

## Ordinary Meeting of Council

held at the Civic Centre, Civic Drive, Greensborough  
on Tuesday 28 February 2017.

## Minutes

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

Wednesday 1 March 2017

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*Domin je ka*

Nillumbik Shire Council

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**Contents**

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<b>Welcome</b>	<b>1</b>
<b>1. Reconciliation statement</b>	<b>1</b>
<b>2. Prayer</b>	<b>1</b>
<b>3. Good governance pledge</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>2</b>
<b>10. Reports of Advisory Committees</b>	<b>5</b>
AC.001/17 Advisory Committee Report	5
<b>11. Reports of Special Committees</b>	<b>6</b>
<b>12. Officers' reports</b>	<b>6</b>
OCM.013/17 Advocacy for the continuance of Federal Government funding for 15 hours of Kindergarten	7
OCM.014/17 Early Years Community Infrastructure Report	9
OCM.015/17 Diamond Valley Sports and Fitness Centre Masterplan- Appointment of community representatives to the Strategic Advisory Group	11
OCM.016/17 Submission on the Native Vegetation Clearing Regulations	12
OCM.017/17 Motorised Toy Vehicles	13
OCM.018/17 Election report - Nillumbik Shire Council general elections 2016	14
OCM.019/17 General Valuation 2018	15
OCM.020/17 Audit Committee - Minutes February 2017	16
OCM.021/17 Provision of Delivered Meals Update	17
OCM.022/17 Quotation - trade services, small solar system supply and maintenance	18
OCM.023/17 Risk and Insurance Report December 2016	19
OCM.024/17 Assemblies of Councillors	20
<b>13. Notices of Motion</b>	<b>24</b>
<b>14. Delegates' reports</b>	<b>24</b>
<b>15. Supplementary and urgent business</b>	<b>24</b>
<b>16. Confidential reports</b>	<b>24</b>

## Nillumbik Shire Council

### Minutes of the Ordinary Meeting of Nillumbik Shire Council held Tuesday 28 February 2017. The meeting commenced at 7pm.

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#### 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	Acting Chief Executive Officer
Pauline Gordon	General Manager Community and Leisure
Andrew Port	General Manager Corporate Services
Conal Creedon	General Manager Infrastructure Services
Jeremy Livingston	Acting General Manager Environment and Planning
Allison Watt	Manager Governance and Communications
Corrienne Nichols	Acting Manager Community Services and Social Development
Joanne Hammond	Coordinator Communications

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#### Welcome

##### 1. Reconciliation statement

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

##### 2. Prayer

A prayer was read by Major Mark Kop of the Salvation Army, Greensborough.

##### 3. Good governance pledge

The good governance pledge was read by the Mayor, Cr Peter Clarke.

##### 4. Apologies

Nil

##### 5. Presentations

**Zachariah Meaden** (Edendale Ward) received \$200 as a contribution for his selection to represent Australia at the Open Indoor Hockey Championships.

**Kate Humphrey** (Sugarloaf Ward) received \$200 as a contribution for being selected to represent Australia at the Horse of the Year Show in New Zealand.

#### Returned and Services League of Australia

**Cr Peter Perkins** received a Certificate of Appreciation by representatives of the Returned and Services League of Australia (Bill McKenna, Chairman of Victorian Branch Regional; Duncan Duke, President – Eltham/Montmorency; John Chenhall, President – Diamond Creek/Doreen; and Noel Morse, President – Hurstbridge)

**6. Confirmation of minutes**

Confirmation of minutes of the following meetings:

- Planning Committee held Tuesday 6 September 2016
- Policy and Services Committee held on Tuesday 6 December 2016
- Ordinary Council Meeting held on Tuesday 31 January 2017
- Special Council Meeting held on Tuesday 14 February 2017
- Special Council Meeting held on Tuesday 21 February 2017

As Council has resolved to abolish the Planning Committee and the Policy and Services Committee, the minutes of their respective final meetings are presented for confirmation by Council.

**Motion**

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

**That the following minutes be confirmed:**

- **Planning Committee held Tuesday 6 September 2016**
- **Policy and Services Committee held on Tuesday 6 December 2016**
- **Ordinary Council Meeting held on Tuesday 31 January 2017**
- **Special Council Meeting held on Tuesday 14 February 2017**
- **Special Council Meeting held on Tuesday 21 February 2017**

**CARRIED**

**7. Disclosure of conflicts of interest**

Nil

**8. Petitions**

Nil

**9. Questions from the gallery**

**Ben Ramcharan** asked Council:

Three potential routes have been suggested for the Labor Government's proposed North-East Toll Road. One of these routes, which runs straight through the heart of Nillumbik, follows the whole length of Kangaroo Ground-Wattle Glen Road then cuts straight through the middle of Kangaroo Ground, enters North Warrandyte and intersects Pigeon Bank Reserve.

Not only would this divide local communities, bring more traffic to the local area and create a huge amount of noise pollution but it would threaten the pristine beauty and serenity of our green wedge.

This road does not fit the character of Nillumbik and would be a disaster for residents who moved here for the quietness and beauty of the local area. This is of great concern to the 76 members of the Nillumbik Greens.

**9. Questions from the gallery continued**

If the road is built, will Council object to the route which runs through Nillumbik and if the road does end up running through Nillumbik, how does Council plan to protect the green wedge?

**Mayor, Cr Peter Clarke** responded that Council supports the construction of the North East Link as an opportunity to alleviate some of the traffic congestion experienced by Nillumbik residents. It is also Council's stated position that the selected route should run south from the end of the M80 Ring Road to connect with the Eastern Freeway in Bulleen. We share your concern for the protection of the Green Wedge and special values of the rural parts of this Shire.

It is Council's understanding that the North East Link Authority will consider all routes in preparing the business case for the route alignment and it is our intention to advocate strongly for Council's position through this process and I encourage community groups and individuals to do likewise.

We certainly will be taking that position in the strongest possible terms to protect our own Green wedge and our own Shire but equally to try and overcome the problems caused with traffic of which, I think, we generally poll about 85 per cent of our Shire is concerned about traffic and traffic congestion. As I understand it, the preferred route will be taken to a State election, so if all else fails there is a political process that we can deal with going forward.

**Lyn Ramcharan** asked Council:

Please explain why Council have given households plastic bags for them to recycle plastic bags in? Surely this just creates more plastic bags, and at what cost to ratepayers? Personally I already recycle my plastic bags at Coles.

**Mayor, Cr Peter Clarke** responded that Nillumbik Shire Council is one of four Melbourne councils working with their recycling processor to introduce plastic bag and soft plastic packaging recycling into the recycling bin. The Victorian Government's Metropolitan Local Government Waste and Resource Recovery Fund has provided \$300,000 to set up and monitor this trial.

Previous trials have shown that providing instructional bags in the short-term helped people to get started and increased recycling participation rates and are an important part of educating people about this best practice and convenient change. Once the initial issue of instructional bags has been used residents can use their own plastic bags for recycling soft plastics. Council also encourages residents to use any additional resources, such as Coles, that is available to them.

**Colleen Hackett** asked Council:

Will the Mayor please confirm that for any changes to be made to zoning and the Urban Growth Boundary legislation is required to pass through both Houses of Parliament?

**Mayor, Cr Peter Clarke** responded that, yes, it must pass through both houses.

**Esther Caspi** asked Council:

Can this new Nillumbik Council ensure this new Vegetation Policy will not target (or discriminate) sides of roads and different strategic areas of a town to be frozen into a permanent conservation corridor dividing friends, neighbours, families and even between one part of a township to another. Eg Diamond Creek – the historical versus the new Diamond Creek East?

9. Questions from the gallery continued

**Mayor, Cr Peter Clarke** responded that this policy which we are dealing with tonight is not our policy. It is a State Government policy we are responding to, this is subject to the Minister for Planning and the Department of Environment, Land, Water and Planning.

If you wish to respond in the terms you have outlined to us, I suggest you make your own direct representation to the Minister and to the Department by 8 March 2017, you will find on their website a specific reference point where you can forward your own representations directly to that inquiry.

**Esther Caspi** asked Council:

Can Council's draft of Vegetation Policy include exemption of those properties whose pointed out infrastructure and zoning anomalies and mistakes since year 2000 and have not yet been rectified?

**Mayor, Cr Peter Clarke** responded that similarly the answer to that matter is to refer to the inquiry regarding the Vegetation Policy, which is the State Government's policy it is not our policy, so again your issues surrounding that matter should be directed directly to the Minister, I encourage you to make direct representations to the inquiry and to his consideration to that policy format by 8 March 2017.

10. Reports of Advisory Committees

AC.001/17 Advisory Committee Report

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**Distribution:** Public

**Manager:** Andrew Port, General Manager Corporate Services

**Author:** Tracey Classon, Personal Assistant to General Manager Corporate Services

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 Project Reference Group held 7 February 2017.

**Motion**

**Cr Jane Ashton**

**Cr Karen Egan**

**That Council notes the following Advisory Committee minutes:**

1. **Municipal Public Health and Wellbeing Project Reference Group held 7 February 2017**

**CARRIED**

**11. Reports of Special Committees**

Nil

**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.019/17
- OCM.020/17
- OCM.021/17
- OCM.022/17
- OCM.023/17
- OCM.024/17

**Motion**

**Cr Karen Egan  
Cr Peter Perkins**

**That Officers' Reports OCM.019/17, OCM.020/17, OCM.021/17, OCM.022/17, OCM.023/17 and OCM.024/17 be dealt with as a block motion and the recommendations as printed in the agenda be adopted without change.**

**CARRIED**



**12. Officers' reports**

**OCM.013/17 Advocacy for the continuance of Federal Government funding for 15 hours of Kindergarten**

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**Distribution: Public**

**Manager: Pauline Gordon, General Manager Community and Leisure**

**Author: Narelle Hart, Program Development Officer Family Support and Participation**

**Corrienne Nichols, Acting Manager Community Services and Social Development**

**Summary**

The Municipal Association of Victoria (MAV) is urging council's to write to the Federal Government to continue funding kindergartens post December 2017, so Victorian children retain five hours of kindergarten a week.

There is strong evidence linking kindergarten attendance to improved student results in numeracy, reading and spelling. However, the Federal Government has not committed to funding five hours of kindergarten a week after the current National Partnership Agreement ends in December.

As part of that agreement the State Government provides funding for another 10 hours, to meet the national target of providing access to 15 hours of kindergarten a week for four year-olds. Parents and councils also provide funding to help to make up the shortfalls.

In November 2008 the Council of Australian Governments (COAG), as part of its early childhood reforms, endorsed the national agenda of universal access to 15 hours of kindergarten a week for four year-old from 2013. Prior to this, kindergarten funding was provided by State Government to the level of 10 hours per week.

Currently the State Government funds 10 hours (\$204 million per annum), the Commonwealth funds five hours (\$113 million per annum) and a combination of community fund raising and local government contributions provide for the remaining funds required to operate a viable program.

The national agreement has come up for review in 2014 and 2015 and through strong advocacy by State and Local Government for ongoing funding; the Federal Government extended its commitment until December 2017.

In February 2015, the Productivity Commission released its report into Childcare and Early Childhood Learning which supports continued Commonwealth investment in preschool programs. The report recommends that Federal funding for early childhood education and care should be combined and directed toward three priority areas, including the kindergarten universal access program.

At the time of writing this report, the Federal Government has not committed to fund operational costs of the additional five hours beyond December 2017 and families and committees are becoming increasingly anxious about funding for 2018.

12. Officers' reports

OCM.013/17 Advocacy for the continuance of Federal Government funding for 15 hours of Kindergarten

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**Motion**

Cr Jane Ashton  
Cr Grant Brooker

That Council writes to the Prime Minister and the Minister for Education and Training and local Members of Federal Parliament and Victorian senators, to highlight the importance of continued universal access, and to advocate for the continued Federal Government commitment to funding for 15 hours of kindergarten for four-year olds.

**CARRIED**

12. Officers' reports

OCM.014/17 Early Years Community Infrastructure Report

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**Distribution:** Public

**Manager:** Pauline Gordon, General Manager Community and Leisure

**Author:** Narelle Hart, Program Development Officer Family Support and Participation

Corrienne Nichols, Acting Manager Community Services and Social Development

**Summary**

In 2015 Council completed a review of the early years infrastructure to determine its role and level of support in early years:

Key themes of the review included:

- Issues associated with ageing facilities
- Underutilised programs and facilities due to supply and demand factors, and
- Alignment with Victorian Government Policy, Strategic Directions and Early Years Programs

Building on the information from this review, in 2016 Council commissioned the development of an Early Years Community Infrastructure and Services Plan. The key objective of this Plan was to provide current snapshot of facilities, their condition and utilisation levels to inform the planning and management for Council's early years' infrastructure over the next 20 years.

In order to progress this work to its next phase it is timely to engage with the broader community to understand what they would like Council to consider in its planning for early years' infrastructure and what they would see as the future early years' service needs of families.

There may also be community views about the use of some early years' infrastructure, where the demographics have changed and there may be other potential uses.

This report outlines Council's management responsibility of 27 early years' facilities across the Shire, outlines issues associated with the current provision of early years' infrastructure across the Shire and seeks Council's endorsement to distribute a discussion paper to seek community input into the next phase of planning.

Once the community provides its input, the information will be collated to inform Council's decision making about how to prioritise future infrastructure needs.

**Motion**

**Cr Bruce Ranken**

**Cr Grant Brooker**

**That Council:**

1. Endorses the public distribution of a Discussion Paper (Attachment 1).

12. Officers' reports

OCM.014/17 Early Years Community Infrastructure Report

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2. Endorses its Early Years Infrastructure Communications and Engagement Plan (Attachment 2).
3. Supports the progression of further work on the Early Years Infrastructure Plan including but not limited to:
  - a) a full cost analysis of each facility, indicating
    - I. the cost to Council based on a facility's approved utilisation versus the actual utilisation determined by the preschool,
    - II. a breakdown of each facility's utilisation of Nillumbik Shire residents versus non-residents
  - b) a demographic profile of each facility
  - c) an analysis of Preschool Committees of Management/Cluster Management Models and their future infrastructure needs including, length of preschool leases and the option of Council assuming the management role of Preschools to alleviate the pressure placed on volunteer committees of management
  - d) an understanding of each preschool's cultural history.
4. Requests that officers undertake a review of Council's role in and support for the Eltham and Panton Hill Playhouses and the Hohnes Road Playhouse to ascertain what options are available to continue delivery of the service, and
5. Receives a further report on recommendation four at its May Ordinary Council meeting.

CARRIED

12. Officers' reports

**OCM.015/17 Diamond Valley Sports and Fitness Centre Masterplan- Appointment of community representatives to the Strategic Advisory Group**

**File: 30/29/038**

**Distribution: Public**

**Manager: Pauline Gordon, General Manager Community and Leisure**

**Author: Naomi Paton, Manager Leisure and Social Infrastructure**

**Michelle DePasquale, Leisure Facilities Senior Contract Supervisor**

**Summary**

Council is preparing a masterplan for the Diamond Valley Sports and Fitness Centre (DVSFC). The Masterplan was a recommendation in Council's Recreation Strategy 2011-2019. Its preparation is jointly funded by Council and State Government.

DVSFC consists of six indoor sports courts and multi-purpose hall, squash courts, gym and group exercise spaces, crèche, café, office areas and change rooms. The facility attracted over 445,000 visits in 2015-2016 making it one of Council's most patronised venues.

The venue is 40 years old, and whilst the facility has undergone a number of minor upgrades in the past 15 years, it requires substantial renovation to meet community needs and expectations, deliver enhanced access and inclusion outcomes, address compliance and respond to forecast community demands.

The preparation of the Masterplan will be overseen by a Strategic Advisory Group. The Strategic Advisory Group will be chaired by the Social Infrastructure Portfolio Councillor Cr Bruce Ranken. The Committee will also include Blue Lake Ward Councillor Cr Grant Brooker, six community representatives and Council's General Manager Community and Leisure.

Nominations for membership to the Strategic Advisory Group have been assessed by Cr Bruce Ranken, Cr Grant Brooker and General Manager Community and Leisure. Details of the six candidates recommended for appointment to the SAG are provided.

**Motion**

**Cr Bruce Ranken**

**Cr Grant Brooker**

**That Council**

- 1. Appoints six community members to the Diamond Valley Sports and Fitness Centre Masterplan Strategic Advisory Group as detailed in this report.**
- 2. Appoints Social Infrastructure Portfolio Councillor Cr Bruce Ranken as Chair of the Strategic Advisory Group.**

**CARRIED**

12. Officers' reports

**OCM.016/17 Submission on the Native Vegetation Clearing Regulations**

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**Distribution: Public**

**Manager: Jeremy Livingston, Acting General Manager Environment and Planning**

**Author: Pat Vaughan, Sustainability and Environment Executive Officer**

**Summary**

The State Government has released a Review of the Native Vegetation Clearing Regulations for public comment. Submissions are due by 8 March 2017.

A draft submission is being drafted by Council officers for Council approval. However at the time of preparation of this report to Council, the draft submission was not finalised.

The draft submission will be circulated prior to the Council meeting, in order to enable Council to consider and determine its response prior to the deadline of 8 March 2017.

**Recommendation**

That Council considers and approve the submission (Attachment 1) on the Native Vegetation Clearing Regulations and that it be forwarded to the Department of Environment, Land Water and Planning by the 8 March 2017.

**Motion**

**Cr Karen Egan  
Cr Peter Perkins**

**That Council:**

- 1. Considers and approves the submission (Attachment 1) on the Native Vegetation Clearing Regulations with the following changes:
 
  - a) Strengthen the reference to the economic burden that the rules place on the landowner and the social consequences that result from the inability of residents to adequately manage risks**
  - b) Make direct reference to the guiding principles of the 2009 Victorian Bushfire Royal Commission - 'the protection of human life and shared responsibility'****
- 2. Authorises the Acting CEO to make any final edits to the submission for any final issues identified.**
- 3. Forwards the submission to the Department of Environment, Land, Water and Planning by 8 March 2017.**

**CARRIED**

12. Officers' reports

OCM.017/17 Motorised Toy Vehicles

**Distribution:** Public

**Manager:** Jeremy Livingston, Acting General Manager Environment and Planning

**Author:** Phil Lovelace, Manager Regulatory Services

**Summary**

At the Ordinary Meeting of Council on Tuesday 21 June 2016, Council moved the following motion;

- A report be prepared for Council's consideration on alternative options for controlling the use of motorised toy vehicles on private property through Council's Amenity Local Law (which defines 'motorised toy vehicle' as any mini bike, trail bike, motor bike, motor scooter, go-cart and any other vehicle propelled or operated by a motor and which is normally used for recreational purposes but excludes a motorised wheelchair or scooter designed to transport a person of limited mobility).

The report addresses alternative standards that may be applicable for controlling noise emissions. The arguments for and against changing Council's existing delegations to designate Council as the determining authority under Council's Amenity Local Law and associated Guidelines in order to meet the objectives of the Local Law, in particular, to provide for the fair and reasonable use and enjoyment of private land in a uniform and fair manner.

**Recommendation**

That Council continues to regulate the use of Motorised Toy Vehicles within the municipality through its Amenity Local Law and Guidelines without any variation to its current process.

**Motion**

**Cr Peter Perkins**  
**Cr Bruce Ranken**

**That Council:**

1. **Amends 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.**
2. **In accordance with section 112 of the *Local Government Act 1989*, publish a notice of this resolution in the *Government Gazette*.**

**CARRIED**

12. Officers' reports

OCM.018/17 Election report - Nillumbik Shire Council general elections 2016

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**Distribution: Public**

**Manager: Andrew Port, General Manager Corporate Services**

**Author: Allison Watt, Manager Governance and Communications**

**Summary**

In April 2016, Council entered into an Electoral Service Agreement with the Victorian Electoral Commission (VEC) for the provision of electoral services to Council for the four-year period beginning 1 July 2016, including the conduct of the 2016 general election.

The general election was conducted by postal ballot and in accordance with the *Local Government Act 1989* (the Act) and the *Local Government (Electoral) Regulations 2016* (the Regulations).

Some key results were as follows:

- Nillumbik's voter turnout was 80.96 per cent which was higher than the 2012 election (76.69 per cent) and higher than the state average in 2016 (75.67 per cent)
- Nillumbik's informal vote of 3.67 per cent was slightly higher than 2012 (3.12 per cent) but is still lower than the state average (6.06 per cent).

Clause 14 of Schedule 3 of the Act requires the Returning Officer to prepare a report to the Chief Executive on the conduct of the election within three months of election day. The report must include a certified record of the number of ballot papers and declarations printed, issued, used, spoiled and returned.

Clause 14 also provides that the Chief Executive Officer must ensure that the report is submitted to Council at the earliest practicable meeting of Council held after the report is received by the Chief Executive Officer. The Returning Officer's report was received on 23 January 2017 and is attached for Council's consideration. (Attachment 1).

**Motion**

**Cr Bruce Ranken**

**Cr Karen Egan**

**That Council:**

1. **In accordance with Schedule 3 of the *Local Government Act 1989*, receives and notes the election report for the Nillumbik Shire Council general elections 2016.**
2. **Notes that Nillumbik's voter turnout and informal vote results were both better than the Victorian average.**

**CARRIED**



12. Officers' reports

OCM.019/17 General Valuation 2018

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**Distribution: Public**

**Manager: Andrew Port, General Manager Corporate Services**

**Author: Vince Lombardi, Manager Finance**

**Summary**

The purpose of this report is to formally resolve to undertake a General Valuation of all properties within the Shire as at 1 January 2018, in accordance with the *Valuation of Land Act 1960*.

**Motion**

**Cr Karen Egan  
Cr Peter Perkins**

**That Council:**

- 1. Undertakes a general valuation of all properties within the Shire effective for the 2018-2019 rating year.**
- 2. Advises neighbouring councils and the Valuer-General accordingly.**

**CARRIED**

Note: Item OCM.019/17 was carried as part of a block motion.

12. Officers' reports

OCM.020/17 Audit Committee - Minutes February 2017

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**Distribution: Public**

**Manager: Andrew Port, General Manager Corporate Services**

**Author: Vince Lombardi, Manager Finance**

**Melika Sukunda, Financial Accountant**

**Summary**

In accordance with the *Local Government Act 1989* section 139 and good governance principles, councils must have an Audit Committee.

As resolved at the Ordinary Meeting of Council on 16 August 2005 the Audit Committee minutes are to be reported and presented at an Ordinary Meeting of Council following the Audit Committee meeting.

The Audit Committee met on 13 February 2017. The minutes for the meeting are attached.

**Motion**

**Cr Karen Egan**

**Cr Peter Perkins**

**That Council notes the minutes of the Audit Committee meeting for 13 February 2017.**

**CARRIED**

Note: Item OCM.020/17 was carried as part of a block motion.

12. Officers' reports

OCM.021/17 Provision of Delivered Meals Update

**Distribution: Public**

**Manager: Pauline Gordon, General Manager Community and Leisure**

**Author: Corrienne Nichols, Acting Manager Community Services and Social Development**

**Summary**

A confidential report details the background for the Provision of Delivered Meals contract, contract 1415-49 and the issues relating to the recent Salmonellosis outbreak associated with Moreland City Council (MCC).

On Friday 27 January 2017, Moreland Food Services, advised Council that 14 people receiving meals early – mid December 2016 become ill with one case being a Nillumbik meals recipient. Further information provided to council indicates that salmonellosis was the cause of the illness.

The Food Services contract for the delivery of meals to Home and Community Care Clients is a collaborative arrangement between Nillumbik Shire Council and the City of Whittlesea through Moreland Food Services. Over the 27 years Moreland City Council has been producing meals for HACC services there has never been a similar incident.

The Department of Health and Human Services (DHHS) is currently investigating the issue to identify the cause of the salmonellosis. To date, all samples collected from the production kitchen have returned a negative test result. No further cases of illness have been identified and Council's Meals on Wheels service continues to operate as usual.

At its ordinary meeting on 31 January 2017, Council requested that officers identify other food options for Nillumbik Shire Council's clients. There are a number of providers available in the market which is included in the confidential report.

DHHS has given the clearance for the Food Service to continue operations.

Council should be aware that if it elects to terminate the Contract before the expiration of the Contract term, Moreland City Council may challenge the termination on the basis that there has been no breach and sue Council for future payment under the Contract.

**Motion**

**Cr Karen Egan  
Cr Peter Perkins**

**That Council:**

- 1. Notes the report**
- 2. Makes public the decision regarding the future delivery of Council's Food Services.**

**CARRIED**

Note: Item OCM.021/17 was carried as part of a block motion.

**12. Officers' reports****OCM.022/17 Quotation - trade services, small solar system supply and maintenance****Distribution: Public****Manager: Jeremy Livingston, Acting General Manager Environment and Planning****Author: Romney Bishop, Sustainability Officer****Summary**

Council regularly installs small solar systems (under 30 kilowatts) on Council-owned buildings to achieve the goals in the Climate Change Action Plan 2016-2020, including to reduce electricity consumption from the grid by 20 per cent by 2020, to reduce gas consumption at Council-owned buildings by 21 per cent by 2020 and to produce 30 per cent of Council's building energy requirements through on-site renewable energy sources by 2020.

To complete these works, Council officers engage contractors through a quotation process whereby contractors are required to provide the same information about their business practices and risk management repeatedly. The appointment of a panel of contractors will remove the requirement to repeatedly provide that information, other than through annual renewals of insurance.

In addition, annual preventative maintenance is carried out on existing solar systems to ensure they are operating at capacity and Council is receiving the full benefit of the systems. This contract expired in January 2017 and this process seeks to appoint a new contractor to carry out preventative maintenance for the next three years.

A separate report outlines the services sought, the quotation process and seeks Council's endorsement to appoint a panel of contractors that can be engaged as work needs arise on Council-owned buildings for a period of three years.

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 contracts.

**Motion****Cr Karen Egan  
Cr Peter Perkins****That Council:**

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

**CARRIED**

Note: Item OCM.022/17 was carried as part of a block motion.

12. Officers' reports

OCM.023/17 Risk and Insurance Report December 2016

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**Distribution: Public**

**Manager: Andrew Port, General Manager Corporate Services**

**Author: Craig Commene, Risk Advisor  
Vince Lombardi, Manager Finance**

**Summary**

This report provides a summary of Council's Risk and Insurance Report for the quarter ending December 2016.

The report is presented in accordance with the Local Government Performance Reporting Framework that commenced on 1 July 2014. 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 insurance reporting to Council will be tabled each quarter following consideration by the Audit Committee.

A separate report in this agenda provides detailed information for Council consideration. It is recommended that this detailed report remain confidential as it includes information which may prejudice the Council or another person.

**Motion**

**Cr Karen Egan  
Cr Peter Perkins**

**That Council:**

- 1. Notes this summary of the Risk and Insurance Report for the quarter ending December 2016.**
- 2. Confirms that the confidential Risk and Insurance Report for the December quarter 2016 is to remain confidential in accordance with sections 77 and 89(2)(h) of the *Local Government Act 1989*.**

**CARRIED**

Note: Item OCM.023/17 was carried as part of a block motion.

12. Officers' reports

OCM.024/17 Assemblies of Councillors

**Distribution:** Public

**Manager:** Andrew Port, General Manager Corporate Services

**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 31 January 2017.

<b>Motion</b>
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**Cr Karen Egan**  
**Cr Peter Perkins**

**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>	31 January 2017	
	<b>Matters considered</b>	Pre-meeting for Ordinary Council Meeting	
	<b>Councillors present</b>	Cr Peter Clarke Cr John Dumaresq Cr Jane Ashton	Cr Grant Brooker Cr Peter Perkins Cr Bruce Ranken
	<b>Staff present</b>	Mark Stoermer Andrew Port Ransce Salan Pauline Gordon Suzy Ellingsen Corrienne Nichols	Diana Bell Vince Lombardi Robert Malignaggi Neil Hordern Joseph Emmanuel
	<b>Conflict of interest</b>	None declared	

2	<b>Date of assembly</b>	7 February 2017	
	<b>Matters considered</b>	Health and Wellbeing Project Reference Group	
	<b>Councillors present</b>	Cr Jane Ashton	
	<b>Staff present</b>	Diana Bell Pauline Gordon	Corrienne Nichols
	<b>Conflict of interest</b>	None declared	

12. Officers' reports

OCM.024/17 Assemblies of Councillors

<b>3</b>	<b>Date of assembly</b>	<b>7 February 2017</b>	
	<b>Matters considered</b>	<b>Officer briefings of Councillors</b> <ul style="list-style-type: none"> <li>• Road Management Plan review</li> <li>• Plenty/Yarrambat locality boundary</li> <li>• DVSFCA Masterplan advisory group</li> <li>• Yarra Plenty Library budget</li> <li>• Climate Change Action Plan</li> <li>• Waste services</li> <li>• Edendale Community Environment Farm</li> <li>• Draft Capex Program</li> <li>• Native Vegetation Regulations</li> </ul>	
	<b>Councillors present</b>	<b>Cr Peter Clarke</b> <b>Cr John Dumaresq</b> <b>Cr Jane Ashton</b>	<b>Cr Grant Brooker</b> <b>Cr Karen Egan</b> <b>Cr Bruce Ranken</b>
	<b>Staff present</b>	<b>Mark Stoermer</b> <b>Andrew Port</b> <b>Conal Creedon</b> <b>Ransce Salan</b> <b>Pauline Gordon</b> <b>Allison Watt</b> <b>Lisa Pittle</b> <b>Joseph Emmanuel</b> <b>Naomi Paton</b> <b>Michelle DePasquale</b>	<b>Hannah Burns</b> <b>John Smyth</b> <b>Joanne Hammond</b> <b>Pat Vaughan</b> <b>Romney Bishop</b> <b>Adrian Cully</b> <b>Corinne Mays</b> <b>Suzy Ellingsen</b> <b>Corrienne Nichols</b>
	<b>Conflict of interest</b>	<b>None declared</b>	

<b>4</b>	<b>Date of assembly</b>	<b>8 February 2017</b>	
	<b>Matters considered</b>	<b>Councillor meeting, CEO recruitment</b>	
	<b>Councillors present</b>	<b>Cr Peter Clarke</b> <b>Cr John Dumaresq</b> <b>Cr Jane Ashton</b>	<b>Cr Grant Brooker</b> <b>Cr Karen Egan</b> <b>Cr Bruce Ranken</b>
	<b>Staff present</b>	<b>Suzy Ellingsen</b>	<b>Sally Pickett</b>
	<b>Conflict of interest</b>	<b>None declared</b>	

<b>5</b>	<b>Date of assembly</b>	<b>8 February 2017</b>	
	<b>Matters considered</b>	<b>Nillumbik Intentional Communities</b>	
	<b>Councillors present</b>	<b>Cr Karen Egan</b> <b>Cr Jane Ashton</b>	<b>Cr Grant Brooker</b> <b>Cr Peter Clarke</b>

12. Officers' reports

OCM.024/17 Assemblies of Councillors

		<b>Cr John Dumaresq</b>	
	<b>Staff present</b>	<b>Mark Stoermer Andrew Port Pauline Gordon Ransce Salan</b>	<b>Chad Griffiths Corrienne Nichols Nichole Johnson</b>
	<b>Conflict of interest</b>	<b>None declared</b>	

<b>6</b>	<b>Date of assembly</b>	<b>9 February 2017</b>	
	<b>Matters considered</b>	<b>Recreation Trails Advisory Committee</b>	
	<b>Councillors present</b>	<b>Cr John Dumaresq</b>	<b>Cr Karen Egan</b>
	<b>Staff present</b>	<b>Naomi Paton Joanne Massoud</b>	<b>Nadine Wooldridge</b>
	<b>Conflict of interest</b>	<b>None declared</b>	

<b>7</b>	<b>Date of assembly</b>	<b>14 February 2017</b>	
	<b>Matters considered</b>	<b>Pre-meeting for Special Council Meeting and Future Nillumbik Committee</b>	
	<b>Councillors present</b>	<b>Cr Peter Clarke Cr John Dumaresq Cr Jane Ashton Cr Karen Egan</b>	<b>Cr Grant Brooker Cr Peter Perkins Cr Bruce Ranken</b>
	<b>Staff present</b>	<b>Mark Stoermer Andrew Port Pauline Gordon Ransce Salan Conal Creedon</b>	<b>Chad Griffiths Lisa Pittle Joseph Emmanuel Joanne Hammond</b>
	<b>Conflict of interest</b>	<b>None declared</b>	

<b>8</b>	<b>Date of assembly</b>	<b>20 February 2017</b>	
	<b>Matters considered</b>	<b>Sale of 22 Luck Street, Eltham</b>	
	<b>Councillors present</b>	<b>Cr Peter Clarke Cr Peter Perkins</b>	<b>Cr Bruce Ranken Cr Grant Brooker</b>
	<b>Staff present</b>	<b>Jon Miller</b>	<b>Conal Creedon</b>
	<b>Conflict of interest</b>	<b>None declared</b>	



12. Officers' reports

OCM.024/17 Assemblies of Councillors

<b>9</b>	<b>Date of assembly</b>	<b>21 February 2017</b>	
	<b>Matters considered</b>	<b>Officer briefings of Councillors:</b> <ul style="list-style-type: none"> <li>• <b>Submission on Native Vegetation Regulations and Bushfire Management Overlay</b></li> <li>• <b>Early Years Community Infrastructure</b></li> <li>• <b>Integrated Home and Community Care</b></li> <li>• <b>Amendment C108 Diamond Creek Trail</b></li> <li>• <b>Seasonal sports pavilion priorities</b></li> <li>• <b>Civic Drive residential development</b></li> <li>• <b>Motorised Toy Vehicles</b></li> <li>• <b>2017-2018 Budget – new initiatives and fees and charges</b></li> </ul>	
	<b>Councillors present</b>	<b>Cr Peter Clarke</b> <b>Cr Jane Ashton</b> <b>Cr Karen Egan</b>	<b>Cr Grant Brooker</b> <b>Cr Peter Perkins</b> <b>Cr Bruce Ranken</b>
	<b>Staff present</b>	<b>Mark Stoermer</b> <b>Andrew Port</b> <b>Pauline Gordon</b> <b>Conal Creedon</b> <b>Joanne Hammond</b> <b>Chad Griffiths</b> <b>Paul Fyffe</b>	<b>Alison Fowler</b> <b>Pay Vaughan</b> <b>Marianne Sparks</b> <b>Corrienne Nichols</b> <b>Narelle Hart</b> <b>Naomi Paton</b> <b>Jon Miller</b>
	<b>Conflict of interest</b>	<b>None declared</b>	

**CARRIED**

Note: Item OCM.024/17 was carried as part of a block motion.

**13. Notices of Motion**

Nil

**14. Delegates' reports**

Mayor, Cr Peter Clarke reported on reform of Yarra River planning controls.

**15. Supplementary and urgent business**

Nil

**16. Confidential reports**

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

**Motion**

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:

Report No.	Title	Reason for confidentiality
OCM.025/17	Provision of Delivered Meals	(d) contractual matters
OCM.026/17	Quotation - trade services, small solar system supply and maintenance	(d) contractual matters
OCM.027/17	Risk and Insurance Report December 2016	(h) any other matter which the Council or special committee considers would prejudice the Council or any person

**CARRIED**

The meeting closed to the public at 8.02pm.