

Council Meting

Draft Minutes

Tuesday, 25 March 2025
Council Chamber - Civic Centre

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: Gareth Ward Chirnside Ward: Richard Higgins Lyster Ward: Peter Mcilwain Melba Ward: Mitch Mazzarella O'Shannassy Ward: Jim Child Ryrie Ward: Fiona McAllister Streeton Ward: Jeff Marriott 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, Vincenzo Lombardi **Director Planning and Sustainable Futures**, Kath McClusky

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- 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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YARRA RANGES COUNCIL

MINUTES FOR THE 623RD COUNCIL MEETING HELD ON TUESDAY, 25 MARCH 2025 COMMENCING AT 7.00 PM COUNCIL CHAMBER - CIVIC CENTRE

1 COUNCIL MEETING OPENED

Councillor Jim Child (Mayor) declared the meeting open.

2 ACKNOWLDGEMENT OF COUNTRY

Cr Heenan then read the Acknowledgement of Country, and welcomed all present.

3 INTRODUCTION OF MEMBERS PRESENT

Councillors

Councillor Jim Child (Mayor)

Councillor Richard Higgins (Deputy Mayor)
Councillor Jeff Marriott
Councillor Peter Mcilwain
Councillor Gareth Ward
Councillor Mitch Mazzarella
Councillor Fiona McAllister
Councillor Tim Heenan
Councillor Len Cox OAM

Officers

Tammi Rose, Chief Executive Officer
Hjalmar Philipp, Director Built Environment & Infrastructure
Kath McClusky, Director Planning & Sustainable Futures
Jane Sinnamon, Manager Community Support
Vincenzo Lombardi, Director Corporate Services

4 APOLOGIES AND LEAVE OF ABSENCE

There were no apologies received prior to the commencement of this meeting.

5 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 Child declared a general interest in respect of Item 11.1. A written notice was supplied to the Chief Executive Officer under Governance Rules Chapter 7 Sub-Rule 3.1b.

6 MAYORAL ANNOUNCEMENTS

The Mayor read the following statement:

We know that too many of our residents experienced demands waiting for health services. The top service gaps include mental health, GPs, and urgent care shortages.

For years Yarra Ranges Council has been consistently advocating for an Urgent Care facility in Healesville.

We also know that Healesville Hospital Action Group has been advocating for an urgent care facility for over 10 years. Council is very supportive of any action to increase access to urgent care in this area, where health status is often lower than the rest of Yarra Ranges and metropolitan Melbourne.

Last week we welcomed an announcement for a Medicare Urgent Care Clinic in the Yarra Valley to be located in Lilydale.

Improved access is wonderful news for our municipality.

Now is the time to connect to the health department and local health providers to work together to make sure the location is right.

In the coming weeks Council will work together with Eastern Health to have a clear understanding of all options and develop an agreed position that supports a healthy community.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved: Cr Heenan

Seconded: Cr Mazzarella

That the Minutes of the Council Meeting held Tuesday 11 March 2025, as circulated, be confirmed.

The motion was Carried unanimously.

In Favour: Cr Child, Cr Heenan, Cr Higgins, Cr Ward, Cr McIlwain, Cr Mazzarella, Cr

McAllister, Cr Marriott and Cr Cox

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.

QUESTIONS TO COUNCIL

Cr Child left the meeting at 7.09pm before Question 1 and response were read and returned to the meeting at 7.11pm after Question 1 and response were read, and prior to Question 2 being read.

QUESTION 1

Peter Preuss of Woori Yallock asked;

Council has been requested to advocate for the exclusion of Yarra Ranges from the Gippsland Kangaroo Harvest Zone. At the Feb 11 meeting, Councillors spoke about due diligence and need for more information from Minister Dimopoulos, and/or the Department of Environment prior to a decision being made at the April 8 Council meeting.

My question is, since the meeting of February 11 - 2025, has Council followed up with the Minister and/or Department and what further information has been received

Director Planning & Sustainable Futures, Kath McClusky

Thank you for your question,

Since the Council meeting of 11 February, additional information was sought from the Conservation Regulator and DEECA.

Council Officers actually met with DEECA representatives, to try and gain an insight into the exclusion of other peri-urban and suburban Council's from the Kangaroo Harvesting Program. In our discussions they clarified that the exclusion of the 'Dandenong's' specifically pertains to sections that are within the Knox and Cardinia municipalities only, rather than Yarra Ranges.

The item is scheduled to be revisited at the Council meeting on April 8, 2025.

QUESTION 2

Belinda Bernardini of Lilydale asked;

What land and fire management works did council undertake in the last 6 months at Ken Leversha Reserve including but not limited to fuel management works and maintenance of fire breaks and access routes. Please provide evidence of works undertaken and by whom.

Director Planning & Sustainable Futures, Kath McClusky

Thank you for your question, Belinda.

Council prepares an Annual Fire Readiness Program in the lead up to bushfire season each year. This Program is a supporting plan of the Municipal Fire Management Plan, and as such, it is reviewed and approved by the Municipal Fire Management Planning Committee (MFMPC). This Committee is made up of Fire Agencies, Emergency Services and Council.

In the 2024 - 2025 Annual Fire Readiness Program was approved by the MFMPC on 13 November 2024.

Bushfire mitigation works of the Bushland Reserves are included within the Program and undertaken in consultation and collaboration with the Country Fire Authority (CFA).

In the last six months, Council has worked with the CFA to review and agree upon required works. As a result, Council has undertaken the following bushfire management works at Dr Ken Leversha Reserve:

- Vegetation fuel breaks have been maintained around the reserve to protect nearby homes.
- Larger fuel breaks have been created on the northern side of the reserve due to higher fire risk.
- Fallen trees have been cleared after storms.
- Ensured the emergency access routes in the south of the reserve is maintained for CFA use.
- Focused on keeping defendable space near assets and maintaining access routes.
- Council also agreed with the CFA to support reducing fuel on nearby private properties.

Over the last twelve months Council has also undertaken routine maintenance in line with our management of conservation reserve including weed control, track maintenance, general rubbish removal, clearing falling debris or branches and general entry amenity works.

QUESTION 3

Ivor Wolstencroft of Warburton asked;

In referring to Dr Wolstencroft's 2023 submission and considering the commitments outlined in the DAP, the Advocacy Agenda, and the Council's strategic objectives—Before the anticipated conclusion of the planned community budget submission process, **Would the Council be open to our invitation for say three directors and three councillors to participate in a 'lived experience' exercise/excursion?** This would involve using wheelchairs to navigate two key locations in Warburton: in and around Thomas Avenue and the riverside tracks and river boardwalk, and the section from Ottrey's Carpark to the track leading to Redwood Bridge. Our goal is to provide firsthand insight into the barriers faced by wheelchair users, both residents and visitors alike and will provide the wheelchairs and facilitate the experience.

Before the Director Built Environment & Infrastructure read the response, the Mayor indicated that himself and some other Councillors would be interested in accepting the lived experience exercise.

Director Built Environment & Infrastructure, Hjalmar Philipp

Thank you for your question, Ivor and David,

Just want to acknowledge the barriers that people in wheelchairs face and acknowledge there is significant scope for accessibility improvements across the municipality, and obviously our commitments outlined in the Disability Action Plan, our Advocacy Agenda, and Council's strategic objectives acknowledge the need for this work.

Specifically with respect to budget allocation for improvements in wheelchair accessibility along the Yarra River, we have noted this as feedback for consideration as part of the Draft 25/26 Budget.

More broadly some provision for accessibility improvements across the municipality are included in the current Draft 25/26 budget, including for example within the scope of:

- New projects and capital works
- Under township improvements there is a dedicated capital allocation

- Infrastructure and open space renewals and maintenance, more broadly

With respect to your invitation for a lived experience we are happy to continue a dialogue about this offer. Council Officers will liaise with Councillors and provide a response.

QUESTION 4

Ray Lister of Kallista asked;

On page 75 of the YRC Draft Budget 2025 – 2026 there is an entry for a proposed new footpath for Monbulk Road, Kallista, can you advise the location of that footpath, please?

Director Built Environment & Infrastructure, Hjalmar Philipp

Thank you for your question, Ray.

The proposed new footpath link on Monbulk Road, Kallista, is planned between Rivington Avenue and Perrins Creek Road.

Concurrently the Department of Transport and Planning has a drainage upgrade project for this section that is currently in design stage. Officers are actively engaging with Department of Transport and Planning to incorporate the footpath into the broader project scope, ensuring a well-coordinated and high-value outcome for the community.

QUESTION 5

Wendy Wright of Wandin North asked;

In their response to my question regarding the ESVF (Emergency Services Volunteer Fund) Levy, the governance team said that they have undertaken modelling to understand the impact of the new levy on both the community and the council organisation. Can you please provide an outcome of that modelling.

Director Corporate Services, Vincenzo Lombardi

Thank you for your follow-on question here, Wendy.

Council has undertaken high level modelling which is based on several assumptions. Under this modelling the main assumption of this model is an average property valuation increase of 5% this results in an estimated average increase of \$80 for residential properties through to \$1100 for primary producers per annum to the Emergency Services Volunteer Fund Levy. Please note this is an estimate and will be reviewed as more information is released.

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.

9.1 Petitions to Council

SUMMARY

The following petition be received:

General Petition

1.Yarra Ranges Council to create its own Tiny Houses on Wheels/Caravan living policy to meet its residents evolving housing needs and that all building order decisions on existing Tiny Houses on Wheels be stayed until more up to date and relevant procedures can be developed.

10 valid signatures

In accordance with Governance Rule 58, Evrim Sen spoke in support (of general petition 1) the recommendation included in the officer report.

Moved: Cr Mcilwain

Seconded: Cr Mazzarella

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

1. The creation of a Tiny Houses on Wheels/Caravan living policy and a stay on current building order decisions.

In Favour: Cr Child, Cr Heenan, Cr Higgins, Cr Ward, Cr Mcilwain, Cr Mazzarella, Cr McAllister, Cr Marriott and Cr Cox

10 BUSINESS PAPER

10.1 Amendment C223 Corrections Amendment consideration of submissions and adoption

SUMMARY

Amendment C223 proposes to correct minor inaccuracies and anomalies for sites across the municipality that will be either rezoned, partly rezoned, have redundant overlays and provisions updated or deleted to improve the overall operation of the Yarra Ranges Planning Scheme.

The amendment was placed on public exhibition from 7 November to 9 December 2024 and five submissions were received. Of those, two submissions provided support for the amendment and three submissions opposed an item in the amendment (Proserpina Bakehouse at 261 Mount Dandenong Tourist Road, Ferny Creek).

Following discussions with the opposing submitters, changes were made to the amendment documents relating to the Proserpina Bakehouse site that addressed the submitters concerns and were satisfactory to the bakery owners and are now resolved.

A further change is also proposed to the amendment to not delete references to Environmentally Sustainable Design in several Design and Development Overlay schedules in the Planning Scheme, as a result of the introduction of the Town House and Low Rise Code through the State Amendment VC267 on 6 March 2025.

This report discusses the submissions received to the amendment and recommends that Council consider adoption of Amendment C223 including recent changes, and following adoption submit the amendment to the Minister for Planning for approval

In accordance with Governance Rule 58, Stan Giles spoke in support of the recommendation included in the officer report.

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

Moved: Cr Higgins

Seconded: Cr Mazzarella

That Council

- 1. Consider the submissions received to Amendment C223 to the Yarra Ranges Planning Scheme.
- 2. Adopt Amendment C223 to the Yarra Ranges Planning Scheme, with changes, generally in accordance with Attachments 2-13.
- 3. Submit the adopted Amendment C223 to the Minister for Planning requesting approval.
- 4. Write to all submitters to advised them of Council's decision.

The motion was Carried unanimously.

In Favour: Cr Child, Cr Heeman, Cr Higgins, Cr Ward, Cr Mcilwain, Cr Mazzarella, Cr McAllister, Cr Marriott and Cr Cox

10.2 Budget Pack Draft & Community Consultation Confirmation

SUMMARY

Authorises the Chief Executive Officer to undertake any and all administrative procedures to enable Council to carry out its functions under sections 94 and 96 of the *Local Government Act 2020* and the Community Engagement Policy.

A draft Budget FY2025-2026 and subsequent three-year outlook to FY2028-2029 (Attachment 1) and Revenue and Rating Plan (Attachment 3) have been prepared following extensive consultation and development. These documents articulate the financial and resource strategies to fund the activities and services planned to support the community through this period.

The draft Budget provides for the ongoing delivery of Council services and allocates significant resources to the development and maintenance of infrastructure across the municipality.

The 2025/26 Budget, Fees and Charges Schedule (Attachment 2), Capital Expenditure Program (Attachment 4) and Revenue and Rating Plan have been prepared in draft form to provide an opportunity for community feedback and submissions as required under the *Local Government Act 2020* and Council's *Community Engagement Policy 2024-2028*. This report seeks Council's approval to release these documents for community consultation.

Submissions received from community members will be considered at a Hearing of Submissions Committee meeting on 6 May 2025.

Following the incorporation of any changes following community consultation, the final Budget pack inclusive of Council's Fees and Charges, Capital Expenditure and Revenue and Rating plan will be presented at a Council meeting in June 2025 for consideration.

In accordance with Governance Rule 58, Wendy Wright spoke in objection to the recommendation included in the officer report.

In accordance with Governance Rule 29.1, Cr Child, Cr Mcilwain, Cr Cox,

Cr Ward, Cr McAllister, Cr Mazzarella and Cr Higgins spoke to the Motion.

Moved: Cr Child

Seconded: Cr Mcilwain

That Council

- 1. Approves the draft Budget 2025-2026, Revenue and Rating plan prepared in accordance with sections 94 and 96 of the Local Government Act 2020 for the purpose of giving public notice and undertaking consultation with the community.
- 2. Authorises the Chief Executive Officer to give public notice in accordance with section 96 of the Local Government Act 2020 of Council's intention to adopt the Budget 2025-2026 at the Council meeting on 10 June 2025.
- 3. Authorise the Chief Executive Officer, in accordance with Rule 12 of the Governance Rules, make all arrangements for a meeting of the Hearing of Submissions Committee to be held on 6 May 2025 to consider presentations to be heard in support of written submissions received on any matter contained in the draft Budget and that the Committee subsequently provide a report on its proceedings, including a summary of hearings, to Council.

The motion was Carried unanimously.

In Favour: Cr Child, Cr Heenan, Cr Higgins, Cr Ward, Cr Mcilwain,

Cr Mazzarella, Cr McAllister, Cr Marriott and Cr Cox

10.3 Fraud Control Policy

SUMMARY

The Local Government Act 2020 requires Council to develop and maintain adequate internal control systems, which includes effective fraud prevention strategies.

The existing Yarra Ranges Council's Fraud Control Policy has been reviewed and updated in consultation with key stakeholders to align with the Australian Standards, specifically, AS 8001:2021 Fraud and Corruption Control, therefore ensuring adherence to industry best practices in fraud management and prevention.

The Policy was presented to Council's Audit and Risk Management Committee in February 2025 for feedback and approval. The Policy review process involved collaboration with the Victorian Local Government Risk Group.

The proposed updates to the Policy include enhanced sections on fraud risk assessment, prevention, detection, response, and monitoring, and stronger linkage to Council's Risk Management Policy and Framework.

In accordance with Governance Rule 58, Sharon Gamble spoke in objection to the recommendation included in the officer report.

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

Moved: Cr McAllister Seconded: Cr Higgins

That Council endorse the Yarra Ranges Council Fraud Control Policy 2025.

The motion was Carried unanimously.

In Favour: Cr Child, Cr Heeman, Cr Higgins, Cr Ward, Cr Mcilwain, Cr Mazzarella, Cr McAllister, Cr Marriott and Cr Cox

10.4 Audit and Risk Management Committee Independent Member

SUMMARY

This report recommends extending Mr. Stephen Schinck's final term as an Independent Member and Chair of Council's Audit and Risk Management Committee (the Committee) from 31 May 2025 to 30 June 2025 due to the rescheduling of the May Committee meeting.

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

Moved: Cr Child

Seconded: Cr McAllister

That Council endorse the extension of Mr. Stephen Schinck's term as an Independent Member and Chair of the Yarra Ranges Council Audit and Risk Management Committee from 31 May 2025 to 30 June 2025.

The motion was Carried unanimously.

In Favour: Cr Child, Cr Heenan, Cr Higgins, Cr Ward, Cr Mcilwain,

Cr Mazzarella, Cr Child, Cr McAllister, Cr Marriott and Cr Cox.

10.5 Legislative Requirements for Councillor Induction/Training

SUMMARY

This report confirms that all Yarra Ranges Councillors have fulfilled the mandatory training requirements as stipulated by the *Local Government Act 2020* and *Local Government Amendment (Governance and Integrity) Act 2024* within the required four-month timeframe following their oath of office. A signed declaration has been completed by all Yarra Ranges Councillors and witnessed by the Chief Executive Officer. Attachment One provides an unsigned copy of the declaration.

This training aligns with the Model Councillor Code of Conduct and ensures adherence to the highest standards of governance and ethical conduct.

In accordance with Governance Rule 58, Stan Giles spoke in support of the recommendation included in the officer report.

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

Moved: Cr Mazzarella Seconded: Cr Heenan

That Council notes the completion of all mandatory Councillor training requirements.

The motion was Carried unanimously.

In Favour: Cr Child, Cr Heenan, Cr Higgins, Cr Ward, Cr Mcilwain,

Cr Mazzarella, Cr McAllister, Cr Marriott and Cr Cox

10.6 CT7754 Acceptance and Disposal of Wet Waste Material

SUMMARY

As part of Council daily operations drainage maintenance is undertaken. This includes the use of two vacuum trucks that suction pits and pipes and remove debris that blocks the functionality. This 'wet waste' debris is then required to be off loaded from the trucks. This can be accepted at an Environment Protection Authority Victoria (EPA) authorised/approved site or via the provision of a bin to be located at the council operations depot/s.

Wet waste includes materials from drainage maintenance, pit cleaning and jetting works. Council currently recycle approximately 930,000 litres per year, reducing landfill. The wet waste material is separated into sand and rock, which is then processed and turned into concrete.

This report summarises the evaluation process for the Request for Tender for the acceptance and disposal of wet waste material at an an Environment Protection Authority Victoria (EPA) authorised/approved site ('the Services'). The report seeks to gain Council approval to progress to contract award for the Services.

The tender is to create a panel of suitably qualified and experienced parties to manage and provide the Services. The initial contract term is for three (3) years. Council has the sole discretion of two additional options to extend the contract for up to an additional two (2) years each. Council also has the solo option to terminate for convenience at any time with three (3) months written notice

In accordance with Governance Rule 29.1, Cr Higgins and Cr Ward spoke to the Motion.

Moved: Cr Higgins Seconded: Cr Ward

That

- 1. Council recommends the following providers be awarded a schedule of rates contract for CT7754 Acceptance and Disposal of Wet Waste Material:
- (a) M. Tucker & Sons Pty Ltd
- (b) Mainstream Recycling Pty Ltd
- 2. The Director Built Environment and Infrastructure be delegated authority to sign the contract documents.
- 3. The Director Built Environment and Infrastructure be delegated authority to extend the contract term by two periods of two years each.
- 4. The confidential attachment to this report remains confidential indefinitely as it relates to matters specified under Section 3(1) (g)(i), (g)(ii) of the Local Government Act 2020.

The motion was Carried unanimously.

In Favour: Cr Child, Cr Heenan, Cr Higgins, Cr Ward, Cr McIlwain,

Cr Mazzarella, Cr McAllister, Cr Marriott and Cr Cox

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 Request for letter from the Mayor for Nan Francis

Cr McAllister requested a letter from the Mayor to Nan Francis who recently turned 100 years old. Nan has contributed significantly to the arts community and the local community and was part of the Community Advisory Group that worked on the redevelopment of the Memo Hall in Healesville.

12.2 Clarification of Emergency Management Budget Spend

Cr McAllister requested that the Council funding spent on Emergency Management in previous budgets compared to the draft 25/26 budget be fact checked and distributed to all Councillors.

13 REPORTS FROM DELEGATES

Cr Heenan,

 Attended the Eastern Affordable Housing Alliance meeting at Knox on Thursday 20 March 2025

Cr Child

- Attended the Eastern Transport Coalition meeting on 20th March 2025.
- Attended the Eastern Region Group of Councils Meeting on 21st March 2025. The Deputy Mayor and Chief Executive Officer also attended.

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.

In Favour: Cr Child, Cr Heenan, Cr Higgins, Cr Ward, Cr Mcilwain,

Cr Mazzarella, Cr McAllister, Cr Marriott 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: 8.40 pm.

Confirmed this day, Tuesday, 8 April 2025.

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Councillor Jim Child (Mayor)