



Council Meeting

Minutes

Tuesday, 9 July 2024
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 and waterways.

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, Leanne Hurst

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.

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CONTACT US

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YARRA RANGES COUNCIL

MINUTES FOR THE 607TH COUNCIL MEETING HELD ON TUESDAY, 9 JULY 2024
COMMENCING AT 7.00 PM COUNCIL CHAMBER - CIVIC CENTRE AND VIA
VIDEOCONFERENCE

1 COUNCIL MEETING OPENED

Councillor David Eastham (Deputy Mayor) declared the meeting open.

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 INTRODUCTION OF MEMBERS PRESENT

Councillors

Councillor David Eastham (Deputy Mayor)

Councillor Jim Child
Councillor Fiona McAllister
Councillor Tim Heenan
Councillor Richard Higgins
Councillor Johanna Skelton

Officers

Tammi Rose, Chief Executive Officer
Hjalmar Philipp, Director Planning & Sustainable Futures
Kath McClusky, Director Planning & Sustainable Futures
Leanne Hurst, Director Communities
Liam Routledge, Acting Director Corporate Services

4 APOLOGIES AND LEAVE OF ABSENCE

Apologies for this meeting were received from Councillor Sophie Todorov (Mayor),
Councillor Andrew Fullagar and Councillor Len Cox OAM.

5 MAYORAL ANNOUNCEMENTS

There were no Mayoral Announcements for this meeting.

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved: Cr Child

Seconded: Cr Higgins

That the Minutes of the Council Meeting held Tuesday 25 June 2024, as circulated, be confirmed.

The motion was Carried unanimously.

*In Favour: Cr Heenan, Cr Eastham, Cr Higgins, Cr Skelton, Cr Child
and Cr McAllister.*

Against: Nil

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 2020.

QUESTIONS TO COUNCIL

Ian Wheeler of Montrose asked;

Does the Council have future plans to install Community Batteries in other suburbs besides Yarra Junction?

Kath McClusky, Director Planning & Sustainable Futures.

Ian, thank you for your question.

At this stage council doesn't have any plans to install community batteries across the municipality. The community battery in Yarra Junction was installed by Indigo Power via a Federal Grant program. Indigo Power is a community owned energy company and will operate the battery as part of their network.

Council is generally supportive of community batteries. This support will differ, depending on specifics of each project. However, Council doesn't manage a dedicated program to roll them out across the municipality. Thank you

The Chief Executive Offer read the following statement;

Our Governance Team received a second Question to Council this morning outside of the cutoff time. As the question relates to an item of significant public interest, I will respond as follows - with further details able to be viewed in a Media Statement issued yesterday.

Given the community interest on the two planning application at Hereford Road Mt Evelyn for a Convenience Restaurant (McDonalds), and Childcare Centre application, I wish to advise that these applications have been refused under officer delegation this week.

Both applications required section 55 referrals to the Department of Transport as a result to changes and impacts proposed, as a result of each application to Hereford Road. The Department of Transport is a determining authority within the Planning Scheme. When a determining authority objects to a planning application, Council is obligated to refuse the application as Council has no rights under the Act to overturn or change a determining authorities decision on an application. Within Council's instrument of delegation when a determining authority has objected to the application and Council is bound by that decision, Planning Officers are granted the delegation to decide the application.

The decisions are available on Council's website.

SUBMISSIONS TO COUNCIL

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 Waste Policy Review

SUMMARY

On 8 August 2023, Council resolved to adopt a Resource Recovery and Waste Services Policy with an informal review to occur at six months. A key aim of the Policy is to meet State legislated environmental targets, principally related to landfill diversion.

The approach underpinning improving diversion rates is through a combination of increasing waste segregation and recycling options, whilst simultaneously decreasing landfill disposal.

The review commenced in October 2023 to align with changes to service delivery has been informed by six months of data, as well as feedback from the community. Data from the six months was then compiled and reviewed in April/May to inform the review.

To review the outcomes of the new service, Council:

- Monitored and investigated customer feedback, through requests, complaints, petitions, submissions, presentations to Council and broader sentiment shared on social media.
- Investigated bin capacity and contamination, including through physical audits of each bin stream.
- Monitored the volume changes of all waste streams.

The service review is contained in Attachment 1.

In summary, the first six-months of the Yarra Ranges service has shown that:

- Material progress toward State legislated targets has occurred with diversion of waste from landfill across all collection streams increasing from 46% to 73%, just below the 75% Council target for 2025.
 - Contamination rates of Food Organics and Green Organics (FOGO) bins are 0.49%.
 - Diverting waste from landfill to composting has avoided more than 3,127 tonnes of greenhouse gas emissions.
 - An additional 9,037 tonnes of organic material have been composted into usable products.
- During the transition period of June 2023 to February 2024, there was significant resistance to the services changes, particularly regarding the shift to fortnightly rubbish collections and the introduction of the universal FOGO bin.
- There has been no noticeable increase in dumped rubbish activity or increase in volumes within our street and park litterbin collections.
- The main residual requests following the transition period relate to opting out of the FOGO service and a return to weekly rubbish collection (particularly coming from households with a higher number of occupants as well as households with children in nappies).

- Other than FOGO liner requests, the average number of customer waste requests has reduced close to pre-transition levels.
- The service, in its current form and based on evidence of data, is functioning effectively for the large part of the community.

On balance of impact and outcome, this report recommends expanding bin size choice for community and prioritising behaviour change efforts for those facing difficulties in adjusting to the new services.

In addition, it recommends delaying the rollout of a glass service from 1 July 2025 to commence on 1 July 2026 (2026-2027 Financial year), based on:

- Assisting the community with current cost-of-living pressures.
- Enabling a stronger focus on the recent service changes (Food Organics and Garden Organics (FOGO) service and reduced rubbish collection frequency).
- Providing an opportunity to assess the impact of the Container Deposit Scheme (CDS) on the glass collection service.

In accordance with Governance Rule 29.1, Cr Skelton, Cr McAllister, Cr Heenan, Cr Higgins and Cr Child spoke to the Motion.

The recommendation was moved and seconded.

Cr McAllister moved, and Cr Heenan seconded, an amendment to the recommendation and sought the agreement of the original mover and seconder to add wording as follows:

8. To undertake further consultation with non-residential properties to work to resolve current waste service challenges they are experiencing.

The mover and seconder supported the proposed amendment.

The Deputy Mayor called for the meeting to be adjourned at 7.24pm to enable the clarification of the Governance Rules in respect to Moving an Amendment.

The meeting resumed at 7.25pm with all Councillors present and consideration of item 10.1 continued.

Cr Heenan moved, and Cr Higgins seconded, a further amendment to the recommendation and sought the agreement of the original mover and seconder to add wording as follows to point 2:

as soon as possible.

The mover and seconder supported the proposed amendment.

Moved: Cr Skelton
Seconded: Cr Child

That Council

1. *Notes the findings and recommendations of the six-month review.*
2. *Maintains the fortnightly rubbish collection frequency and though contract variation discussions progress the provision of additional bin size options for each waste stream as soon as possible.*
3. *Progress investigations for alternative options for Multi-Unit Developments with limited storage space, including shared user arrangements and/or 240L bins.*
4. *Endorse a deferral of the Glass Collection service to commence in July 2026.*
5. *Hold consideration of an individual property opt-out option for FOGO for properties that have systems in place to manage FOGO on the property until state service standards for municipal collections are finalised.*
6. *Support the extension of the reusable nappy workshop program for a further 12 months.*
7. *Advocates to the Government for improved outcomes for managing soft plastics.*
8. *To undertake further consultation with non-residential properties to work to resolve current waste service challenges they are experiencing.*

The motion was Carried unanimously.

In Favour: Cr Heenan, Cr Eastham, Cr Higgins, Cr Skelton, Cr Child and Cr McAllister.

Against: Nil

10.2 Revised Community Engagement Policy

SUMMARY

Council endorsed the current Community Engagement Policy (the Policy) on 27 April 2021.

Since adopting the Policy, Council has planned and delivered over 240 formal community engagement projects, aligning with the Policy. The lessons learned from these projects, feedback from the community, internal focus groups and consultation with advisory groups, have informed the revised Community Engagement Policy.

Council approved the release of the Draft Revised Community Engagement Policy (the Draft) for public engagement on 26 March 2024. The draft was open for feedback between 27 March and 5 May 2024. Feedback was considered and changes were made where relevant.

Council officers are now seeking consideration by Council to approve and adopt the revised Community Engagement Policy.

In accordance with Governance Rule 29.1, Cr Skelton, Cr Child and Cr Heenan spoke to the Motion.

Moved: Cr Skelton

Seconded: Cr Child

That Council approve and adopt the revised Community Engagement Policy.

The motion was Carried unanimously.

In Favour: Cr Heenan, Cr Eastham, Cr Higgins, Cr Skelton, Cr Child and Cr McAllister.

Against: Nil

10.3 Birrarung Valley Walk - Memorandum Of Understanding

SUMMARY

The purpose of this report is to:

- provide an update on implementation of the Yarra Strategic Plan (Burndap Birrarung burndap umarkoo) and the Birrarung Valley Walk proposal, and
- seek endorsement to enter a Memorandum of Understanding (MoU) with Birrarung Valley Walk Inc. to support the Birrarung Valley Walk project.

Council, as one of 15 Responsible Public Entities (RPE), endorsed the Yarra Strategic Plan at its ordinary meeting on 11 May 2021.

The Minister for Water (the Minister) approved and publicly released the Yarra Strategic Plan on 11 February 2022.

In addition to being an active participant in the Yarra Collaborative Committee (YCC) alongside the other RPEs, Council has completed or is progressing a number of projects along the Birrarung that contribute to the Yarra Strategic Plan.

The Birrarung Valley Walk Inc., an Incorporated Association, is seeking to link existing walking tracks and paths from the mouth of the Birrarung (Yarra River) to the Upper Yarra Reservoir for the purpose of protecting, enhancing and promoting the natural environment and First Nations culture of the Birrarung Valley. This is the first “whole of river” project to be endorsed by the Yarra Collaboration Committee.

Birrarung Valley Walk Inc. is asking each of the RPEs to enter a Memorandum of Understanding (MoU) to jointly progress and support the Project.

No financial commitment is required to enter the MoU. Birrarung Valley Walk Inc. will be using the signed MoUs to seek philanthropic support for the project.

Some in kind support from Council officers will be required to assist in planning the trail alignment and scoping the implementation.

In accordance with Governance Rule 29.1, Cr Skelton and Cr Child spoke to the Motion.

Moved: Cr Skelton

Seconded: Cr Child

That Council authorises the Chief Executive Officer to enter into a Memorandum of Understanding (Attachment 1) with Birrarung Valley Walk Inc. to support the Birrarung Valley Walk project.

The motion was Carried unanimously.

In Favour: Cr Heenan, Cr Eastham, Cr Higgins, Cr Skelton, Cr Child and Cr McAllister.

Against: Nil

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 Planning Application - YR-2023/920 Hereford Road, Mt Evelyn

Cr Heenan noted the Chief Executive Officer's statement regarding the Notice of Refusal to Grant a Planning Application YR-2023/920. Cr Heenan spoke to the Notice of Refusal to Grant a Planning Application and thanked the community for input throughout the application process.

12.2 Sir Doug Nicholls Indigenous Round - Football and Netball

Cr Child praised all football and netball participants who took part in the Sir Doug Nicholls Indigenous Round held at the Mac Sparke Oval in Warburton. Cr Child noted Mr Aaron Violi MP conducted a presentation with both clubs lining up and a gift exchange conducted prior to the game beginning. Cr Child thanked all the clubs that participated and for showing the true spirit of Reconciliation on the day.

13 REPORTS FROM DELEGATES

Cr Skelton

- Attended the Indigenous Advisory Committee held on 2 July 2024 at the Yarra Ranges Council Civic Centre.

Cr Child

- Advised Councillors that the process for selecting a new Chief Executive Officer for Your Library will commence next week.
- Advised Councillors that the Meet the Author event to be held at the Belgrave Library at 10:30am on 20 July 2024, will feature Cr Eastham and his book "Shooting the Black Dog".

Cr Eastham

- Attended the Rural Advisory Committee held on 9 July 2024 at the Yarra Ranges Council Civic Centre.

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 Heenan

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.

In Favour: Cr Heenan, Cr Eastham, Cr Higgins, Cr Skelton, Cr Child and Cr McAllister.

Against: Nil

16 URGENT BUSINESS

There were no Urgent Business listed on the agenda 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: 7.59 pm.

Confirmed this day, Tuesday, 23 July 2024.

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Councillor David Eastham (Deputy Mayor)