



# Council Meeting

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## Minutes

**Tuesday, 25 July 2023**  
Council Chamber - Civic Centre  
and via Videoconference

## Information for Councillors and the community

### ACKNOWLEDGEMENT OF COUNTRY

Yarra Ranges Council acknowledges the Wurundjeri and other Kulin Nations as the Traditional Owners and Custodians of these lands. We pay our respects to all Elders, past, present, and emerging, who have been, and always will be, integral to the story of our region. We proudly share custodianship to care for Country together.



### COUNCIL VISION

Whether you live here or visit, you will see how much we care for country, how inclusive and connected our communities are, and how sustainable balanced growth makes this the best place in the world.

### VALUE OF HISTORY

We acknowledge that history shapes our identities, engages us as citizens, creates inclusive communities, is part of our economic well-being, teaches us to think critically and creatively, inspires leaders and is the foundation of our future generations.

### COUNCILLOR COMMITMENT

We'll be truthful, represent the community's needs, be positive and responsive and always strive to do better.

### OUR COUNCILLORS

**Billanook Ward:** Tim Heenan  
**Chandler Ward:** David Eastham  
**Chirnside Ward:** Richard Higgins  
**Lyster Ward:** Johanna Skelton  
**Melba Ward:** Sophie Todorov

**O'Shannassy Ward:** Jim Child  
**Ryrie Ward:** Fiona McAllister  
**Streeton Ward:** Andrew Fullagar  
**Walling Ward:** Len Cox

### CHIEF EXECUTIVE OFFICER & DIRECTORS

**Chief Executive Officer,** Tammi Rose  
**Director Built Environment & Infrastructure,**  
Hjalmar Philipp  
**Director Communities,** Jane Price

**Director Corporate Services,** Andrew Hilson  
**Director Planning and Sustainable Futures,**  
Kath McClusky

### GOVERNANCE RULES

All Council and Delegated Committee meetings are to be conducted in accordance with Council's Governance Rules, which can be viewed at: <https://www.yarraranges.vic.gov.au/Council/Corporate-documents/Policies-strategies/Governance-rules>

### PUBLIC PARTICIPATION IN MEETINGS

Members of the community can participate in Council meetings in any of the following ways:

- making a verbal submission for up to 5 minutes on matters not listed on the agenda.
- submitting a question.
- speaking for up to 5 minutes to a specific item on the agenda. For planning applications and policy issues, the Chair will invite one person to speak on behalf of any objectors and one person to speak on behalf of the applicant. For other matters on the agenda, only one person will be invited to address Council, unless there are opposing views. At the discretion of the Chair, additional speakers may be invited for items of large interest.
- speaking for up to 5 minutes to a petition to be presented at a meeting.

For further information about how to participate in a Council meeting, please visit: <https://www.yarraranges.vic.gov.au/Council/Council-meetings/Submissions-questions-petitions-to-Council>

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A person in attendance at the meeting must not operate film, photographic, tape-recording or other equipment to reproduce sound and/or images at any meeting without first obtaining the consent of the Chair.

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## CONTACT US

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# **YARRA RANGES COUNCIL**

## **MINUTES FOR THE 586<sup>TH</sup> COUNCIL MEETING HELD ON TUESDAY, 25 JULY 2023 COMMENCING AT 7.00 PM COUNCIL CHAMBER - CIVIC CENTRE**

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### **1 COUNCIL MEETING OPENED**

Councillor Jim Child (Mayor) declared the meeting open and read the following statement.

Good evening everyone, I would like to welcome you to tonight's Council Meeting.

My name is Councillor Jim Child, and I am the Mayor of the Yarra Ranges Council,

I want to inform you that this Council meeting will be live-streamed and recorded for the convenience of all those who cannot attend in person, and a copy will be made available on Council's website as soon as possible. If you have any questions or require assistance, please feel free to approach a member of our Governance team.

In accordance with Rule 75 of the Governance Rules, I request that no filming takes place from the Gallery without prior consent from the Chair. If any member of the Gallery is found to be filming, we would appreciate your cooperation to discontinuing such activity.

It's important to take a moment to remind everyone present that Council conducts its meetings in adherence with the Governance Rules, individuals who have registered with our Governance team or have received a formal invitation to address the council meeting are permitted to speak or make comments during the proceedings.

In the event of an emergency or we are required to evacuate the building, the nearest emergency exit is towards the back of the building via the corridor on my left-hand side. Please follow the Staff's instructions to the nearest safe exit and to the Assembly Point, which is the grass area at the corner of Anderson and Hardy Streets.

### **2 ACKNOWLEDGEMENT OF COUNTRY**

The Mayor then read the Acknowledgement of Country, and welcomed all present.

### 3 INTRODUCTION OF MEMBERS PRESENT

#### Councillors

Councillor Jim Child (Mayor)

Councillor Andrew Fullagar  
Councillor David Eastham  
Councillor Tim Heenan  
Councillor Richard Higgins  
Councillor Johanna Skelton  
Councillor Len Cox OAM

#### Officers

Kath McClusky, Acting Chief Executive Officer  
Hjalmar Philipp, Director Built Environment & Infrastructure  
Andrew Hilson, Director Corporate Services  
Nathan Islip, Acting Director Planning & Sustainable Futures  
Helen Ruddell, Acting Director Communities

### 4 APOLOGIES AND LEAVE OF ABSENCE

Apologies for this meeting were received from Councillors Sophie Todorov and Fiona McAllister.

### 5 MAYORAL ANNOUNCEMENTS

There were no Mayoral Announcements for this meeting.

### 6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

**Moved: Cr Heenan**

**Seconded: Cr Higgins**

*That the Minutes of the Council Meeting held Tuesday 11 July 2023, as circulated, be confirmed.*

**The motion was Carried unanimously.**

### 7 DISCLOSURE OF CONFLICTS OF INTEREST

*In accordance with Chapter 7, Rule 4, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

There were no disclosures of conflicts of interest made for this meeting.

*In accordance with Chapter 3, Rules 57 and 59, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2*

### QUESTION 1

**Kelvin Granger & Dean Hurlston asked;**

*Can council please advise the dollar (\$) amount of "cost shifting from State Government" they estimate they incurred in 2022/23 Financial Year?*

**Andrew Hilson, Director Corporate Services:**

*Thank you for your question.*

*Over recent year Council has experienced a range of cost pressure in delivering essential Council services in partnership, or on behalf of State Government.*

*In many instances the ability to delivery these services has been dependant on Council absorbing additional operational and service improvement costs.*

*Services that Council has consistently experienced rising cost pressure without equitable State Government funding support include, but aren't limited to;*

- *School crossing supervisors*
- *Maternal Child Health Services*
- *Early years infrastructure planning*
- *Public, environmental, and preventative health services*
- *Libraries*
- *Meeting the circular economy and*
- *Sustainability targets.*

*The full cost pressures associated with addressing these rising cost pressures without equitable State Government funding support aren't fully known and would be difficult to measure accurately.*

## QUESTION 2

### **Peter Preuss, of Woori Yallock asked;**

*Yarra Ranges is well known as an area which showcases a wonderful natural environment. People come to the area for the beauty of the region and wealth of flora and fauna that locals enjoy every day.*

*Council has a proven record of environmental leadership in caring for flora and fauna. Will Yarra Ranges Council*

*1. reject the commercial exploitation of kangaroos within the municipality?*

*AND*

*2. commit to developing a Municipal Kangaroo Management Plan that reflects that position?*

### **Nathan Islip, Director Planning and Sustainable Futures:**

*Thank you for your question, Peter.*

*Council appreciates your concern for the kangaroos, given their inherent status as integral to the landscape and as a protected native species. Council supports the protection of kangaroos in line with State Government legislation, the Wildlife Act 1975. Council values all our native species and is concerned for the available habitat for our native species, including kangaroos. Council are keenly aware of the pressures kangaroos face, including urban development, competition for habitat and feed sources from pest species such as deer.*

*Council is currently developing a Nature Plan focussed on protecting our biodiversity which includes programs for the protection of our native species, such as kangaroos. Given the imminent publication of the Nature Plan, which includes protection programs for native species, there are no current plans to develop a Municipal Kangaroo Management Plan. However we will update our website with education content to ensure our community are aware of how to live with native wildlife and protection measures for kangaroos.*

The Mayor requested Officers to prepare a briefing for Councillors on the matter.



### QUESTION 3

**Jeanette McRae of Healesville asked;**

*The annual Victorian Community Satisfaction Survey (CSS) creates a vital interface between councils and their community providing community views on Council's overall performance; value for money in services and infrastructure; community consultation and engagement; decisions made in the interest of the community; customer service, local infrastructure, facilities, services and overall council direction.*

*When will the Yarra Ranges 2022 and 2023 Community Survey reports be released to community?*

**Kath McClusky, Acting Chief Executive Officer:**

*Thank you for your question, Jeanette.*

*Council has just received the 2023 results and is reviewing them to understand perceptions and trends of Council. Council will provide that publicly in the near future.*

*This information is also supplied in the Annual Report and Council have been providing our results to the Know your Council Website, which contains high level summary information ([www.vic.gov.au/know-your-council](http://www.vic.gov.au/know-your-council)).*

*This typically occurs around October on the release of Council's annual report. You can also find prior year's results on the Know Your Council website and in our 2021-22 Annual Report.*

*The State Government has just released the state-wide report which you can find on the State Government website. We will provide a link to these resources in the meeting minutes.*

*Links:*

<https://www.vic.gov.au/know-your-council-comparison-dashboard#council-comparison-groups>

<https://www.localgovernment.vic.gov.au/our-programs/council-community-satisfaction-survey>

<https://www.yarraranges.vic.gov.au/Council/Corporate-documents/Policies-strategies/Annual-report>

The Mayor acknowledged the attendance in the Gallery of Jeanette McRae, former Yarra Ranges Council Councillor.

#### **QUESTION 4 Food Organics and Green Organics**

**Kath McClusky, Acting Chief Executive Officer:**

*We have received a Question to Council regarding Food Organics Garden Organics and Green waste bins, this question was answered at the Council Meeting on 13 June 2023, Minutes of that meeting are available on the Council website.*

#### **QUESTION 5 Personal Interest Returns**

**Kath McClusky, Acting Chief Executive Officer:**

*We have also received several questions from the public, either directly to Councillors or through Public Questions, regarding Initial and Biannual Personal Interests Returns for Councillors and Staff.*

*Council can confirm that all Councillors and required Staff have completed their Biannual Personal Interests Returns for the March 2023 period, and the summary report is published and available on Council's website.*

## 9 PETITIONS

*In accordance with Chapter 3, Rule 60, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

### 9.1 Petition to Council

*In accordance with Governance Rule 58, Spiro Skiadopoulos spoke in support to the recommendation included in the officer report.*

**Moved: Cr Fullagar**

**Seconded: Cr Heenan**

*That the following General Petition be received and noted and referred to the appropriate officer.*

- 1. Request for road sealing for 105 to 117 Hilton Road, Sassafras, under a Special Charge Scheme.*

**The motion was Carried unanimously.**

## 10 BUSINESS PAPER

### 10.1 Wandin North Master Plan – Post Consultation and Adoption

#### SUMMARY

The Wandin North Town Centre Masterplan project is a priority centre for planning, having no adopted Council-led plan/s, and no Community Plan. There are known existing risk factors in the centre due to unmanaged pedestrian movements across Warburton Highway at both the main activity centre as well as the Warburton Rail Trail. There has also been community advocacy, which has aligned with Council's efforts, to see town centres impacted by COVID become thriving hubs, providing further support for local businesses.

A Draft Masterplan was exhibited between November and December 2022, and feedback was sought on the proposed actions through extensive community and trader engagement on the Draft Masterplan. This feedback has been reviewed (see Attachment 3) and proposed updates are documented in a 'marked up' version of the original Draft Masterplan (see Attachment 2) which has formed the basis of the proposed final Wandin North Town Centre Masterplan (see Attachment 1). If adopted, the Masterplan will guide Council's decision-making for public realm (including streetscape) improvements and support advocacy with government agencies, helping us maximise opportunities that reflect our community's values.

The Masterplan is now ready for Council to consider for adoption.

**Moved: Cr Eastham**

**Seconded: Cr Heenan**

*That Council*

- 1. Note the findings from the community feedback and proposed updates to the Wandin North Town Centre Masterplan.*
- 2. Adopt the final Wandin North Town Centre Masterplan.*

**The motion was Carried unanimously.**

## 10.2 Morrison Reserve Draft Master Plan Release for Public Consultation

### SUMMARY

This report seeks to provide an update on the draft Morrison Reserve Master Plan (the draft Master Plan) that has been developed following consultation with the community, user groups and broadly through Council departments. The intention is to seek broader community feedback on the draft Master Plan.

The draft Master Plan provides a 15-year strategic approach to improving community, sport and recreation facilities at Morrison Reserve, Mount Evelyn in response to identified community needs, opportunities and projected population demographics.

Improvements recommended for community consideration include an upgrade to soccer, athletics and court facilities, the path network and park furniture on Council land. The draft Master Plan also recommends an upgrade of the school oval, currently used by community clubs as a secondary ground, and advocacy for a future sports stadium at the Yarra Hills Secondary College.

The proposed upgrade of the playspace and inclusion of a bike park and social spaces recently received external and Council funding.

**Moved: Cr Heenan**  
**Seconded: Cr Higgins**

*That Council*

1. *Consider the recommendations of the draft Morrison Reserve Master Plan.*
2. *Support the release of the draft Morrison Reserve Master Plan for community consultation.*
3. *Receive a further report considering submissions.*

**The motion was Carried unanimously.**

### 10.3 Lease to Jim Fuller Community House Incorporated

#### SUMMARY

On 11 April 2023, Council commenced a community engagement process in line with the provisions of section 115 of the Local Government Act 2020, regarding its intention to offer a new 20 year lease over its property at 26 Winyard Drive, Mooroolbark to Jim Fuller Community House Incorporated.

Under the lease, Jim Fuller Community House Incorporated (Jim Fuller House) will be permitted use of the premises for a rooming house providing secure and affordable rental accommodation for 5-6 low-income independent older persons. The lease would follow the current nine year term which expired on 31 May 2023, and would extend Jim Fuller Community House Incorporated's tenure at the site until June 2043.

The proposed lease will allow the group continued occupation of the premises, which it has held since the late 1990s when the facility was first established using Council land, with the building funded through contributions from the Office of Housing, Council, and the Mooroolbark Lions Club.

No submissions in relation to the proposed lease were received during the community engagement period, which closed 9 May 2023.

**Moved: Cr Cox**

**Seconded: Cr Skelton**

*That Council, having undertaken a community engagement process pursuant to Section 115(4) of the Local Government Act 2020, and having received no objections in relation to the matter, resolves to*

- 1. Lease its property at 26 Winyard Drive, Mooroolbark to Jim Fuller Community House Incorporated for a term of twenty (20) years for continued use as a Rooming House providing rental accommodation for low income, independent aged persons.*
- 2. Authorise the Executive Officer, Property & Facilities Management to sign all documents associated with the lease extension.*

**The motion was Carried unanimously.**

The Mayor acknowledged the members of the Warburton Advancement League in the Gallery, and spoke about the upcoming Cerini Walk to raise funds and awareness for homelessness in the Warburton area.

## 10.4 Tree Matter Outside 8 Kingswood Drive, Chirnside Park

### SUMMARY

Council has a request to remove a tree outside 8 Kingswood Drive, Chirnside Park. The resident's main concern is that the tree is dangerous as it drops leaves and debris and has allegedly caused an injury when a person slipped. The tree is assessed as low risk from a structural and health perspective. While the resident has said that the tree caused injury, Council has no recorded Public Liability claims for this property.

The tree is native to Australia (*Casuarina cunninghamiana*). The details of the tree are in the attached Arborist Assessment Report. The roadside reserve is in a Neighbourhood Residential Zone (NRZ1) and is also subject to Significant Landscape Overlay 22 (SLO23). The tree will require a planning permit if removal is recommended.

*In accordance with Governance Rule 58, Byron Stewart spoke in objection to the recommendation included in the officer report.*

*Cr Higgins moved a motion alternate to that printed in the agenda.*

**Moved: Cr Higgins**

**Seconded: Cr Heenan**

*That*

- 1. Council consent to the removal of a street tree in front of 8 Kingswood Drive, Chirnside Park subject to obtaining a planning permit.*
- 2. Following approved removal, plant two new, appropriately selected trees.*
- 3. The landowner be advised of Councils decision.*

**The motion was Carried.**

## **11 COUNCILLOR MOTIONS**

*In accordance with Chapter 3, Division 4, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

There were no Councillor motions listed on the agenda for this meeting.

## **12 ITEMS THROUGH THE CHAIR**

### **12.1 The Rotary Overseas Relocated Playgrounds Project**

Cr Heenan spoke about the Rotary Overseas Relocated Playgrounds project that sources surplus playground equipment in Victoria and works with local councils and private industry to ensure it can be carefully decommissioned, audited, and sent to communities across the world that do not have access to playground equipment. Cr Heenan encouraged Council to consider more involvement in the program.

### **12.2 Tracy Varley - Executive Officer Communications**

Cr Child thanked Tracy Varley, Executive Officer Communications, for her service to Yarra Ranges Council and wished her well in her new role.

### **12.3 Holy Fools Freeze Out!**

Cr Heenan spoke about the Holy Fools Freeze Out!, and encouraged others to follow the motto of this year's event "Go ahead... get uncomfortable" and raise money by sleeping rough for a night during National Homelessness Week, 7-13 August 2023.

## **13 REPORTS FROM DELEGATES**

Cr Fullagar

- Attended the Eastern Transport Coalition meeting held on Thursday 20 July 2023 via Videoconference.

Cr Skelton

- Attended the Biodiversity Sub Committee (Sustainable Environment Advisory Committee) meeting held on Thursday 20 July 2023 at the Yarra Ranges Council Civic Centre.

Cr Eastham

- Attended the Rural Advisory Committee meeting held on Tuesday 18 July 2023 at the Yarra Ranges Council Civic Centre.



Cr Higgins

- Attended the Metropolitan Education Traffic Centre Board meeting held on Wednesday 19 July 2023.

Cr Child

- Attended a meeting with Phuong Tram, Acting Deputy Secretary Forestry Transition, held on Monday 24 July 2023 at the Yarra Ranges Council Civic Centre. Tammi Rose, Chief Executive Officer, was also in attendance.

## **14 DOCUMENTS FOR SIGNING AND SEALING**

*In accordance with Clause 87 of the Meeting Procedures and Use of Common Seal Local Law 2015, as prescribed by Section 14(2)(c) of the Local Government Act 2020.*

There were no Documents for Signing and Sealing received for this meeting.

## **15 INFORMAL MEETING OF COUNCILLORS**

**Moved: Cr Child**

**Seconded: Cr Higgins**

*That the records of the Informal Meetings of Councillors, copies of which are attached to the report, be received and noted.*

**The motion was Carried unanimously.**

## **16 URGENT BUSINESS**

There was no Urgent Business received for this meeting.

## **17 CONFIDENTIAL ITEMS**

*In accordance with section 66(2)(a) of the Local Government Act 2020.*

There were no Confidential Items listed on the agenda for this meeting.

**18                    DATE OF NEXT MEETING**

There being no further business the meeting was declared closed at: 8.37 pm.

Confirmed this day, Tuesday, 8 August 2023.

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**Councillor Jim Child (Mayor)**

