per pitch conversion; and
 - b) Council contributes the remaining funds to complete the conversion.
2. Continues to fund four cricket pitch conversions per year until 2021/22.

CARRIED UNANIMOUSLY

12. Officers' reports**OCM.108/18 June Interim Financial Report**

File: 20/10/004**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 2018.

The June draft interim financial report is the fourth report presented to Council on the year-to-date performance against the approved 2017-2018 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 a draft net surplus of \$975,968. This is an improvement of \$3.055 million compared to the Mid-Year Financial Review in January 2018, when a deficit of \$2.079 was forecast. This favourable variance has been achieved through a combination of increased income received, and effective management of operational expenditure. This surplus enables Council to make additional allocations to its financial reserves, which will strengthen Council's financial position and reduce risk exposure.

Council Resolution

MOVED: Cr Peter Clarke**SECONDED:** Cr Bruce Ranken**That Council:**

1. Receives and notes the Draft Interim Financial Report for the period ended 30 June 2018.
2. Endorses the proposed allocation of the surplus into Council's financial reserves.

CARRIED

12. Officers' reports

OCM.109/18 Audit Committee Vacancy

File: 20/15/006

Distribution: Public

Manager: Vince Lombardi, Manager Finance

Author: Melika Sukunda, Financial Accountant

Summary

Council currently has one vacancy for an independent member on its Audit Committee, following the recent resignation of long standing committee member Ms Linda MacRae.

The *Local Government Act 1989* requires each Council to have an Audit Committee to oversee the Council's management of risk, internal controls and financial reporting.

The Committee meets four times each year and the minutes are presented at a subsequent Council meeting.

The Audit Committee comprises three positions for independent members, and two positions for Councillors (currently Cr Clarke and Cr Ranken). The position of Chairperson is held by one of the independent members.

Applications for the vacant position have been invited through advertisements on the Board Direction and LinkedIn website. Council received 32 applications.

The recommended applicant for the vacant position is Chris Eddy, who holds extensive experience at a senior level with over 30 years of management experience in the private and public sector.

Council Resolution

MOVED: Cr Peter Clarke

SECONDED: Cr Karen Egan

That Council:

1. Appoints Chris Eddy as an independent member of the Audit Committee for a three year term concluding 30 June 2021 and advises Mr Eddy accordingly.
2. Notifies the other applicants of Council's decision and thanks them for their application.

CARRIED

12. Officers' reports

OCM.110/18 Council Plan Quarterly Performance Report

File: 25/10/002

Distribution: Public

Manager: Mark Stoermer, Chief Executive Officer

Author: Jeremy Livingston, Executive Manager Organisational Performance

Summary

The purpose of this report is to present the Council Plan Quarterly Performance Report for Council's consideration. The attached Quarterly Performance Report provides the fourth and final update on the progress of the 2017-2018 delivery of the Council Plan 2017-2021.

Of the 103 priority actions reported, and within the parameters of what was planned to be achieved this financial year, 63 actions are complete, 37 actions remain 'in progress' and a further three actions have not yet commenced. Of those 37 actions 'in progress', 22 receive a green traffic light (at least 90 percent complete), 10 receive an amber light (40 to 90 percent complete) and five receive a red light (less than 40 percent complete).

The year's performance against the delivery of the Council Plan will be published in the Annual Report 2017-2018, which will be presented to Council and the Minister of Local Government before 30 September 2018.

Council Resolution

MOVED: Cr Peter Clarke

SECONDED: Cr Bruce Ranken

That Council receives the Council Plan Quarterly Performance Report for the fourth quarter, being the period ending 30 June 2018.

CARRIED

ADOPTION OF SEVERAL REPORT RECOMMENDATIONS 'EN BLOC'

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Bruce Ranken

That Council agree to move 'en bloc' the reports listed below and their recommendations be adopted as printed in the agenda:

- OCM.111/18 Assemblies of Councillors
- OCM.112/18 Yan Yean Road Upgrade - Acquisition of Council Land
- OCM.113/18 Supply, delivery and finance of one road sweeper unit
- OCM.114/18 Tourism Patnership Agreement

CARRIED

12. Officers' reports

OCM.111/18 Assemblies of Councillors

File: 10/30/002

Distribution: Public

Manager: Blaga Naumoski, Executive Manager Governance

Author: Emma Christensen, Governance Officer

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 26 June 2018.

An Assembly of Councillors record was kept for:

- Inclusion Advisory Committee and Disability Action Planning Subcommittee - Thursday 22 March 2018.
- Officer Briefing and OCM pre-meet - Tuesday 26 June 2018.
- Councillor Briefing Session - Tuesday 17 July 2018.
- Environment and Sustainability Advisory Committee - Wednesday 18 July 2018.
- Inclusion Advisory Committee and Disability Action Planning Subcommittee - Thursday 19 July 2018.

Council Resolution

MOVED: Cr Peter Clarke

SECONDED: Cr Bruce Ranken

That Council, in accordance with section 80A(2) of the *Local Government Act 1989*, receives the records of the Assemblies of Councillors held on 22 March 2018, 26 June 2018, 17 July 2018, 18 July 2018 and 19 July 2018 (Attachment 1).

CARRIED

Note: This item was carried 'en bloc' earlier in the meeting.

12. Officers' reports

OCM.112/18 Yan Yean Road Upgrade - Acquisition of Council Land

Distribution: Public

Manager: Hjalmar Philipp, Director Sustainability and Place

Author: Jon Miller, Manager Assets and Property

Summary

VicRoads is currently undertaking a project to duplicate approximately 3.5 kilometres of Yan Yean Road, between Diamond Creek Road, Greensborough and Kurrak Road, Yarrambat.

Council owned 10 parcels of land (included in 12 titles) with frontage onto Yan Yean Road that have been compulsorily acquired or partially acquired by VicRoads to facilitate the road duplication project. The approximate area of Council land acquired is 2.6 hectares.

VicRoads has made offers of compensation to Council for the parcels of land it has acquired.

Council has appointed valuers (Property Dynamics) to provide expert advice in relation to the adequacy of VicRoads offers.

The confidential report will seek Council's endorsement of the proposed next steps by officers, being to:

- Accept offers of compensation for seven of the 10 parcels;
- Initiate a formal dispute process in relation to offers of compensation for two parcels
- Continue to negotiate with VicRoads in relation to one parcel of land and business disturbance costs, and
- Make public the final compensation paid by VicRoads to Council for the acquired land, after all negotiations have been completed.

Council Resolution

MOVED: Cr Peter Clarke

SECONDED: Cr Bruce Ranken

That Council notes the summary of the report.

CARRIED

Note: This item was carried 'en bloc' earlier in the meeting.

12. Officers' reports

OCM.113/18 Supply, delivery and finance of one road sweeper unit

Distribution: Public

Manager: Hjalmar Philipp, Director Sustainability and Place

Author: Vladimir Mistic, Engineer

Summary

The confidential report recommends awarding a contract for supply, delivery and finance of one road sweeper.

This road sweeper is proposed to replace an existing road maintenance vehicle and its replacement is like-for-like and consistent with the scheduled timing and funding provided within Council's 10-year plant replacement program.

The road sweeper was tendered through the National Procurement Network (NPN) Register of Prequalified Supplier for the supply of Specialised Trucks and Bodies (Contract number NPN1.15).

The Tender Evaluation Panel (TEP) has assessed the submissions in accordance with the evaluation criteria and provides a recommendation to award the contract.

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

Council Resolution

MOVED: Cr Peter Clarke

SECONDED: Cr Bruce Ranken

That Council notes the summary of the report.

CARRIED

Note: This item was carried 'en bloc' earlier in the meeting.

The confidential report relating to this item was heard in a closed meeting and Council resolved to make the resolution public:

Council Resolution

MOVER: Cr John Dumaresq

SECONDER: Cr Bruce Ranken

That Council:

1. Accepts the tender from BUCHER Municipal (MAV contract 1415-30 dated 30/09/2018) for the supply, delivery and finance of a Hino FG 1628 Allison Trans cab/chassis fitted with a McDonald Johnston VT651 Truck Mounted Road Sweeper for a total price of \$457,266 (including GST).
2. Authorises the Director Sustainability and Place to finalise and execute the contract documentation and finance option.
3. Advises all tenderers accordingly.
4. Makes public the resolution and the report remain confidential.

CARRIED

12. Officers' reports

OCM.114/18 Tourism Patnership Agreement

Distribution: Public

Manager: Adrian Cully, Director Business and Strategy

Author: Kylie Lethbridge, Manager Business, Tourism and Marketing

Summary

Nillumbik Shire Council (NSC) has independently sought to develop the visitor economy in isolation from the broader state strategy and networks for some time now.

In order to enact the focus on business, tourism, marketing and events and festivals in the Council Plan an analysis has been undertaken to identify possible strategic partnerships that will support building the visitor economy.

Yarra Ranges Tourism (YRT) is the official regional tourism organisation for the Yarra Valley and Dandenong Ranges region, which includes NSC.

YRT provide a range of benefits that NSC cannot realise by working in isolation which include:

- reaching visitors coming to Melbourne at scale in a cost effective manner through a range of marketing opportunities, digital assets and partnership activities;
- providing advocacy to government and key partners for the region to secure additional funding;
- access to grant programs that NSC cannot access independently such as the regional events and infrastructure fund and the tourism infrastructure pipeline program;
- leveraging industry expertise through education and networking opportunities otherwise unavailable to NSC and local businesses;
- ensuring recognition on key collateral for the region;
- access to visitor economy research for NSC;
- a team of six staff dedicated to driving the visitor economy which in turn scales up the capabilities of NSC to enhance the outcomes for the region; and
- a board position on YRT to help drive the visitor economy for the region and influence the strategic direction.

Council Resolution

MOVED: Cr Peter Clarke

SECONDED: Cr Bruce Ranken

That Council notes the summary of the report.

CARRIED

Note: This item was carried 'en bloc' earlier in the meeting.

12. Officers' reports

OCM.114/18 Tourism Patnership Agreement

The confidential report relating to this item was heard in a closed meeting and Council resolved to make the resolution public:

Council Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Jane Ashton

That Council:

1. Notes the report.
2. Enters in to a Partnership Agreement with Yarra Ranges Tourism for 2018/19 in the amount of \$70,000.
3. Agrees based on the outcomes illustrated in this report that the partnership agreement with Yarra Ranges Tourism will support building Nillumbik's visitor economy.
4. Endorses the integration of Nillumbik within the broader regional marketing and public relations campaign and supports the development and distribution of new, traditional and online visitor servicing material.
5. Makes public the resolution and the report is to remain confidential.

CARRIED

13. Notices of Motion

Nil

14. Delegates' Reports

Nil

15. Supplementary and urgent business

Nil

16. Confidential reports

The Chief Executive Officer, pursuant to section 77(2)(c) of the *Local Government Act 1989* (the Act), has designated the following items to be confidential:

OCM.115/18 Yan Yean Road Upgrade - Acquisition of Council Land

This item is designated confidential because it is a contractual matter and any other matter which the Council or special committee considers would prejudice the Council or any person pursuant to section 89(2)(d) and (h) of the Act.

OCM.116/18 Supply, delivery and finance of one road sweeper unit

This item is designated confidential because it is a contractual matter pursuant to section 89(2)(d) of the Act.

OCM.117/18 Tourism Partnership Agreement

This item is designated confidential because it is any other matter which the Council or special committee considers would prejudice the Council or any person pursuant to section 89(2)(h) of the Act.

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

Council Resolution

MOVED: Cr Karen Egan

SECONDED: Cr John Dumaresq

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

CARRIED

The meeting closed to the public at 8.37pm.

The meeting reopened at 8.40pm.

Close of Meeting

The meeting closed at 8.40pm.

Confirmed: _____
Mayor, Cr Peter Clarke