



# Council Meeting

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## Minutes

**Tuesday, 22 October 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

**Acting Director Corporate Services,** Kim O'Connor

**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.

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

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### **CONTACT US**

Post	PO Box 105, Anderson Street
Telephone	1300 368 333
Facsimile	(03) 9735 4249
Email	<a href="mailto:mail@yarraranges.vic.gov.au">mail@yarraranges.vic.gov.au</a>

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# YARRA RANGES COUNCIL

## MINUTES FOR THE 613<sup>TH</sup> COUNCIL MEETING HELD ON TUESDAY, 22 OCTOBER 2024 COMMENCING AT 7.00 PM COUNCIL CHAMBER - CIVIC CENTRE AND VIA VIDEOCONFERENCE

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### 1 COUNCIL MEETING OPENED

Councillor Sophie Todorov (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 Sophie Todorov (Mayor)

Councillor David Eastham (Deputy Mayor)

Councillor Jim Child

Councillor Andrew Fullagar

Councillor Fiona McAllister

Councillor Tim Heenan

Councillor Richard Higgins

Councillor Johanna Skelton

Councillor Len Cox OAM

#### Officers

Tammi Rose, Chief Executive Officer

Kath McClusky, Director Planning & Sustainable Futures

Leanne Hurst, Director Communities

Kim O'Connor, Acting Director Corporate Services

Alanna Ford, Acting Director Built Environment & Infrastructure

### 4 APOLOGIES AND LEAVE OF ABSENCE

There were no apologies received for this meeting.

**The Chief Executive Officer read the following statement:**

**Flash Flooding 18 October 2024**

Following the heavy rainfall and flash flooding yesterday (Friday 18 October 2024) a number of roads were closed. They have since been reopened.

We understand how difficult these flash flooding events are for our local residents and businesses and Council can confirm that prior to these forecasted heavy rains, drains and pits in areas that are prone to flash flooding were checked.

Heavy and quick rainfall results in flash flooding. The underground drainage system cannot always capture the volume and fast-moving water as it hits the ground when flash flooding occurs.

It is important to understand that the roads are an integral part of the drainage system and during heavy rains will carry water, with drivers needing to drive to conditions. Flash flooding on roads usually drains away relatively quickly once the heavy rainfall stops.

It is not always possible to fix localised flooding by adding new drains or making drains bigger, as this often shifts the problem downstream. The best approach is to model and plan for where flooding might occur, allowing for the safe flow of water while minimising the impact on buildings, businesses, and other infrastructure.

Council has allocated \$16 million to be spent on drainage over the next six years and has just completed consultation on a Stormwater Management Plan.

Yarra Ranges is the second most disaster-impacted council across 479 local governments in Australia, underscoring the urgent need for comprehensive, forward-thinking strategies to enhance climate resilience.

Council also presented at the State Government's Committee Inquiry into Climate Resilience last week where flooding was raised.

Local councils need targeted flood modelling to identify areas of greatest vulnerability, prioritize infrastructure investments, and reduce flood risks in those locations. With limited resources and many areas to address, it's essential that we focus on the places most at risk.

But we can't do it alone. We need strong centralised data and analytics to prioritise and sustainable funding for resilience initiatives and to build community awareness.

Flood mapping involves computer modelling, which simulates how stormwater runoff travels through catchments. Current and reliable flood mapping information is essential to understand and manage flood risk. It is used to:

- Assess the frequency, severity, and location of flood risks within catchments
- Better plan and prioritise mitigation activities
- Plan for future development
- Build community awareness
- Inform emergency management planning

Council continues to work with Melbourne Water and other government agencies in managing the drainage network under the roads and continues to advocate to State and

Federal government for longer term assistance. Council also acknowledges that there cannot always be an engineering solution to manage flash flooding events.

This is a statement that has been released on Councils website.

## **6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

*In accordance with Governance Rule 29.1, Cr Todorov spoke to the Motion.*

**Moved: Cr Todorov**

**Seconded: Cr Cox**

*That the Minutes of the Council Meeting held Tuesday 24 September 2024, as circulated, be confirmed.*

**The motion was Carried unanimously.**

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

*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.*

Cr Cox declared a material conflict of interest in Item 10.5, Councillor Expenditure Policy - Reimbursement of Expenses for Cr Cox, as the item refers to reimbursement of out-of-pocket expenses.

## **8 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.*

There were no Questions or Submissions from the Public 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 2023-2024 Annual Report

#### SUMMARY

Council's 2023-2024 Annual Report (Attachment 1) has been prepared to provide the community transparent reporting on our financial and non-financial achievements for the last financial year in accordance with the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.

The Annual Report shares the story of successes and challenges Yarra Ranges Council faced in delivering on the most recent year as part of the 2021-2025 Council Plan.

There are three components of the 2023-2024 Annual Report: the Report of Operations, the audited Performance Statement, and the Financial Report. This paper presents the Report of Operations (Part 1). The Performance Statement and Financial Report (Part 2) are presented to Council separately.

The Annual Report is presented to Council for consideration for formal approval. Once approved, the Annual Report will be made available for public release online and in the foyer of the Lilydale Civic Centre.

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

**Moved: Cr Todorov**

**Seconded: Cr Fullagar**

*That Council endorse the Yarra Ranges Council Annual Report 2023-2024 (Part 1) and notes its completion as per Section 98 of the Local Government Act 2020.*

**The motion was Carried unanimously.**

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

*Against: Nil*



## 10.2 Annual Financial Report and Annual Performance Statement

### SUMMARY

Authorise Councillors Child and McAllister to certify the Annual Financial Statements and the Performance Statement in their final form after any changes recommended, or agreed to, by the Victorian Auditor General's Office have been made.

The 2023-2024 Annual Financial Statements and Performance Statement are presented to Council for approval in principle, prior to final consideration by the Victorian Auditor-General's Office (VAGO) and their agent (Crowe Australasia).

Crowe has completed a review and audit of the Financial Statements and the Performance Statement and all supporting information, with the statements reflecting the outcomes of the audit. Crowe expects to issue an unqualified audit opinion (subject to final signoff by VAGO).

These statements have been reviewed and endorsed in principle by Council's Audit and Risk Management Committee (ARMC) on Monday 7 October 2024 and have verbal and draft audit clearance from Crowe for presentation to Council.

Council is required under the *Local Government Act 2020* to approve in principle each of the statements and to authorise two Councillors to certify each of the statements in their final form subject to any changes recommended, or agreed to, by VAGO being made.

It is recommended the two Councillors authorised to certify the statements be the Councillor representatives on the Audit & Risk Management Committee, being Cr Jim Child and Cr Fiona McAllister.

*In accordance with Governance Rule 29.1, Cr Fullagar and Cr McAllister spoke to the Motion.*

**Moved: Cr Fullagar**

**Seconded: Cr McAllister**

*That Council*

- 1. Approve in principle the 2023-2024 Annual Financial Statements and the Performance Statement attached to this report.*
- 2. Authorise the Principal Accounting Officer to make any changes recommended by the Victorian Auditor-General's Office or Crowe Australasia.*

**The motion was Carried unanimously.**

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

*Against: Nil*

### 10.3 Audit and Risk Management Committee Biannual Report

#### SUMMARY

The Audit and Risk Management Committee (the Committee) has been established by Council under Section 53 of the Local Government Act 2020 (the Act). It is the responsibility of the Committee to provide Council with independent, objective advice and assurance on the adequacy of Council arrangements as set out in the Committee Charter (the Charter).

The Act requires that the Committee prepare a biannual report for Council that describes its activities and includes findings and recommendations.

This report is the biannual report of the Committee for the six-month period ending 30 June 2024.

*In accordance with Governance Rule 58, Stephen Schinck (Audit & Risk Management Committee Chair) spoke in support of the recommendation included in the officer report.*

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

**Moved: Cr Child**

**Seconded: Cr McAllister**

*That Council note the Yarra Ranges Audit and Risk Management Committee Biannual Report for the six-month period ending 30 June 2024.*

**The motion was Carried unanimously.**

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

*Against: Nil*

## 10.4 Audit and Risk Management Committee Performance Assessment Outcomes

### SUMMARY

Section 53 of the *Local Government Act 2020* (the Act) requires Council to establish an Audit and Risk Management Committee (Committee). The Committee provides independent guidance and advice to Council on the adequacy and effectiveness of Council's practices and potential improvements. Section 54(4) of the Act requires the Committee review its own performance annually to critically assess the Committee's operations and identify areas for improvement.

In 2024, the assessment was undertaken using an online form and distributed to Committee members and key Council Officers. The results of this assessment serve as a foundation for reflection and continuous improvement, enabling the Committee to enhance its contribution to Council's overall governance and risk management.

This report outlines the results of this assessment and is provided to Council for oversight and to provide transparency that the Committee is fulfilling its duties.

The feedback from the 2024 survey indicates a high level of satisfaction with the performance of the Committee, the information provided to the Committee and level of support for the Committee from Council officers. The results indicate satisfactory performance in all assessment areas, however further minor opportunities for improvement were identified and will be implemented.

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

**Moved: Cr McAllister**

**Seconded: Cr Child**

*That Council note the results of the annual Audit and Risk Management Committee Performance Assessment.*

**The motion was Carried unanimously.**

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

*Against: Nil*

## 10.5 Councillor Expenditure Policy - Reimbursement of Expenses for Cr Cox

### SUMMARY

The *Local Government Act 2020* (the Act) governs the reimbursement of expenses for Councillors and members of a delegated committee. This requires Council to reimburse reasonable, bona fide out-of-pocket expenses incurred while performing their respective roles.

The Councillor Expenditure Policy (the Policy) requires all claims for the reimbursement of expenses to be made within three months of the date an expense has been incurred.

Claims submitted that fall outside this three-month period must be considered by Council.

In accordance with the Policy, approval is sought to reimburse out-of-pocket expenses relating to travel, to the value of \$343.17 incurred by Cr Cox during the period 1 May 2024 through to 28 June 2024.

*Cr Cox declared a material conflict of interest in Item 10.5, Councillor Expenditure Policy - Reimbursement of Expenses for Cr Cox, as the item refers to reimbursement of out-of-pocket expenses.*

*Cr Cox left the meeting at 7.43pm prior to debate and the vote being taken.*

**Moved: Cr Heenan**

**Seconded: Cr Child**

*That Council approve the reimbursement of out-of-pocket expenses of \$343.17 incurred by Cr Cox during the period 1 May 2024 to 28 June 2024.*

**The motion was Carried unanimously.**

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

*Against: Nil*

*Cr Cox returned to the meeting at 7.44pm following a vote being taken.*

## **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 2020-2024 Councillors**

Tammi Rose, Chief Executive Office, acknowledged the final meeting of the 2020-2024 Councillors. The Chief Executive Office thanked the Councillors for their contribution and commitment to the community over that past four years.

### **12.2 Councillors Not Seeking Re-election**

Cr Todorov thanked Cr Andrew Fullagar, Cr Joanna Skelton and Cr David Eastham, who are not seeking re-election, for their service and wished them the best in future endeavours.

### **12.3 Lilydale Croquet Club**

Cr Todorov noted the 130th Anniversary of the Lilydale Croquet Club held on Saturday 19 October 2024. Cr Todorov acknowledged the valued history of that the club established in 1894.

### **12.4 Lilydale Croquet Club**

Cr Heenan also noted the 130th Anniversary of the Lilydale Croquet Club, that has remained in the same location in Melba Park, Lilydale for 130 years.

### **12.5 Councillors Not Seeking Re-election**

Cr McAllister thanked Cr Andrew Fullagar, Cr Joanna Skelton and Cr David Eastham, who are not seeking re-election, for their service and contribution as Councillors over the past four years.

### **12.6 Yarra Ranges Council Mayor and Deputy Mayor**

Cr McAllister thanked the Mayor and Deputy Mayor for their leadership over the past year.

### **12.7 Cr Andrew Fullagar**

Cr Fullagar reflected on his term as a Councillor. Cr Fullagar thanked his fellow Councillor and Officers for their support over his Councillor term.

### 13            **REPORTS FROM DELEGATES**

There were no Reports from Delegates received for this meeting.

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

*In accordance with Governance Rule 29.1, Cr Eastham spoke to the Motion.*

**Moved: Cr Eastham**

**Seconded: Cr Higgins**

*That the following listed document be signed and sealed:*

*Creation of Easement Deed of Release - Yarra Ranges Shire Council and Landowners of 143 David Hill Road, Monbulk.*

**The motion was Carried unanimously.**

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

*Against: Nil*

### 15            **INFORMAL MEETING OF COUNCILLORS**

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

**Moved: Cr Todorov**

**Seconded: Cr McAllister**

*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 Higgins, Cr Eastham, Cr Skelton, Cr Todorov, Cr Child, Cr McAllister, Cr Fullagar and Cr Cox.*

*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: 7.57 pm.

Confirmed this day, Tuesday, 19 November 2024.

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**Councillor Sophie Todorov (Mayor)**