

Ordinary Meeting of Council

to be held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 31 January 2017 commencing at 7pm.

Agenda

Andrew Port
Acting Chief Executive Officer

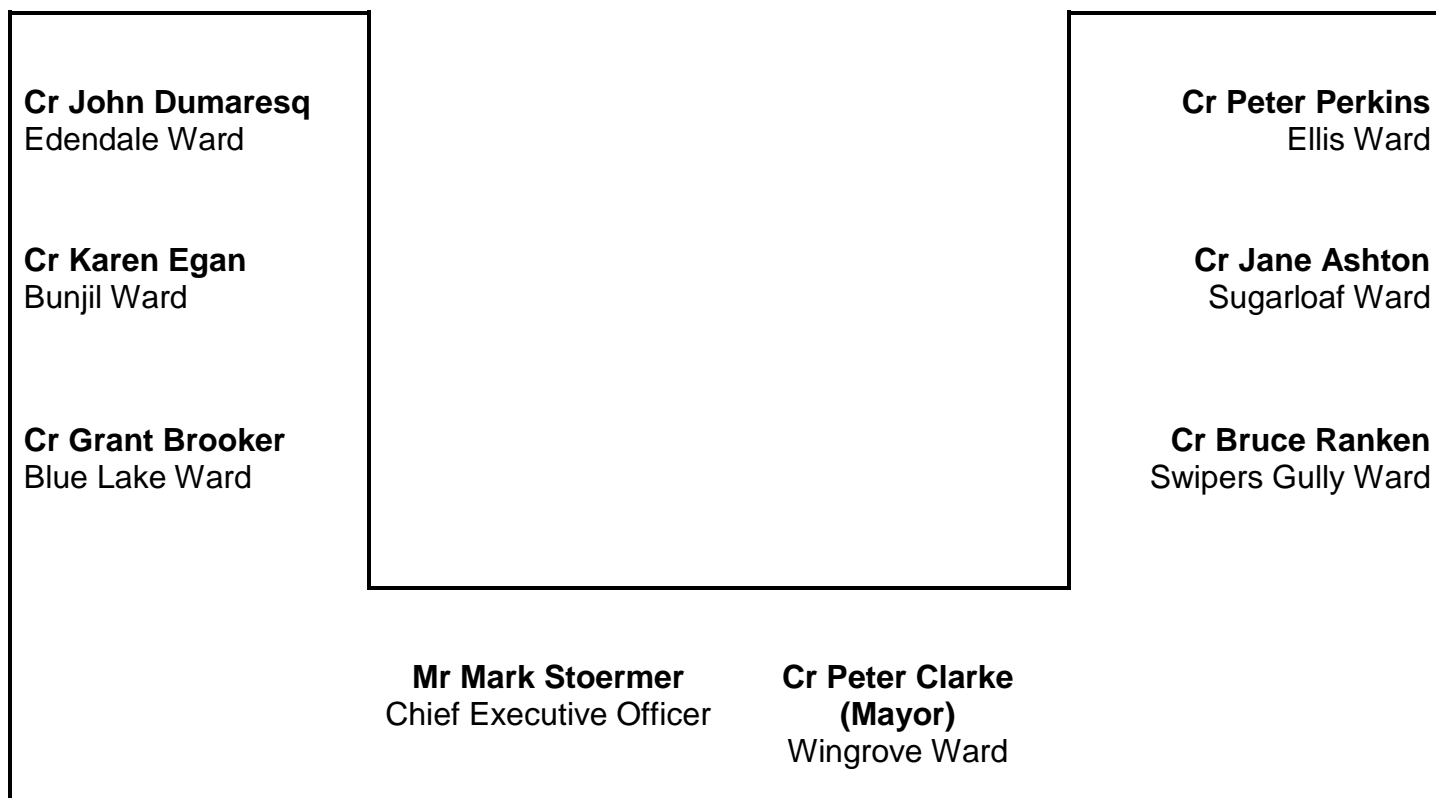
Wednesday 25 January 2017

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Domin je ka

Ordinary Meeting of Council seating plan



Visitors in the gallery at Council meetings are:

- Welcome to copies of the reports which will be considered by the Council at the meeting. These are on the table in the foyer.
- Welcome to the tea, coffee and water provided in the foyer.
- Requested to observe Council deliberations quietly in order for Council meetings to run smoothly.
- Advised that an audio recording of this meeting will be made for the purpose of verifying the accuracy of the minutes.

Nillumbik Shire Council

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Nillumbik Shire Council

Agenda of the Ordinary Meeting of Nillumbik Shire Council to be held Tuesday 31 January 2017 commencing at 7pm.

Welcome by the Mayor

Members of the public are advised the meeting will be recorded for the purpose of verifying the accuracy of the minutes.

1. Reconciliation statement

The reconciliation statement to be read by the Mayor

Nillumbik Shire Council acknowledges the Wurundjeri as the traditional custodians of the land now known as the Shire of Nillumbik and values the significance of the Wurundjeri people's history as essential to the unique character of the Shire.

2. Prayer

A prayer will be read by Rev. Ros McDonald of the Eltham Montmorency Uniting Church.

3. Good governance pledge

As Councillors, we are mindful of our civic responsibilities and obligations. We pledge to take them seriously, and to carry them out with diligence and integrity.

We know the decisions we take will affect the people and environment of Nillumbik, now and in the future. We undertake, therefore, to make sound and principled decisions of lasting value, in a spirit of fairness and for the good of all.

We also pledge to serve the needs and wellbeing of the community and the environment, in an open and honest manner and to the best of our abilities.

4. Apologies

Motion

That the apologies be accepted.

5. Presentations

Nil

6. Confirmation of minutes

Confirmation of minutes of the Council Meeting held on Tuesday 20 December 2016.

Motion

That the minutes of the Council Meeting held on Tuesday 20 December 2016 be confirmed.

7. Disclosure of conflicts of interest

Councillors should note that any conflicts of interest should also be disclosed immediately before the relevant item.

8. Petitions

Nil

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9. Questions from the gallery

10. Reports of Advisory Committees

Nil

11. Reports of Special Committees

Nil

12. Officers' reports

OCM.001/17 Municipal Public Health and Wellbeing Plan: Community Engagement and Annual Review

Distribution: Public
Manager: Pauline Gordon, General Manager Community and Leisure
Author: Diana Bell, Coordinator Social Development and Service Planning
Corrienne Nichols, Acting Manager Community Services and Social Development

Summary

Compliance with *Public Health and Wellbeing Act 2008* is reported, in the matters of

- Reviewing the Municipal Public Health and Wellbeing Plan (MPHWP) annually
- Involving the local community in the development of the next MPHWP 2017-2021.

The Year 3 review of the current Nillumbik Health and Wellbeing 2013-2017 is presented to Council.

Community involvement in developing the next MPHWP is provided through the adoption of a Community Engagement and Communication Plan and by appointing the MPHWP Project Reference Group.

Recommendation

That Council:

1. **Notes the Year 3 Annual Review of the Nillumbik Health and Wellbeing Plan 2013-2017.**
2. **Endorses the proposed Municipal Public Health and Wellbeing Plan: Community Engagement and Communication Plan.**
3. **Appoints the eleven nominated members to the Municipal Public Health and Wellbeing Project Reference Group 2017-2021 for a two-year term.**

Attachments

1. Health and Wellbeing Plan 2013-2017 Year 3 Annual Review
2. Municipal Public Health and Wellbeing Plan: Community Engagement and Communication Plan
3. Municipal Public Health and Wellbeing Plan Project Reference Group Nomination List

Background

1. Under section 26 of the *Public Health and Wellbeing Act 2008* (the Act), Council must prepare a Municipal Public Health and Wellbeing Plan (MPHWP) within 12 months of the general election.

12. Officers' reports

OCM.001/17 Municipal Public Health and Wellbeing Plan: Community Engagement and Annual Review

2. Under the Act (section 26.4), Council must review the Municipal Public Health and Wellbeing Plan annually. Council is not required to provide for the involvement of the people in the community when reviewing the Municipal Public Health and Wellbeing Plan (sub-section 5).
3. However, the Act (section 26.2c) requires Council to provide for the involvement of people in the local community in the development, implementation and evaluation of the public health and wellbeing plan.
4. In this regard, the Policy and Services Committee adopted the Terms of Reference for the Municipal Public Health and Wellbeing Plan 2017-2021 Project Reference Group. At the same time the Committee appointed Cr Ashton to the Project Reference Group as Chair on 6 December 2016. The Committee resolved to appoint the remainder of the group following a public invitation for expressions of interest.

Policy context

5. This report directly supports the achievement of Council Plan 2013-2017 strategy:
 - We will plan and deliver accessible community services that enhance health and wellbeing across all life stages.

Budget implications

6. Council has allocated funds for Municipal Public Health and Wellbeing planning in the Community Services budget.

Consultation/communication

7. The public invitation for Expressions of Interest was advertised in the *Diamond Valley Leader* on 14 December 2016, and on the Council website from 14 December 2016 to 6 January 2017.

Issues/options

8. The Nillumbik Health and Wellbeing Plan Year 3 Annual Review was completed in compliance with the requirement of the Act to review the Municipal Public Health and Wellbeing Plan annually. The report is provided in Attachment 1.
9. The MPHWP Community Engagement and Communication Plan ensures compliance with the Act by providing for the involvement of people in the local community in the development, implementation and evaluation of the public health and wellbeing plan. The engagement plan is provided in Attachment 2.
10. The Terms of Reference for the MPHWP Project Reference Group provide for up to 12 members of the group in addition to the Chair. The term of appointment under the Terms of Reference is two years.
11. Eleven nominations were received by the closing date for the MPHWP Project Reference Group. The list of nominations is provided in Attachment 3.

12. Officers' reports

OCM.001/17 Municipal Public Health and Wellbeing Plan: Community Engagement and Annual Review

Conclusion

12. All aspects of Municipal Public Health and Wellbeing planning have met the requirements of the Act. In particular, there will be a high level of community engagement in the development of the next MPHWP provided by the MPHWP Project Reference Group and the MPHWP Community Engagement and Communication Plan.

12. Officers' reports**OCM.002/17 Proactive tree management program in high use areas**

Distribution: Public**Manager: Conal Creedon, General Manager Infrastructure Services****Author: Lisa Pittle, Manager Infrastructure Maintenance****Neil Hordern, Environment and Open Space Coordinator****Summary**

Trees are a vital part of Nillumbik's urban and rural areas, underpinning the character of the Shire and its natural ecosystems. Tree management in Nillumbik is guided by the Tree Management Policy and Tree Management Guidelines adopted by Council in September 2015. The Policy and Guidelines recognise that managing trees in public areas is a potentially high risk function for Nillumbik, and for any public land management agency. It is impossible to eliminate all tree-related risks and therefore a risk management approach is used to target resources to higher risk locations.

This report provides background on Council's existing tree management programs and a response to the Audit Committee's consideration of the 2016 internal audit of these programs and practices. The key internal audit recommendation is that Council establish a proactive program to inspect and maintain trees in high use areas. This report provides a proposal for Council to fund a cyclic proactive program of tree maintenance in high use areas based on a risk management approach.

Recommendation**That Council**

- 1. Notes the recommendation of the Audit Committee for Council to give early consideration to the development of a proactive tree management program in high use areas.**
- 2. Considers additional funding of \$300,000 per annum to implement a cyclic proactive tree management program in high use areas in developing the 2017-2018 annual budget.**

Attachments

1. High use site risk ranking schedule
2. Tree Management Policy

Background

1. Trees are a vital part of Nillumbik's urban and rural areas, underpinning the character of the Shire and its natural ecosystems. The extensive tree population in the Shire estimated at 500,000-600,000 means that proactive maintenance of each tree is currently not financially viable. The Nillumbik Tree Management Policy (Attachment 2) and Tree Management Guidelines (Tree Policy and Guidelines) were adopted by Council in 2015 and provide a framework for Council to manage trees in line with best practice and legislative requirements to maintain and enhance the Shire's natural character and conservation values.

12. Officers' reports

OCM.002/17 Proactive tree management program in high use areas

2. Increased public concern about tree management particularly since the 2009 bushfires was a driver for adoption of the Policy and Guidelines to deliver Council's tree management in a consistent and transparent manner.
3. The Policy and Guidelines detail tree management services that Council will provide and the standard of service that will be delivered. The Policy and Guidelines were developed to provide guidance for managing trees on a largely reactive basis, prioritising works using a risk based approach.
4. The Tree Policy states that in order to manage risks associated with trees Council will:
 - a) deliver a reactive tree maintenance program (including tree roots) to assess and manage reported tree risks
 - b) deliver proactive tree maintenance programs for the purpose of:
 - i) Electric line clearance in designated areas
 - ii) meeting the objectives of the Municipal Emergency Management Plan and Municipal Fire Management Plan
 - c) provide a guide for residents planting trees on nature strips
 - d) undertake proper selection, placement and planting of trees in accordance with this policy to reduce long-term risk
5. The Nillumbik Tree Management Guidelines provide a risk based decision-making guide that Council can use to consider running additional proactive tree maintenance programs.

Reactive tree management

6. A significant portion of tree maintenance works undertaken by Council are reactive, responding to internal and external service requests. Reactive requests are assessed and prioritised into two categories: urgent works which are made safe within 24 hours and non-urgent works which are inspected and works, if required, are programmed over 12 months. In both categories the outcome may be that no works are required. Approximately 10 per cent of non-urgent requests are found to have no works required as the tree is presents negligible risk.
7. Table 1 shows the total number of reactive tree requests received over the past five years, with the numbers and percentages of urgent requests and non-urgent requests (works programmed with 12 months).

Table 1 Summary of reactive tree requests by financial year

| Year | Total requests received | Urgent | Non urgent | % Urgent | % Non-urgent |
|-----------|-------------------------|--------|------------|----------|--------------|
| 2011-2012 | 1,214 | 407 | 807 | 34 | 66 |
| 2012-2013 | 1,431 | 442 | 989 | 31 | 69 |
| 2013-2014 | 1,665 | 679 | 986 | 41 | 59 |

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| Year | Total requests received | Urgent | Non urgent | % Urgent | % Non-urgent |
|---------------------|-------------------------|--------|------------|----------|--------------|
| 2014-2015 | 1,210 | 480 | 730 | 40 | 60 |
| 2015-2016 | 1,352 | 574 | 778 | 42 | 58 |
| 2016-2017 (Jul-Dec) | 1,010 | 566 | 444 | 56 | 44 |

8. Prior to 2009, the total number of service requests per year was about 500. In 2009-10 and 2010-2011 numbers increased to about 800 and 900 respectively. In 2011-2012 a new system of tracking and responding to requests was introduced to ensure customer responsiveness and completion of work.

Proactive tree management

9. Proactive tree management is undertaken to meet statutory obligations, to manage the risks associated with roadside trees in the event of an emergency and to enhance neighbourhood character and conservation values. Proactive works include;
- a) Electric line clearance in the declared areas for which Council is responsible as required by the Energy Safe (Electric Line Clearance) Regulations 2015

The Nillumbik Declared area takes in the suburbs of Eltham, Eltham North, Diamond Creek, Plenty and Greensborough, with a small number of streets in Wattle Glen. Trees near electric lines in hazardous bushfire risk areas (HBRA) and High Voltage (HV) areas are pruned annually. Trees near electric lines in Low Voltage (LV) areas are pruned every two years.
 - b) Box clearance and hazard tree works on primary and secondary roads as identified annually in Nillumbik’s Municipal Fire Management Plan.

This program commenced in 2009-2010 and these works occur on a three to four year cycle. Typically this program covers tree pruning and removal works on 30-40 roads per year of between 70-100km length, with 100-150 trees being removed per annum.
 - c) Managing regrowth to maintain sight distance and deadheading trees on roadsides in the area affected by the 2009 Black Saturday bushfires.

This program commenced in 2009-2010 to ensure safety for road users on fire affected roads. The program consists of 23 roads of approximately 39kms length with works including; Removing woody weeds, Select pruning, Canopy reduction, Removing epicormic (Multi-branch) regrowth and Stump removal.
 - d) Street tree planting

This is an ongoing program to plant trees in urban streets and to replace trees in urban streets where they have died. Typically between 350-400 trees per annum are planted at a cost of \$80-85,000 including plant supply and installation with follow up watering for 1-2 years to enable establishment.
10. In 2016, Council’s Internal Auditors undertook a review of the procedures and practices relating to Council’s tree management to assess whether the controls and processes are operating satisfactorily.

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11. The tree management audit has mainly identified clarification and further refinement of tree management processes outlined in the Tree Management Guidelines so that the decision making process is clear, evidence based and documented.
12. The Internal Auditors also considered the response to recommendations made by the Victorian Coroner in 2015 following a fatality caused by a falling tree branch in a popular park in Bendigo. One of the recommendations the Coroner made was for all local governments to have a cyclic proactive tree inspection program. The Internal Auditors noted that current practices are reactive only and suggested that this is an area requiring greater attention and investment of resources. Council officers had commenced a process to identify the requirements of a risk-based proactive program of inspections in locations such as child care centres, playgrounds and highly patronised parks should be implemented.
13. Council's Audit Committee considered the report of the Internal Auditors in December 2016 and recommended that a report be provided to Council on a proactive tree inspection process for high use areas in early 2017 and considered in the 2017-2018 budget.

Policy context

14. This report directly supports the achievement of Council Plan 2013-2017 strategy:
 - We will responsibly manage our conservation reserves and open spaces with an emphasis on fire prevention and weed eradication.

Budget implications

15. The 2016-2017 budget has \$1,256,119 allocated for tree management works. The budget is allocated to proactive and reactive works as follows:
 - Proactive annual electric line clearing program – Contractors \$134,140
 - Proactive annual bushfire mitigation tree works with a total of \$491,643:
 - Hazard tree assessment and works – Contractors \$230,266
 - Proactive box clearing on primary and secondary roads – Contractors \$156,826
 - Tree management (regrowth, deadheading) on roads affected by Black Saturday 2009 – Contractors \$104,551
 - Reactive inspection and maintenance of trees on Council land (including road reserve) – Contractors \$294,840, direct in house staff, plant and equipment cost of \$398,767
 - Box clearing on roads other than primary and secondary roads - Contractors \$62,929
 - Proactive street tree planting program – Contractors \$81,000
16. An additional program to inspect for tree hazards and to carry out rectification works in sites identified as very high and high risk (in relation to tree failure) on an annual to bi-annual cycle is estimated to require an additional budget of \$50,000 for inspections and \$150,000 to carry out the resulting works.

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OCM.002/17 Proactive tree management program in high use areas

17. For areas identified medium and low risk additional budget of \$100,000 would be required for works arising from cyclic inspections undertaken by Council staff.
18. The additional \$300,000 identified in this report is based on a desktop study of high use areas and an estimate of the cost of inspections and resulting works from like projects. This work will be reviewed to determine more accurate costs over time. Apart from inspections of medium and low risk sites, all inspections and works would be carried out by consultant arborists and contractors.

Consultation/communication

19. There was a consultation process associated with the adoption of the Tree Policy and Guidelines on 8 September 2015. This consultation process included the general community as well as targeted communication with the Nillumbik Environment Advisory Committee and the Nillumbik Fire Management Planning Sub-Committee.
20. The consultation process involved:
 - a) The general community was invited to respond via an advertisement placed in the Diamond Valley Leader, Whittlesea Town Crier, Fringe Focus, Council website and through Council's social media (Facebook and Twitter).
 - b) Feedback was also sought via a targeted mail-out to active community representatives, including Landcare and Friends groups.
 - c) A public information evening was held on 1 July 2015 at the Shire Offices to inform the community about the draft Nillumbik Tree management Policy and Management Guidelines 2015. The specifics about this information evening were detailed on the Council website, social media and mail-outs. The evening was attended by 6 residents.
 - d) A presentation was provided to Council's Environment Advisory Committee.
21. The 2016 tree management audit report was presented to Council's Audit Advisory Committee on 12 December 2016

Issues/options

22. A costed proactive program to achieve cyclic inspection and carry out associated works for high use areas is presented here.
23. Managing trees according to risk is an accepted practice, particularly where the number of trees that Council is responsible for is far in excess of the ability to resource the work.
24. The following table shows how public areas may be categorised into very high, high, moderate and low risk in terms of tree failure (adapted from Pokorny 2003 *Urban Tree Risk Management*). The actual allocation of an asset into a risk zone is based on the generic level of risk as outlined below along with the number, type and condition of trees in that location and the numbers of people using the area.

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OCM.002/17 Proactive tree management program in high use areas

| Standard risk zone category | Parks, reserves and bushlands | Municipal properties commercial and civic precincts |
|-----------------------------|--|--|
| Low Risk | Local parks - low use public parks with dispersed recreation Bushland/flora and fauna reserves Walkways/linear easements Undeveloped parkland Ovals/sporting fields with limited perimeter vegetation | Storage facilities Lay downs Water tanks |
| Moderate Risk | Local, neighbourhood district parks - moderate use public parks with public gathering nodes e.g. Playgrounds, picnic and seating areas Ovals/sporting fields with consistent perimeter vegetation Memorial parks Moderate to high use trails | Carparks servicing moderate use public facilities Men's sheds Village centres Sports and leisure clubs Outdoor swimming pools Libraries Moderate use public toilets Picnic shelters |
| High Risk | Neighbourhood, district and regional parks - high levels of use - typically which also incorporate sporting facilities, community venues/ buildings, sports fields, playgrounds, picnic shelters, bbqs High use play grounds/spaces Regional trails/shared use paths | Carparks servicing high use public facilities Operation centres Preschools/playhouses Infant welfare centres Day care/aged care Community halls, mechanic institutes and community theatres Libraries Town centres Bus depots High use public toilets Senior citizens Leisure and aquatic centres Large picnic shelters/rotundas |
| Very High Risk | Regional parks Sports and leisure precincts (multiple sports fields / courts) Regional and district playgrounds | Civic centres Preschools/playhouses infant welfare centres Main town centres Rail station precincts |

12. Officers' reports

OCM.002/17 Proactive tree management program in high use areas

25. The categories above have been applied to 202 sites identified as having low to high levels of use. The results of the assessment of risk category is shown in Attachment 1. The table in the attachment provides a summary of the site features that contribute to its level of use. This is translated into a risk category based on the table above and also assigned a score based on the estimated number of trees and level of use (numbers of people). The equalised combined scores give an overall risk rating.
26. A summary of the Risk Ranking is presented in the table below:

| High use site risk ranking | No. per rank | % of priority sites | Inspection cycle years | Inspections min no. per year |
|--------------------------------|--------------|---------------------|------------------------|------------------------------|
| Low risk site | 5 | 2% | 4 | 1 |
| Moderate risk site | 70 | 35% | 2 | 35 |
| High risk site | 111 | 55% | 2 | 56 |
| Very high risk site | 16 | 8% | 1 | 16 |
| Total | 202 | 100% | | 108 |
| High risk sites 1 and 2 | 127 | 63% | | |

27. Inspection frequencies and methods can be assigned for each risk zone. Trees in very high risk areas will be inspected annually and trees in other zones less frequently. The following table shows the recommended frequency and type of inspection for each risk zone

| Risk zone category | Inspection cycle | Suggested inspection method |
|--------------------|------------------|---|
| Very high risk | Every year | General tree inspections Detailed ground inspections Individual inspections if required |
| High risk | Every two years | General tree inspections Detailed ground inspections Individual inspections if required |
| Moderate risk | Every two years | General tree inspections Ground inspections Individual inspections if required |

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OCM.002/17 Proactive tree management program in high use areas

| Risk zone category | Inspection cycle | Suggested inspection method |
|------------------------|--|--|
| Low risk priority site | Every four years | General tree inspections Individual inspections as required |
| Low risk non priority | Reactively approx. 10-20 sites per yr. >10 yr. Cycle | General tree inspections Individual inspections if required |

- 28. Inspections would be undertaken to enable works to be scoped, priced and undertaken prior to peak high wind periods which typically occur in mid to late spring (Sept-Nov).
- 29. Sites will be visually inspected initially to determine and confirm the higher risk zones within the sites and the groups or individuals trees which will require a ground inspection. Trees in these zones will then be subject to an individual inspection undertaken in line with Council's Tree Policy and Guidelines. This involves a visual tree assessment and Quantified Tree Risk Assessment (QTRA) report for individual trees identified for possible work. The inspection zones and risk categories will be refined over the first two to three years of the program.

| Site risk level | Year 1 | Year 2 | Year 3 | Year 4 |
|--|--------|--------|--------|--------|
| Very High | 16 | 16 | 16 | 16 |
| High | 56 | 55 | 56 | 55 |
| Moderate | 35 | 35 | 35 | 35 |
| Low | 1 | 1 | 1 | 2 |
| Additional Inspections (provisional) | 12 | 13 | 12 | 12 |
| Total number of sites inspected per year | 120 | 120 | 120 | 120 |

- 30. For very high and high risk zones a consultant would be tasked with the inspections and follow up recommendations for works. An annual cost for the 120 sites is estimated at \$50,000 based on current hazard tree inspection reports with \$150,000 allocated for works. With an average of \$500 per tree this provides for maintenance of about 300 trees arising from the inspections.
- 31. For all other risk categories, it is expected that Council's arborist may conduct visual inspections and recommend individual tree inspections which may be carried out as part of the existing reactive works program. An additional works budget of \$100,000 would provide for works to about 200 trees arising from these inspections.
- 32. Cost estimates for inspections are based on costs associated with Council's existing hazard tree assessment reports and advice from consulting arborists.

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OCM.002/17 Proactive tree management program in high use areas

33. Cost estimates for works are based on average service request costs over a five year time frame equating to \$500 per request.
34. The costs presented here are estimates at this stage. It is expected that the first cycle of inspections and works in the very high risk sites will provide an understanding of likely costs in lower risk sites in future years. It is also expected that with annual inspections and works, the number of resulting tree works should decline.
35. The assignment of risk will also be dynamic and will be reviewed regularly. The risk category of a site may be upgraded or downgraded due to a change in use or a change in the associated tree population due to; Proactive planting renewal to offset tree works in parks and facilities (public open space renewal, outcome of upgrades in POS and landscaping around facility upgrades).
36. Costs associated with tree replacement for trees removed as a result of the proposed assessments and resultant works are not included in the cost projections outlined above.

Conclusion

37. Council has a responsibility to respond to reported tree maintenance issues. The current tree maintenance program is largely reactive with the exception of street tree planting, maintaining the clearance space around electric lines and the bushfire mitigation program on access and egress roads. The 2016 internal audit of Council's tree maintenance program has highlighted that Council has a potential risk exposure in relation to tree maintenance in high use areas.
38. A proactive inspection and maintenance program in high use areas requires additional funding as Council is required to maintain existing reactive and the electric line clearance programs.
39. This report provides Council with the list of high use/high priority public areas with trees categorised according to the level of use and therefore the risk to the public in the event of tree failure. The report also provides Council with estimated costs to deliver a cyclic proactive inspection and maintenance program.

12. Officers' reports**OCM.003/17 Future Nillumbik Committee - Instrument of Delegation**

Distribution: Public**Manager: Andrew Port, Acting Chief Executive Officer****Author: Andrew Port, Acting Chief Executive Officer****Summary**

This report seeks Council approval for an Instrument of Delegation to the new Future Nillumbik Committee.

Following the general election in October 2016, Council reviewed its committee structure. Council then resolved on 22 November 2016 to establish a single Special Committee to replace the previous two Special Committees.

Terms of Reference were drafted for the new Special Committee, which is to be known as the Future Nillumbik Committee. Council formally approved the Terms of Reference at its meeting on 20 December 2016.

The Future Nillumbik Committee has been established as a Special Committee pursuant to Section 86 of the *Local Government Act 1989*. Under the Act, Council is able to delegate powers to the Special Committee through an Instrument of Delegation. The relevant instrument of delegation has been drafted (refer Attachment 1) and is presented for formal execution by Council.

The Terms of Reference for the Future Nillumbik Committee also involve a change to the existing arrangements for members of the public to address the Committee. As noted in the report to Council on 20 December 2016, these new arrangements will require changes to Council's Meeting Procedure Local Law before they commence operation. Council may also wish to consider other changes to the Meeting Procedure Local Law. A separate report will be presented to Council on this matter.

The Act also requires Council to review all delegations within a period of 12 months after each general election. This report concludes the review of delegations to Special Committees. However Council is still required to review delegations to Council officers made under section 98 of the Act. This will be the subject of a further report to Council.

Recommendation**That Council:**

- 1. Resolves to delegate to the Future Nillumbik Special Committee those functions, powers and duties set out in the Instrument of Delegation (Attachment 1) in accordance with section 86 of the *Local Government Act 1989*.**
- 2. Authorises the Common Seal of Nillumbik Shire Council to be affixed to the Instrument of Delegation to the Future Nillumbik Committee.**
- 3. Confirms the appointment of all seven Councillors to the Future Nillumbik Committee, and confirms the abolition of the former Policy and Services Committee and Planning Committee, effective from the date of this resolution.**

12. Officers' reports

OCM.003/17 Future Nillumbik Committee - Instrument of Delegation

Attachments

1. Instrument of Delegation to the Future Nillumbik Committee

Background

1. Council has resolved to establish the Future Nillumbik Committee as a Special Committee.
2. The Local Government Act provides for councils to establish Special Committees and to delegate powers to these committees. Committees can be used to provide a forum for presentations by members of the public regarding issues that have been the subject of public consultation.
3. Council has reviewed its committee structure following the 2016 general election, and has resolved to establish the Future Nillumbik Committee. Council has approved the Terms of Reference which identifies the role of this committee, and now needs to formally approve an Instrument of Delegation in order that the committee has the legal authority to make decisions on behalf of Council.

Policy context

4. This report directly supports the achievement of Council Plan 2013-2017 strategy:
 - We will involve the community in our decision-making through public participation and representation and we will keep them informed through frequent and effective communication.

Budget implications

5. There are minor administrative costs associated with the preparation of the Instrument of Delegation, which can be met from existing operating budgets.

Consultation/communication

6. Consultation has occurred with the Mayor and Councillors regarding the establishment of the Future Nillumbik Committee.
7. Officers have also consulted with Macquarie Lawyers regarding the preparation of the formal Instrument of Delegation to the Future Nillumbik Committee.

Issues/options

8. The Future Nillumbik Committee will be comprised of all seven Councillors. As detailed in the Terms of Reference, the committee will operate on the basis of the portfolios assigned to individual Councillors, with the relevant portfolio Councillor to chair the meetings for those items which relate to their portfolio.
9. The Instrument of Delegation provides for the Future Nillumbik Committee to have delegated power from Council to make formal decisions on all matters within its Terms of Reference, subject to some specific exceptions. These exceptions include those matters which are not able to be delegated by Council under relevant legislation, and the exceptions are identified in the Instrument of Delegation.
10. The Instrument of Delegation is presented for Council approval.

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OCM.003/17 Future Nillumbik Committee - Instrument of Delegation

11. Given the establishment of the Future Nillumbik Committee, it is appropriate that Council also resolves to abolish the former Policy and Services Committee and the Planning Committee. The previous roles of these committees will now be performed by the Future Nillumbik Committee.

Meeting Procedure Local Law

12. The Terms of Reference for the Future Nillumbik Committee also involve a change to the existing arrangements for members of the public to address the Committee.
13. At present, any member of the community can register to address Council on any matter listed in the agenda for a special committee meeting. This right is provided in the existing Meeting Procedure Local Law.
14. It is proposed that in future, this entitlement will be limited to those persons who have already made a written submission to Council in relation to a matter which has been the subject of public consultation. This approach is reflected in the Terms of Reference for the Future Nillumbik Committee.
15. As noted in the report to Council on 20 December 2016, these new arrangements will require changes to Council's Meeting Procedure Local Law before they commence operation. Any changes to the Meeting Procedure Local Law require public exhibition and consideration of public submissions prior to the change being made.
16. Council may also wish to consider other changes to the Meeting Procedure Local Law. For instance, Council has previously resolved to review the arrangements for receipt of petitions, in terms of whether on-line petitions are eligible for presentation to a Council meeting. Council has also previously resolved to review the arrangements for rescission motions.
17. A separate report will be presented to Council on the review of the Meeting Procedure Local Law.

Conclusion

18. It is recommended that Council approve the Instrument of Delegation to the Future Nillumbik Committee.

12. Officers' reports**OCM.004/17 Submission to the Victoria Grants Commission**

Distribution: Public**Manager: Andrew Port, Acting Chief Executive Officer****Author: Vince Lombardi, Manager Finance****Summary**

This report considers a submission from Nillumbik Shire Council to the Victoria Grants Commission (VGC).

The VGC is responsible for distribution of Financial Assistance Grants to Victorian councils, using funding allocated by the Commonwealth Government. The Financial Assistance Grants comprise a General Purpose Grant and a Local Roads Grant. Allocations to councils are determined using a complex formula based on the respective levels of need for services, and a range of socio-economic factors.

Council received \$3.2 million in grants from the VGC during 2016-2017, and this funding is an important source of Council revenue.

Each year, councils across Victoria have the opportunity to make a submission to the VGC about the grants distribution formula and methodology. Submissions are due by February each year.

It is important that Council continues to advocate for changes to the grant formula that recognise Nillumbik's specific circumstances and needs, and which promote a fair and equitable basis for grant allocations.

Council made a submission to the VGC in February 2016 which recommended two changes to the formula, in regard to waste management and environmental expenditure. The VGC advised that it would consider these recommendations, and has sought some further information from all councils during late 2016 in relation to these matters. As a final response has not yet been received from the VGC, it is now recommended that Council seek an update.

Recommendation

That Council writes to the Victoria Grants Commission seeking an update in relation to the recommendations made in Council's 2016 submission.

Attachments

1. Victorian Grants Commission Submission 2016

Background

1. The VGC is responsible for distribution of Financial Assistance Grants to Victorian councils, using funding allocated by the Commonwealth Government. The Financial Assistance Grants comprise a General Purpose Grant and a Local Roads Grant.
2. Each year, councils across Victoria have the opportunity to make a submission to the VGC, which is due in February.

12. Officers' reports

OCM.004/17 Submission to the Victoria Grants Commission

Policy context

3. This report directly supports the achievement of Council Plan 2013-2017 strategy:
 - We will advocate about issues affecting the Nillumbik Shire, supported by informed and clearly articulated policy positions.

Budget implications

4. The VGC grants are an important part of Council's annual revenue. Nillumbik received a total grant from the VGC of \$3.2 million in 2016-2017.

Consultation/communication

5. The VGC provides the opportunity for consultation with councils each year, including a process for lodging submissions by February each year.

Issues/options

6. A copy of Nillumbik's 2016 submission to the VGC is attached (Attachment 1).
7. This details the specific characteristics of Nillumbik that impact upon Council's finances, and includes some information comparing Nillumbik to other Victorian councils.
8. The 2016 submission made two recommendations to the VGC.
 - Modify the calculation of the Waste Management expenditure function, to take account of municipal population numbers.
 - Review the Environment expenditure function, to take account of the natural environmental values of each municipality.
9. Detail of the rationale for these recommendations is included in the submission.
10. Council received a response from the VGC advising that both recommendations would be considered. However a final response on these issues has not yet been received.

Conclusion

11. It is recommended that Council writes to the VGC seeking an update in relation to the recommendations made in Nillumbik's 2016 submission.

12. Officers' reports

OCM.005/17 December Quarter Financial Report

Distribution: Public

Manager: Andrew Port, Acting Chief Executive Officer

Author: Vince Lombardi, Manager Finance

Robert Malignaggi, Management Accountant

Summary

This report outlines Council's financial performance and financial position for the period ending 31 December 2016.

The Income Statement shows an overall favourable Year to Date (YTD) variance of \$590,659, representing 1.83 per cent of YTD Budget. This reflects the combined result of higher-than-budgeted operating income of \$484,541 along with lower-than-budgeted operating expenses of \$106,118.

Council's overall financial position at the end of this quarter is sound, and continues to be actively monitored to ensure achievement of mid-year financial review budget targets.

Recommendation

That Council receives and notes the Financial Report for the period ended 31 December 2016.

Attachments

1. December Quarter Financial Report

Background

1. In June 2016, Council adopted the 2016-2017 Budget, which projected an operating budget surplus of \$10,606,000. In December 2016, Council adopted the Mid-Year Financial Review, which proposed a revised forecasted operating surplus of \$13,119,931 (Ordinary Council Meeting of 20 December 2016 report number OCM 182/16).
2. This budgeted surplus reflects the amount by which operating revenue exceeds operating expenses, in accordance with relevant accounting standards.
3. Operating expenditure excludes non-operating transactions such as capital works investment, which are separately detailed in the report.
4. The report compares actual performance to budgeted targets at this stage of the financial year. It should be read in conjunction with the Quarterly Performance Report which is also being considered at this Council meeting.

Policy context

5. This report directly supports the achievement of Council Plan 2013-2017 strategy:
 - We will undertake long-term financial planning to ensure our budget decisions are responsible and sustainable.

12. Officers' reports

OCM.005/17 December Quarter Financial Report

Budget implications

6. This is a standard reporting item to Council, the associated costs for which are included in the current budget.

Consultation/communication

7. The Budget was subject to public exhibition prior to its final adoption by Council.

Issues/options

8. The detailed Financial Report for the period ended 31 December 2016 is provided at Attachment 1. This report is an analysis of Council's financial performance and financial position as of 31 December 2016. The report also includes an analysis of budget variances.

Income statement

9. Council closed the period ending 31 December 2016 with a favourable year to date (YTD) variance of \$590,659 based on actual operating revenue, costs and commitments. This represents 1.83 per cent of the YTD Budget.
10. The overall variance is made up of the following:
- Income – \$484,541 (0.65 per cent) favourable variance. This includes new/additional grant funding of \$142,313, with the balance comprising of a number of minor variances across the organisation (refer to page 3 and 6 in Attachment 1).
 - Expenditure – \$106,118 (0.29 per cent) favourable, mainly arising from year-to-date savings across the organisation on salary costs of \$135,401.
 - Additional details on variances are located on pages 6 and 7 in Attachment 1.
11. Council's overall financial operating performance as at 31 December 2016 continues to track in line with budgeted expectations with the exception of a number of YTD variances as outlined in the attached report.

Balance sheet

12. The Balance Sheet reflects Council's financial position at 31 December 2016, and is prepared in compliance with the Australian Accounting Standards.
13. Council's Balance sheet (page 4, Attachment 1) continues to show a strong net position. This is represented by \$833 million of assets which is largely made up of Council's Property, Plant and Equipment. Council's total liabilities are \$41 million which results in net assets of \$792 million.

Statement of cash flows

14. The statement of cash flows captures Council's actual cash transactions for the period.
15. Council is showing a cash position of \$41 million after all cash transactions for the period to date.
16. The \$41 million includes \$40 million held in investments as detailed on page 11 of Attachment 1.

12. Officers' reports

OCM.005/17 December Quarter Financial Report

Capital works

17. The year-to-date expenditure relating to capital works is reported on pages 8 and 15 of the report in Attachment 1.
18. This shows an unfavourable variance of \$2.3 million relative to YTD budget. This is largely attributable to timing matters for the Eltham Leisure Centre re-development, which is showing a \$2.2 million unfavourable variance.
19. This is due to the fact that construction of this project is being funded over three financial years (2015-2016, 2016-2017 and 2017-2018). Council has entered into a contract for the full price of construction, which now shows as a commitment for the total contract price. While the total contract price (\$16.87 million) is within the total three-year funding for the project (\$19.35 million), it exceeds the share which is allocated for 2016-17 (\$14.85 million). Therefore it currently shows as an unfavourable variance.
20. A specific reconciliation for the Eltham Leisure Centre project is provided on page 9 of Attachment 1.
21. The balance of the variance for Capital Works is detailed on page 8 of Attachment 1.

Other information

22. New Initiatives are reported on page 10 of the Attachment 1. Expenditure on New Initiatives currently shows a favourable variance of \$40,516 which is primarily due to timing issues. It is expected that full year expenditure on New Initiatives will be within budget.
23. Investment activities are consistent with Council's Adopted Investment Policy and in accordance with section 143 of the *Victorian Local Government Act 1989*. A summary of investments and loans is provided on page 11 of Attachment 1.
24. A summary of significant grant funding received (grants over \$50,000) for the period 1 July to 31 December 2016 is provided on page 13 of the attached report.

Conclusion

25. Council's overall financial position at the end of December 2016 is considered sound and continues to be closely monitored to ensure budgeted outcomes are achieved.

12. Officers' reports

OCM.006/17 Council Plan Quarterly Performance Report December 2016

Distribution: Public

Manager: Andrew Port, General Manager Corporate Services

Author: Naomi Ellis, Corporate Planner

Summary

This report presents the Council Plan Quarterly Performance Report to Council for consideration, documenting progress of key actions for 2016-2017 that demonstrate how Council is delivering the objectives of the Council Plan 2013-2017 for the Nillumbik community.

The attached Council Plan Quarterly Performance Report provides the second update on the progress of the Annual Plan actions for the 2016-2017 financial year.

Of the 58 actions identified in the Annual Plan, at the close of the quarter (31 December 2016) all were on target with a green light status.

Recommendation

That Council receives the Council Plan Quarterly Performance Report for the period ending 31 December 2016.

Attachments

1. Council Plan Quarterly Performance Report December 2016

Background

1. The Council Plan was developed following the general council election in October 2012 and adopted by Council on 25 June 2013. It has been reviewed annually as required by the *Local Government Act 1989*. The most recent reviews were considered by Council in May 2015 and May 2016.
2. This is the final year of the Council Plan 2013-2017. Following the recent council elections, a new Council Plan will be prepared and approved by 30 June 2017, as required by section 125(1) of the *Local Government Act 1989*.
3. In conjunction with the May 2016 Council Plan review and development of the Budget 2016-2017, Council developed and formally adopted in May 2016 an Annual Plan of actions, a list of 58 specific activities Council would be undertaking during 2016-2017 to achieve the strategic objectives in the Council Plan. These actions reflect Council priorities, major projects, capital works, major initiatives and service improvements.
4. The Annual Plan was also developed to ensure Council will meet its legislated performance reporting requirements under the Planning and Reporting Regulations (Local Government Performance Reporting Framework).

12. Officers' reports

OCM.006/17 Council Plan Quarterly Performance Report December 2016

5. The Framework became law in April 2014 and imposed an additional performance reporting requirement on Council from 1 July 2014. Under the regulations, Council has a legislative requirement to report annually on 49 service performance measures, 13 financial performance measures, six sustainable capacity measures and 24 governance and management measures.
6. Council also has a legislative requirement as part of the Framework's Governance and Management Checklist to provide six-monthly reports on Council Plan strategic indicators and Performance Statement indicators.
7. To ensure Council meets this legislative requirement, these indicators and measures are included in the Annual Plan and reported as part of the Quarterly Performance Report (Attachment 1). Additional reports will be considered in January, April and July 2017.

Policy context

8. The Council Plan 2013-2017 is a key strategic plan for Council. It sets out Council's strategic objectives for the four-year life of the plan and the strategies Council will undertake for achieving those objectives.
9. The Quarterly Performance Report directly supports the achievement of Council Plan 2013-2017 strategies:
 - We will meet our legal responsibilities and manage our risks.
 - We will involve the community in our decision-making through public participation and representation and we will keep them informed through frequent and effective communication.
10. This report also fulfils Council's statutory requirement to report six-monthly on Council Plan strategic indicators and Performance Statement indicators.

Budget implications

11. This report is part of Council's monitoring of the Council Plan and Budget. The resources for this monitoring and the preparation of this report are accommodated within existing operational budgets.

Consultation/communication

12. The Council Plan 2013-2017 was developed following a comprehensive program of workshops and briefings with Councillors following the general election in October 2012.
13. Its development was informed by:
 - Councillor priorities
 - The *Picture Nillumbik* community visioning process
 - The 2013 Annual Community Survey
 - Council plans, policies and strategies
 - Government legislation and policies.

12. Officers' reports

OCM.006/17 Council Plan Quarterly Performance Report December 2016

14. The draft Council Plan 2013-2017 was placed on public exhibition for 28 days and community comment was invited through a number of communication channels including Council's website, newspaper advertisements, social media and at the Civic Centre and library branches.
15. Public submissions on the draft Council Plan were presented to the Policy and Services Committee meeting on Tuesday 11 June 2013 and the Council Plan was adopted by Council on 25 June 2013.
16. Reviews of the Council Plan are conducted as part of Council's annual planning workshops and in light of recent legislative changes and the Annual Community Satisfaction Survey. In 2015, community survey respondents were asked to rate the importance to themselves and members of their households of each of the Council Plan's five strategic objectives. Respondents rated each of the objectives as very important with scores well over eight out of 10.
17. As a result of the 2015 Council Plan review, six changes to the strategic indicators were proposed and placed on public exhibition for 28 days. An advertisement appeared in the *Diamond Valley Leader* on Wednesday 1 April 2015. Copies of the proposed changes were made available at the Civic Centre and on Council's website. Council adopted the changes at the May 2015 Ordinary Council Meeting.

Progress during the quarter

18. The Quarterly Performance Report contains 58 high level actions Council will undertake during the 2016-2017 financial year to deliver the Council Plan strategies.
19. At the close of the second quarter (31 December 2016) all actions were considered on target and had a green light (at least 90 per cent of action target achieved).
20. Some of the progress made on actions during the quarter include:
 - The first of two green waste drop-off days was held on 27 November to assist residents dispose of surplus green waste during the summer season. (1.1.2.1)
 - The community bus program and medical transport program provided 383 trips during the quarter and 766 for the year-to-date. (1.1.5.1)
 - Council secured \$2.1 million through the Growing Suburbs Fund for three projects: Precinct Open Space redevelopment at Civic Drive, Greensborough, the upgrade at Research Park, and Edendale Infrastructure Enhancement Project. (1.1.5.23 and 3.1.8.2)
 - Following public consultation in the first quarter, Council resolved in December to commence detailed design for the Eltham North Reserve Pavilion works. (1.1.6.9)
 - Diamond Creek Outdoor Pool has 18,270 visits for the quarter. (1.1.6.12)
 - 352,705 visits were recorded at Council's non-aquatic facilities for the quarter. (1.1.6.13)
 - Edendale's Education for Sustainability programs were attended by 2,002 participants. (1.1.7.3)

12. Officers' reports

OCM.006/17 Council Plan Quarterly Performance Report December 2016

- Enrolments in Living and Learning Nillumbik activities and courses for the quarter were 1,189 and 1,944 for year-to-date. (1.1.7.4)
- Just over 10 per cent of the Nillumbik population were active library users during the quarter. (1.1.7.6)
- Rainwater tanks with a capacity of 10,600 litres were installed at Eltham Community and Reception as part of the renovations. (2.1.5.5)
- Almost 70 per cent of kerbside waste collected was diverted from landfill. (2.1.6.2)
- Installation of solar panels at the Civic Centre commenced, which will significantly reduce Council's use of fossil fuel generated electricity.(2.1.7.5)
- Council resolved in November to abandon plans to sell Lot 1 Graysharps Road, Hurstbridge. (3.1.1.2)
- Tender for the Diamond Street Bridge Rehabilitation works was awarded in November, with works to commence in February. (3.1.6.4)
- Demolition of the Eltham Leisure Centre aquatic facilities was completed. (3.1.7.20)
- Final detailed design plans were completed for the new Edendale kiosk, nursery retail space and additional public toilets. (3.1.8.2)
- The Visiting Friends and Relatives marketing campaign was launched in November. (4.1.1.3)
- Seventy-four per cent of planning decisions were determined by Council within the 60 statutory days. (4.1.7.1)
- One hundred per cent of planning decisions determined by VCAT (two decisions in total) upheld Council's decision. (4.1.7.2)

Conclusion

21. The Council Plan Quarterly Performance Report outlines Council's progress on delivering key strategic activities during the second quarter of 2016-2017. At 31 December 2016, all 58 actions contained in the Annual Plan are on target.
22. The overall position suggests that in the second quarter, Council continued working towards delivering the 2016-2017 actions and significant outcomes for the community.

12. Officers' reports

OCM.007/17 Recruitment of Chief Executive Officer

Distribution: Public

Manager: Andrew Port, Acting Chief Executive Officer

Author: Suzy Ellingsen, Manager Organisational Development

Summary

Following the resignation of the Chief Executive Officer, Council will undertake a recruitment and selection process to appoint to the role. The process is outlined for approval in this report. It is also recommended in this report that an Advisory Committee be appointed to support the process.

Recommendation

That Council:

1. **Endorses the process for appointment of the CEO as attached.**
2. **Appoints an Advisory Committee (known as the CEO Recruitment Committee) to support the recruitment and selection process.**
3. **Appoints the following Councillors to the CEO Recruitment Committee: Mayor (Cr Peter Clarke) and Councillors (1) _____ and (2) _____.**

Attachments

1. Process for appointment of CEO 2016

Policy context

1. The statutory context for this process is covered under the *Local Government Act 1989*. Section 94: The Chief Executive Officer.

Budget implications

2. Recruitment costs are covered by Council's operating budget.

Consultation/communication

3. Not applicable

Issues/options

4. Subsequent to Council's decision to advertise the CEO role, the process for recruitment and selection has commenced. The search extends nationally with advertising in the Financial Review, Seek Executive, LinkedIn and CareerOne.
5. The appointment of a CEO Recruitment Committee is recommended to facilitate the process of shortlisting and interviewing candidates. This committee is an Advisory Committee and will undertake shortlisting and interviews with a view to presenting one to three candidates to full Council for final interview. The committee will provide recommendations to Council and the final decision will be made by Council.

12. Officers' reports

OCM.007/17 Recruitment of Chief Executive Officer

6. The Manager Organisational Development will support the process and undertake checks and testing of candidates.

Conclusion

7. Recruitment to the CEO position is considered a priority by Councillors and the process outlined in this report is streamlined to ensure a timely decision.

12. Officers' reports

OCM.008/17 Assemblies of Councillors

Distribution: Public

Manager: Andrew Port, Acting Chief Executive Officer

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 20 December 2016.

Recommendation

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

| | | | |
|---|-----------------------------|---|---|
| 1 | Date of assembly | 20 December 2016 | |
| | Matters considered | Pre-meeting for Ordinary Council Meeting | |
| | Councillors present | Cr Peter Clarke Cr Karen Egan Cr Bruce Ranken | Cr John Dumaresq Cr Jane Ashton |
| | Staff present | Stuart Burdack Andrew Port Ransce Salan Conal Creedon Naomi Paton Lisa Pittle John Smyth Joseph Emmanuel | Craig Commene Vince Lombardi Rob Malignaggi Justin Murray Joanne Hammond Jeremy Livingston Mathew Deayton Suzy Ellingsen |
| | Conflict of interest | None declared | |

| | | | |
|---|---------------------------|---|--|
| 2 | Date of assembly | 24 January 2017 | |
| | Matters considered | Officer briefings of Councillors <ul style="list-style-type: none"> • Health and Wellbeing Plan • Budget 2017-2018 • Heritage Amendment • Diamond Creek Major Activity Centre Structure Plan • Eltham Major Activity Centre Structure Plan • Councillor Code of Conduct | |

12. Officers' reports

OCM.008/17 Assemblies of Councillors

| | | |
|-----------------------------|--|--|
| | | <ul style="list-style-type: none"> • Victoria Grants Commission submission 2017 • Heritage legislation |
| Councillors present | Cr Peter Clarke Cr Karen Egan Cr John Dumaresq Cr Jane Ashton | Cr Grant Brooker Cr Peter Perkins Cr Bruce Ranken |
| Staff present | Andrew Port Conal Creedon Rance Salan Pauline Gordon Corrienne Nichols | Diana Bell Vince Lombardi Chad Griffiths Fiona Stevens |
| Conflict of interest | None declared | |

Attachments

Nil

Background

1. Amendments to the *Local Government Act 1989* (the Act) in October 2010 require records of assemblies of Councillors to be reported to an Ordinary Meeting of Council and recorded in the minutes of that meeting.

Policy context

2. This report directly supports the achievement of Council Plan 2013-2017 strategy 'we will meet our legal responsibilities and manage our risks'.

Budget implications

3. This is a routine reporting item, the resources for which are contained in Council's current operating budget.

Consultation/communication

4. None required.

Issues/options

5. An assembly of Councillors is defined in section 76AA of the Act. It is a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of delegated authority and which is either of the following:
 - A planned or scheduled meeting that includes at least half the Councillors and at least one Council Officer. These assemblies do not include meetings of Councillors and Council staff that are not planned or scheduled.
 - A meeting of an advisory committee where at least one Councillor is present. An advisory committee is any committee established by the Council, other than a special committee, that provides advice to the Council or to a special committee or to a member of Council staff who has been delegated a power or duty or function of the Council.

12. Officers' reports

OCM.008/17 Assemblies of Councillors

6. A record must be kept of an assembly of Councillors and include the names of all Councillors and Council staff attending, the matters considered, disclosures of conflict of interest and whether a Councillor left the meeting after making a disclosure.
7. In accordance with section 80A(2) of the Act, Council is required to report as soon as practicable to an Ordinary Meeting of Council a record of any assemblies of Councillors held.
8. The recommendation contains the list of assemblies of Councillor forms that have been submitted since the matter was last reported to Council on 20 December 2016.

Conclusion

9. It is recommended that Council receives the records of recent assemblies of Councillors as contained in this report, fulfilling section 80A(2) of the *Local Government Act 1989*.

13. Notices of motion

Nil

14. Delegates' reports

15. Supplementary and urgent business

16. Confidential reports

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

| |
|---------------|
| Motion |
|---------------|

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.009/17 | Acting Chief Executive Officer | (a) personnel matters |