



# Council Meeting

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**Minutes**

**Tuesday, 6 June 2023**  
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>

## LIVE STREAMING AND RECORDING OF MEETINGS

Council and Delegated Committee meetings will be live streamed and recorded with the video recording being published on Council's website. Council will cease live streaming at the direction of the Chair or prior to any confidential items being considered.

Opinions or statements made during the course of a meeting are those of the particular individuals. Council does not necessarily endorse or support the views, opinions, standards or information contained in the live streaming or recording of meetings. While Council will use its best endeavours to ensure the live stream and Council's website are functioning, technical issues may arise which may result in Council temporarily adjourning the meeting or, if the issue cannot be resolved, adjourning the meeting to another date and time to be determined.

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.

The Minutes produced after each Council Meeting form the official record of the decisions made by Yarra Ranges Council.

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## EVACUATION PROCEDURES

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## CONTACT US

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# YARRA RANGES COUNCIL

## MINUTES FOR THE 582<sup>ND</sup> COUNCIL MEETING HELD ON TUESDAY, 6 JUNE 2023 COMMENCING AT 7.00 PM VIA VIDEOCONFERENCE

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### 1 COUNCIL MEETING OPENED

Councillor Jim Child (Mayor) declared the meeting open.

### 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 Sophie Todorov (Deputy Mayor)

Councillor Andrew Fullagar

Councillor Fiona McAllister

Councillor Tim Heenan

Councillor Richard Higgins

Councillor Johanna Skelton

#### Officers

Tammi Rose, Chief Executive Officer

Hjalmar Philipp, Director Built Environment & Infrastructure

Jane Price, Director Communities

Andrew Hilson, Director Corporate Services

Kath McClusky, Director Planning & Sustainable Futures

### 4 APOLOGIES AND LEAVE OF ABSENCE

Apologies for this meeting were received from Councillors David Eastham and Len Cox.

### 5 MAYORAL ANNOUNCEMENTS

There were no Mayoral Announcements for this meeting.

**Moved: Cr Heenan**

**Seconded: Cr Higgins**

*That the Minutes of the Council Meeting held Tuesday 23 May 2023, as circulated, be confirmed.*

**The motion was Carried unanimously.**

## 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.

## QUESTIONS AND SUBMISSIONS FROM THE PUBLIC

*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 2020.*

### QUESTION 1

**Samantha Wahrenberger of Mooroolbark, asked:**

*Can you please update the community on the status of the Kilsyth Centenary Pool. Since its closure at 3.00pm on March 1st there has been no communication on your websites in regards to whether this will be repaired and reopened.*

*I understand that there is an aquatics strategy being completed for the next 10 years but the community desperately need this pool back.*

*Can you please tell me the status of the pool as it stands today and if there are any measures in place to look at repairs?*

**Hjalmar Philipp, Director Built Environment and Infrastructure:**

*Thank you for your question Samantha*

*The Kilsyth Centenary Pool was closed 1 March 2023 as a result of an asset condition report that indicated the dome structure was at risk of failure and will remain closed until the completion of the Aquatics Strategy. A further update occurred on 24 March 2023 through our social media channels.*

*The dome and the aging plant equipment means repair costs are significant. The development of the strategy will allow Council to consider the future investment in aquatics infrastructure. The draft strategy is planned to be released for public consultation later this year, for Council to consider toward the end of the year.*

## **QUESTION 2**

**Brent Grogan of Warburton, asked:**

*Could the council please advise the cost of the tree removal in the car park in Warburton..... Seeking complete cost that should include the removal, security and any other cost.*

**Hjalmar Philipp, Director Built Environment and Infrastructure:**

*Thank you for your question Brent.*

*The total costs, including costs arising from Council being obstructed in undertaking the safety work is in the order of \$400,000. This includes independent arboricultural advice, legal advice, contractor costs, traffic management, fencing and security.*

## **QUESTION 3**

**Belinda Bernardini of Chirnside Park, asked**

*This council is facilitating and promoting events relating to the The Voice. How is it that council can promote The Voice when the specifics are unknown.. Where is the community Engagement policy regarding The Voice?*

*Can council please advise where in the LGA it states that Councils role is to promote referendum changes at Local level?*

*Will council be facilitating events that provide for both sides of the argument to ensure residents are not being unduly influenced by council biases?*

**Jane Price, Director Communities:**

*Belinda, thank you for your questions.*

*Community engagement is a legislative requirement under the Local Government Act 2020 and Council's Community Engagement Policy includes a wide range of activities such as informing and engaging the community about Council's initiatives.*

*Referendums are not specifically considered under Council's Engagement Policy.*

*The Local Government Act 2020 makes no specific reference to national referendums and no future events have been planned at this stage.*

## QUESTION 4

### **Anonymous asked:**

*Council will "better understand the views and priorities of our community" & declares a commitment to be truthful, represent the community's needs, "be positive & responsive & always strive to do better".*

*How is community engagement of .001% (257 of 165,000 residents) representative of our views & priorities? Increasing [number]# of residents been trying to engage with council for months, are shut down & belittled.*

*Are you upholding the above commitments when you close down discussion & shut residents out?*

### **Andrew Hilson, Director Corporate Services:**

*Thank you for your question, which we believe is in relation to the draft budget 2023-24.*

*Council sought input from community members through a number of channels and events to help inform the development of the budget. This resulted in contributions from 687 people made online via Shaping Yarra Ranges and 209 people at six roadshow events.*

*We are confident that community members were provided with ample opportunities to share their views, whether online or in person, and that the feedback received has been used to help shape this year's draft budget.*

*Council does not share the view that it has closed down discussions and shut out its residents.*



## **QUESTION 5**

### **Martin Dieleman of Chirnside Park, asked**

*What is councils policy on responding to written enquiries and concerns made to councillors of the Yarra Ranges, on council schemes and their meetings that concern the community and do they uphold these policy?*

*Is there a legislative requirement for council to work directly with the public to ensure that public concerns and aspirations are met?*

### **Andrew Hilson, Director Corporate Services:**

*Thank you for your question, Martin.*

*Councillors are guided by the Councillor Code of Conduct and Council's Complaints Policy when responding to written enquires and concerns. Council believes all Councillors uphold the requirements of these Policies.*

*Section 28 of the Local Government Act 2020 outlines the role of a Councillor, including "to represent the interests of the municipal community in decision making" and "to consider the diversity of interests and needs of the municipal community."*

*The Local Government Act 2020 also includes principles around Community Engagement, which we meet through Council's Community Engagement Policy.*

*All of the Policy and Codes referenced tonight can be found on the Council's website.*

There were no Submissions listed on the Agenda for this meeting.

## **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.*

There were no Petitions received for this meeting.

## 10 BUSINESS PAPER

### 10.1 2023-24 Draft Budget including Capital Expenditure Program for Adoption in Principle

#### SUMMARY

A draft 2023-24 to 2026-27 Budget including the 2023-24 to 2032-33 Capital Expenditure Program has been prepared following the outcomes of extensive internal consultation as well as a period of community engagement earlier in the year.

These documents articulate Council's financial and resource strategies to fund its activities for the relevant period. They have been prepared in draft form to provide an opportunity for community exhibition prior to Council considering the adoption of the Budget at the Council meeting to be held on 11 July 2023.

**Moved: Cr Child**

**Seconded: Cr Fullagar**

That

1. *The draft 2023-24 to 2026-27 Budget (including the draft 2023-24 to 2032-33 Capital Expenditure Program) prepared in accordance with section 94 of the Local Government Act 2020 be approved in principle for the purpose of giving public notice and providing a period of public exhibition of the draft Budget.*
2. *The Chief Executive Officer be authorised to*
  - (a) *Give public notice in accordance with section 96 of the Local Government Act 2020 and Council's Community Engagement Policy of Council's intention to adopt the 2023-24 to 2026-27 Budget (including the 2023-24 to 2032-33 Capital Expenditure Program) at the Council meeting to be held on 11 July 2023.*
  - (b) *Undertake any and all administrative procedures necessary to enable Council to carry out its functions in accordance with its Community Engagement Policy.*

**The motion was Carried unanimously.**

## 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

There were no Items Through the Chair received for this meeting.

## 13 REPORTS FROM DELEGATES

Cr Skelton

- Attended the Sustainable Environment Advisory Committee Meeting held on Thursday 1 June 2023 at the Yarra Ranges Council Civic Centre.
- Congratulated the members of the Indigenous Advisory Committee involved in the Reconciliation Event held on Thursday 1 June 2023.

## 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 Higgins**

**Seconded: Cr Todorov**

*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: 7.24 pm.

Confirmed this day, Tuesday, 13 June 2023.

.....

**Councillor Jim Child (Mayor)**

