

Council Meeting

Minutes

Tuesday, 26 July 2022 via video-conference

Information for Councillors and the community

ACKNOWLEDGEMENT OF COUNTRY

We respectfully acknowledge the Traditional Owners, the Wurundjeri People, as the Custodians of this land. We also pay respect to all Aboriginal community Elders, past and present, who have resided in the area and have been an integral part of the history of this region.



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 Communities, Jane Price Director Corporate Services, Andrew Hilson Director Recovery, Jane Sinnamon Director Environment & Infrastructure, Mark Varmalis Director Planning Design & Development, 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: <u>https://www.yarraranges.vic.gov.au/Council/Corporate-documents/Policies-strategies/Governance-rules</u>

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-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.

VIEWING THIS AGENDA ON A MOBILE DEVICE



The free modern.gov app enables you to download papers for our meetings on Apple, Android and Windows devices. When you first open the app you will be asked to 'Subscribe to Publishers' – simply select Yarra Ranges Council from the list of councils. The App allows you to select the meetings you are interested in and it will then automatically keep itself updated with all the latest meeting agendas and minutes.

EVACUATION PROCEDURES

In the case of an emergency during a meeting held at the Civic Centre, 15 Anderson Street, Lilydale, you should follow the directions given by staff and evacuate the building using the nearest available exit. You should congregate at the assembly point at Hardy Street car park.

CONTACT US

| Post | PO Box 105, Anderson Street |
|-----------|-----------------------------|
| Telephone | 1300 368 333 |
| Facsimile | (03) 9735 4249 |
| Email | mail@yarraranges.vic.gov.au |

Index to Minutes

| ITEN | N | PAGE N | 0 |
|------|-------------------|---|----|
| 1. | COU | NCIL MEETING OPENED | 6 |
| 2. | ACK | NOWLDGEMENT OF COUNTRY | 6 |
| 3. | INTR | ODUCTION OF MEMBERS PRESENT | 6 |
| 4. | APO | LOGIES AND LEAVE OF ABSENCE | 6 |
| 5. | MAY | ORAL ANNOUNCEMENTS | 6 |
| 6. | MAY | ORAL ANNOUNCEMENTS | 7 |
| 7. | CON | FIRMATION OF MINUTES OF PREVIOUS MEETINGS | 7 |
| 8. | DISC | LOSURE OF CONFLICTS OF INTEREST | 7 |
| 9. | QUE | STIONS AND SUBMISSIONS FROM THE PUBLIC | .7 |
| 10. | PETI | TIONS | 7 |
| 11. | I. BUSINESS PAPER | | 8 |
| | 11.1 | Proposed Amendments to Seek Interim and Permanent Heritage Overlay Controls in Lilydale | |
| | 11.2 | Child Safety and Wellbeing Policy 2022 | 9 |
| | 11.3 | Health & Wellbeing Advisory Committee - Terms of Reference and Recruitment 1 | 0 |
| | 11.4 | Disability Advisory Committee Recruitment1 | 1 |
| | 11.5 | Extension of Lease to Cleanaway - 840 Wellington Rd, Lysterfield 1 | 2 |
| | 11.6 | Alfred Street & John Street, Wandin North - Tainton Street & Railway Parade, Wandi North - Cedar Court, Burns Way, Harvest Close, Loch Avenue & Mayview Drive, Monbulk Intention to Levy a Special Charge | |
| | 11.7 | Old Coach Road (from Marshall Terrace to no.37 Old Coach Road), Montrose Declaration of Special Charge1 | |
| | 11.8 | Sylvia Road Hoddles Creek Declaration of Special Charge1 | 7 |
| | 11.9 | Harberts Road Don Valley Declaration of Special Charge1 | 8 |
| | 11.10 |) Kirkham Road, Belgrave South Declaration of Special Charge | 9 |
| 12. | COU | NCILLOR MOTIONS2 | 20 |
| 13. | ITEN | IS THROUGH THE CHAIR | 20 |
| | 13.1 | Indigenous Match Warburton-Millgrove Football Netball Club | 20 |
| | 13.2 | RidgeWalk Sassafras Opening | 20 |
| | 13.3 | Sustainable Environment Advisory Committee Event2 | 20 |

| | 13.4 Dark Arts Exhibition | . 20 |
|-----|-----------------------------------|------|
| 14. | REPORTS FROM DELEGATES | 21 |
| 15. | DOCUMENTS FOR SIGNING AND SEALING | . 21 |
| 16. | INFORMAL MEETING OF COUNCILLORS | . 21 |
| 17. | URGENT BUSINESS | . 21 |
| 18. | CONFIDENTIAL ITEMS | . 21 |
| 19. | DATE OF NEXT MEETING | 22 |

YARRA RANGES COUNCIL

MINUTES FOR THE 563RD COUNCIL MEETING HELD ON TUESDAY, 26 JULY 2022 COMMENCING AT 7PM VIA VIDEOCONFERENCE

1 COUNCIL MEETING OPENED

Councillor Jim Child (Mayor) declared the meeting open.

2 ACKNOWLDGEMENT 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 Fiona McAllister Councillor Tim Heenan Councillor Richard Higgins Councillor Johanna Skelton (Deputy Mayor) Councillor Len Cox OAM

Officers

Tammi Rose, Chief Executive Officer Andrew Hilson, Director Corporate Services Mark Varmalis, Director Environment and Infrastructure Jane Price, Director Communities Jane Sinnamon, Director Recovery Amanda Kern, Acting Director Planning, Design and Development

4 APOLOGIES AND LEAVE OF ABSENCE

Apologies for this meeting were received from Councillors David Eastham and Sophie Todorov.

5 MAYORAL ANNOUNCEMENTS

Recent spike in Covid-19 case numbers

The Mayor announced that, to help slow the spread of Coronavirus (COVID-19) within our workforce and the community, Council Meetings will be held by video-conference until further notice and to continue our commitment to transparency and public participation he noted that Council Meetings will be live streamed.

5 MAYORAL ANNOUNCEMENTS

Recent spike in Covid-19 case numbers

The Mayor announced that, to help slow the spread of Coronavirus (COVID-19) within our workforce and the community, Council Meetings will be held by video-conference until further notice and to continue our commitment to transparency and public participation he noted that Council Meetings will be live streamed.

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved: Cr Cox Seconded: Cr McAllister

That the Minutes of the Council Meeting held 12 July 2022, 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.

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 Proposed Amendments to Seek Interim and Permanent Heritage Overlay Controls in Lilydale

SUMMARY

Through early work on preparing a new Lilydale Structure Plan, it was identified that there are a number of properties in Lilydale with potential heritage significance that are not protected by a Heritage Overlay (HO) in the Planning Scheme.

Council engaged qualified heritage consultants to identify gaps in heritage protection in Lilydale's Main Street and surrounding areas and to assess which places meet the threshold for local heritage protection in the planning scheme. This work has recommended the protection of 13 new sites and updates to the existing heritage statements of significance or mapping for 7 places that are already protected by the HO.

It is proposed that the schedule to the HO in the Planning Scheme be amended to include the 13 new places through a planning scheme amendment that will be publicly exhibited.

Concurrently, it is proposed that the HO be applied to the new places on an interim basis, to ensure the heritage values of the places are protected while the planning scheme amendment for permanent heritage protection is exhibited.

In order to apply interim controls, Council must request the Minister for Planning to use his powers of intervention under section 20(4) of the Planning and Environment Act 1987 to prepare, adopt and approve an amendment to the Yarra Ranges Planning Scheme (Amendment C206).

In order to commence the amendment process for a permanent control, Council must seek authorisation from the Minister for Planning to prepare and exhibit an amendment (Amendment C207).

Moved: Cr Heenan Seconded: Cr Higgins

That Council

- 1. Request the Minister for Planning to prepare, adopt and approve Amendment C206 to the Yarra Ranges Planning Scheme under section 20(4) of the Planning and Environment Act 1987 to apply the Heritage Overlay to 13 places, on an interim basis until 31 December 2023, generally in accordance with the attachments to this report.
- 2. Request the Minister for Planning to authorise the preparation and exhibition of Amendment C207 to apply the Heritage Overlay on a permanent basis to 13 places, make changes to seven (7) places already protected by a Heritage Overlay, and consequential changes, generally in accordance with the attachments to this report.
- 3. Subject to the Minister's authorisation, exhibit Amendment C207 to the Yarra Ranges Planning Scheme.

10.2 Child Safety and Wellbeing Policy 2022

SUMMARY

A review and changes by the Department of Families, Fairness and Housing (DFFH) in 2019 to the Victorian Child Wellbeing and Safety Act (2005), come into effect during the 6-months from 1 July 2022 to 1 January 2023. New changes to Council's existing Child Safety and Wellbeing Policy are now required to ensure alignment with what is now, the eleven Victorian Child Safe Standards.

The legislation amendments introduce additional standards, compliance requirements and enforcement related to Child Safe Organisations, that will ensure national harmonisation with the National Child Safe Framework and a stronger legislative and compliance platform for safeguarding children across Victoria.

Numerous factors reinforce the ongoing, essential need for Council's child safety efforts for children, young people, as well as families, carers, and the general community. Child abuse and neglect is not a historic issue. Organisations and the community continue to fail in their responsibility to protect children and young people. Evidence on the significant increase in child safe incidents during the covid pandemic, particularly the increased reports of on-line abuse, peer on peer abuse, family violence and mental health, as well as reduced access to service supports highlights this need. Awareness and practice related to child safety and embedding a culture of "Child Safety is Everyone's Business" requires ongoing work to minimize risks within the organisation and community.

Moved: Cr Skelton Seconded: Cr McAllister

That Council endorse the revised Yarra Ranges Council Child Safety and Wellbeing Policy 2022.

10.3 Health & Wellbeing Advisory Committee - Terms of Reference and Recruitment

SUMMARY

Council's Health and Wellbeing Plan sets out the strategic direction for improving health and wellbeing for all residents across the municipality. It reflects Council's commitment to promoting health and wellbeing and creating inclusive, healthy and connected communities.

To ensure the community voice is at the forefront of the development, implementation, and evaluation of the current and future Health and Wellbeing Plans, it is proposed a revised Health & Wellbeing Advisory Committee is established with diverse community representation, ensuring community is engaged in all stages of health and wellbeing planning and implementation

A Terms of Reference for this Committee is attached to the report which outlines the governance arrangements for the new Health & Wellbeing Advisory Committee and recruitment process.

In accordance with Governance Rule 58, Sue Thompson spoke in objection of the recommendation included in the officer report.

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

Cr Heenan left the meeting at 8.13pm and returned to the meeting at 8.15pm prior to a vote being taken.

Moved: Cr Higgins Seconded: Cr Fullagar

That Council

- 1. Approve the establishment of a new Health & Wellbeing Advisory Committee with diverse community representation.
- 2. Approve the Health and Wellbeing Advisory Committee Terms of Reference and process for the recruitment of community members to the Health & Wellbeing Advisory Committee.
- 3. Note the contribution of members previously appointed to the Health and & Wellbeing Advisory Committee who will now form a Professional Network.
- 4. Acknowledge the appointment of Cr Sophie Todorov to the newly revised Health & Wellbeing Advisory Committee.

10.4 Disability Advisory Committee Recruitment

SUMMARY

The Yarra Ranges Disability Advisory Committee (DAC) is Council's advisory group representing people with disabilities, their carers and families.

There is an opportunity for new members to apply to be a part of the Disability Advisory Committee for the 2022-2026 term. The recruitment intention and process are presented to Council in accordance with the requirements of the Terms of Reference.

Moved: Cr Cox Seconded: Cr Higgins

That Council

- 1. Support the recruitment of the Yarra Ranges Disability Advisory Committee for 2022-2026.
- 2. Acknowledge all current members of the Disability Advisory Committee, and in particular June Smith and Cliff Wise who have completed two consecutive four-year terms and thank them formally for their service to the community over the past eight years.

10.5 Extension of Lease to Cleanaway - 840 Wellington Rd, Lysterfield

SUMMARY

On 29 March 2022, and again on 24 May 2022, Council gave notice of its intention to extend the lease of 840 Wellington Road, Lysterfield (Lysterfield Transfer Station), to Baxter Business Pty Ltd (trading as Cleanaway) by a period of two (2) years for continued use as a waste transfer station.

At the submission closing date on 22 June 2022, one community comment had been received seeking clarification regarding future land rehabilitation, though this did not constitute an objection to the proposal at hand.

The proposed lease extension, which would be in the form of an additional further term of two (2) years, would commence at the expiry of the current term on 1 June 2025 thus extending Cleanaway's current 20-year lease until 31 May 2027, and aligning its expiry date to that of two other transfer station leases within the municipality. If granted, the additional term would be added by Deed of Variation to the current lease, which would also include a reduction in the lease area and various other provisions designed to facilitate a Biochar production facility on part of the site, proposed to be leased and operated by an alternative tenant.

Moved: Cr Skelton Seconded: Cr Fullagar

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. Extend the current lease of 840 Wellington Road, Lysterfield (Lysterfield Transfer Station) to Baxter Business Pty Ltd by one (1) further term of two (2) years from 1 June 2025, extending the current 20-year lease until 31 May 2027, for continued use as a recycling and recovery centre, including sales, solid and putrescible waste transfer station, depot for waste bin hire and storage of waste bins.
- 2. Authorise the Executive Officer, Property & Facilities Management to sign all documents associated with the lease extension.

10.6 Alfred Street & John Street, Wandin North - Tainton Street & Railway Parade, Wandin North - Cedar Court, Burns Way, Harvest Close, Loch Avenue & Mayview Drive, Monbulk Intention to Levy a Special Charge

SUMMARY

This Intent to Levy a Special Charge Report involves the below road improvement projects, with each project being treated as an individual special charge scheme:

- Alfred Street and John Street, Wandin North;
- Tainton Street and Railway Parade, Wandin North; and
- Cedar Court, Burns Way, Loch Avenue, Harvest Close and Mayview Drive, Monbulk.

When referred to collectively, they are known in this report as "The Subject Roads".

As part of its 2019 budgetary process, the Federal Government announced a nine year, \$150 Million funding initiative for Yarra Ranges Council to seal roads within the Dandenong Ranges and surrounding areas. This funding program has been named the Roads for the Community Initiative.

At its meeting on 24 September 2019 Council endorsed a list of roads to be constructed using this funding to be facilitated by means of Special Charge Schemes. The Subject Roads were included on this list of roads.

This report recommends affected landowners be notified of Council's Intent to Levy a Special Charge for the construction of The Subject Roads.

Moved: Cr Higgins Seconded: Cr Skelton

That

- 1. The affected landowners be advised of Council's intent to declare a special charge ("the special charge") at its meeting scheduled for 27 September 2022, or should this meeting not proceed then the next available Council meeting, for the purpose of defraying expenses associated with proposed improvement works in:
 - (a) Alfred Street and John Street, Wandin North.
 - (b) Tainton Street and Railway Parade, Wandin North.
 - (c) Cedar Court, Burns Way, Loch Avenue, Harvest Close and Mayview Drive, Monbulk.
- 2. Subject to any variation of a scheme under Section 166 of the Local Government Act 1989 (version 159), the amount to be levied under the scheme exclusive of interest payable under Section 172 of the Local Government Act 1989 (version 159) will be:
 - (a) Alfred Street and John Street, Wandin North. In total \$584,181 ("the amount to be paid"); comprising of \$493,500 for the cost of works and \$90,681 for financing cost.
 - (b) Tainton Street and Railway Parade, Wandin North. In total \$401,883 ("the

amount to be paid"); comprising of \$339,500 for the cost of works and \$62,383 for financing cost.

- (c) Cedar Court, Burns Way, Loch Avenue, Harvest Close and Mayview Drive, Monbulk. In total \$509,604 ("the amount to be paid"); comprising of \$430,500 for the cost of works and \$79,104 for financing cost.
- (d) On each date specified under Section 167 of the Local Government Act 1989 (version 159) as being the date on which the whole of rates and charges (other than special rates and charges) is due ("the due date") the amount represented by the formula: X/Y where X represents the amount to be paid and Y represents the number of due dates during the period which the scheme will remain in force.
- 3. In accordance with Section 163 (3) of the Local Government Act 1989 (version 159) Council specifies that the special charge:
 - (a) Is proposed to be declared for the land in the "designated area" shown on the attached plans.
 - (b) Will be payable in respect of all rateable land within the designated areas.
 - (c) Will be assessed and levied as set out in this resolution.
 - (d) Will remain in force for the period commencing on 1 July 2023 and concluding on 30 June 2033.
- 4. In accordance with Section 221 of the Local Government Act 1989 (version 159) the special charge is also proposed to be declared in respect of land within the designated area which is not rateable land and is not Crown land.
- 5. It is recorded that assessment of the special charge is calculated on the following basis:
 - (a) \$7,000 per development unit
 - (b) Plus financing cost of 3.68% per annum.
 - (c) 100% on a development unit basis as follows.
 - *i.* Special benefit where a dwelling or building is permitted.
 - *ii.* The degree of special benefit having regard to the use or future use of the land.
- 6. The amount assessed, based on the assessment factors, is set out in the attached schedule of costs per property for the scheme.
- 7. If works do not commence within 12 months of declaration of the special charge scheme, the financing cost rate applicable to landowners repaying the special charge over 10 years be reviewed, based on number of assessments involved, interest rate movements and the quantum of the project.
- 8. Should the financing cost rate change after review, a further report be submitted to Council at the time of commencing works to confirm the financing cost rate that shall apply to the proposed special charge, and those persons liable to pay the special

charge over a 10 year period be notified of the revised financing rate.

- 9. In accordance with section 167 (4) of the Local Government Act 1989 (version 159), landowners be offered an option to repay their charge as a lump sum payment. For landowners to undertake this option, full payment is to be made by 15 February 2024, and the proportion of the cost to finance the scheme attributable to the property is to be deducted from the total charge.
- 10. The Chief Executive Officer be authorised to give public notice of the intent to declare the special charge in accordance with Section 163 (1A) and 223 of the Local Government Act 1989 (version 159) in The Star Mail newspapers and on Council's Internet Website.
- 11. If required a consultation meeting with appropriate Council Officers, be arranged to discuss any submissions received relating to the Special Charge.
- 12. If submissions are made:
 - (a) Those submissions be considered, and any person (or their representative as specified in their submission) who has requested to be heard in support of their submission be heard, by a meeting of Council scheduled for 27 September 2022, or should this meeting not proceed then the next available meeting.
 - (b) Those persons making submissions be advised copies of their submissions will be made available at the Council meeting held when their submission is considered.
- 13. If no submissions are made, the matter be reported to Council at the meeting scheduled for 27 September 2022, or should this meeting not proceed then the next available meeting.
- 14. The Chief Executive Officer be authorised and directed to seek payment of and recover the special charge with any interest thereof.

10.7 Old Coach Road (from Marshall Terrace to no.37 Old Coach Road), Montrose Declaration of Special Charge

SUMMARY

Following an extensive consultation process with landowners, Council at its meeting of 24 May 2022 considered a report on road improvement works for Old Coach Road (from no.12 to no.37), Montrose. Council resolved to advise of its intention to declare a special charge in accordance with the provisions of Section 163 of the Local Government Act 1989 (version 159).

This report advises that two submissions have been received regarding the Special Charge and recommends that Council declare the Special Charge without modification.

Moved: Cr Fullagar Seconded: Cr Cox

That

- Council, having given notice of its intention, reviewed the details of the proposed special charge and given consideration of submissions hereto, declare the special charge for works associated with the Old Coach Road (from no.12 to no.37), Montrose Special Charge Scheme in accordance with the provisions of Section 163 of the Local Government Act 1989 (version 159), without modification.
- 2. In accordance with the provisions of Section 223 of the Local Government Act 1989 (version 159), notice in writing be served on every person who has lodged a separate submission and in the case of a submission lodged on behalf of a number of persons, notice in writing to one of those persons, advising of Council's decision and the reasons for the decision.
- 3. In accordance with the provisions of Section 163 of the Local Government Act 1989 (version 159), notice be served upon all persons liable for the special charge advising of Council's decision and that persons aggrieved by Council's imposition of the special charge upon them, may apply to the Victorian Civil and Administrative Tribunal within 30 days of effective issue of the notice, for a review of the decision.

10.8 Sylvia Road Hoddles Creek Declaration of Special Charge

SUMMARY

Following an extensive consultation process with landowners, Council at its meeting of 24 May 2022 considered a report on road improvement works for Sylvia Road, Hoddles Creek. Council resolved to advise of its intention to declare a special charge in accordance with the provisions of Section 163 of the Local Government Act 1989 (version 159).

This report advises that no submissions have been received regarding the Special Charge and recommends that Council declare the Special Charge without modification.

Moved: Cr Child Seconded: Cr Heenan

That

- 1. Council, having given notice of its intention, reviewed the details of the proposed special charge and having received no submissions received hereto, declare the special charge for works associated with the Sylvia Road, Hoddles Creek Special Charge Scheme in accordance with the provisions of Section 163 of the Local Government Act 1989 (version 159), without modification.
- 2. In accordance with the provisions of Section 163 of the Local Government Act 1989 (version 159), notice be served upon all persons liable for the special charge advising of Council's decision and that persons aggrieved by Council's imposition of the special charge upon them, may apply to the Victorian Civil and Administrative Tribunal within 30 days of effective issue of the notice, for a review of the decision.

10.9 Harberts Road Don Valley Declaration of Special Charge

SUMMARY

Following an extensive consultation process with landowners, Council at its meeting of 24 May 2022 considered a report on road improvement works for Harberts Road (from no.30 to no.100), Don Valley. Council resolved to advise of its intention to declare a special charge in accordance with the provisions of Section 163 of the Local Government Act 1989 (version 159).

This report advises that no submissions have been received regarding the Special Charge and recommends that Council declare the Special Charge without modification.

Moved: Cr Child Seconded: Cr Heenan

That

- 1. Council, having given notice of its intention, reviewed the details of the proposed special charge and having received no submissions received hereto, declare the special charge for works associated with the Harberts Road (from no.30 to no.100), Don Valley Special Charge Scheme in accordance with the provisions of Section 163 of the Local Government Act 1989 (version 159), without modification.
- 2. In accordance with the provisions of Section 163 of the Local Government Act 1989 (version 159), notice be served upon all persons liable for the special charge advising of Council's decision and that persons aggrieved by Council's imposition of the special charge upon them, may apply to the Victorian Civil and Administrative Tribunal within 30 days of effective issue of the notice, for a review of the decision.

10.10 Kirkham Road, Belgrave South Declaration of Special Charge

SUMMARY

Following an extensive consultation process with landowners, Council at its meeting of 24 May 2022 considered a report on road improvement works for Kirkham Road (between Retreat Road and Courtneys Road), Belgrave South. Council resolved to advise of its intention to declare a special charge in accordance with the provisions of Section 163 of the Local Government Act 1989 (version 159).

This report advises that no submissions have been received regarding the Special Charge and recommends that Council declare the Special Charge without modification.

Moved: Cr Skelton Seconded: Cr Fullagar

That

- 1. Council, having given notice of its intention, reviewed the details of the proposed special charge and having received no submissions hereto, declare the special charge for works associated with the Kirkham Road (between Retreat Road and Courtneys Road), Belgrave South Special Charge Scheme in accordance with the provisions of Section 163 of the Local Government Act 1989 (version 159), without modification.
- 2. In accordance with the provisions of Section 163 of the Local Government Act 1989 (version 159), notice be served upon all persons liable for the special charge advising of Council's decision and that persons aggrieved by Council's imposition of the special charge upon them, may apply to the Victorian Civil and Administrative Tribunal within 30 days of effective issue of the notice, for a review of the decision.

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 Indigenous Match Warburton-Millgrove Football Netball Club

The Mayor attended the First Nations Indigenous round of the Warburton-Millgrove Football Netball Club against Powelltown Football Netball Club held on Saturday 23 July 2022 at A.T Mac Sparke Oval in Warburton. He also noted it was unfortunate that Aunty Joy Wandin was unable to attend due to illness. The Mayor thanked Nelson Aldridge, from the Yarra Ranges Council's Indigenous Development team, for the work he had done in organising the event.

12.2 RidgeWalk Sassafras Opening

Cr Fullagar attended the opening of the Old School track section of the RidgeWalk trail between Sassafras and Olinda. Cr Fullagar reported of the two new art installations, Tawny Frogmouth by artist Renate Crow and the Pathmarker Birds by artist Peter McIlwain and encouraged the community get along to see the installations.

12.3 Sustainable Environment Advisory Committee Event

Cr Fullagar also attended an educational event hosted by the Sustainable Environment Advisory Committee, with strong community engagement and in-depth questions regarding the environment.

12.4 Dark Arts Exhibition

Cr Fullagar along with Cr Skelton attended the Dark Arts exhibition at the Selby Community House on 22 July 2022. The exhibition showcased Monbulk College students' music, photography and fine artwork. Cr Skelton encouraged the community to attend the exhibition in support of the students.

13 REPORTS FROM DELEGATES

Cr Skelton:

- Reported that the Hills Community Recovery Committee will be hosting an information session to be held on 28 July 2022 at 6.00pm to discuss the final direction for the Hills Community Grant funding.

Cr Child:

- Along with Cr Skelton and the Chief Executive Officer attended the Municipal Association of Victoria (MAV) Interface Briefing. Cr Child reported that the meeting was informative and a good opportunity to highlight current Yarra Ranges Council issues.

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 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.

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: 8.37pm. Confirmed this day, Tuesday 9 August 2022, via videoconference

.....

Councillor Jim Child (Mayor)