



Council Meeting

Minutes

Tuesday, 13 December 2022

**Civic Centre, 15 Anderson Street, Lilydale and via
videoconference**

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

Acting Director Environment & Infrastructure,
Phil Murton
Director Planning Design & Development,
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 572ND COUNCIL MEETING HELD ON TUESDAY, 13 DECEMBER 2022 COMMENCING AT 7.04 PM CIVIC CENTRE, 15 ANDERSON STREET, LILYDALE AND VIA VIDEOCONFERENCE

1 COUNCIL MEETING OPENED

Councillor Jim Child (Mayor) declared the meeting open.

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 INTRODUCTION OF MEMBERS PRESENT

Councillors

Councillor Jim Child (Mayor)

Councillor Andrew Fullagar
Councillor Fiona McAllister
Councillor David Eastham
Councillor Tim Heenan
Councillor Johanna Skelton
Councillor Sophie Todorov (Deputy Mayor)
Councillor Len Cox OAM

Officers

Tammi Rose, Chief Executive Officer
Andrew Hilson, Director Corporate Services
Kath McClusky, Director Planning, Design and Development
Jane Price, Director Communities
Jane Sinnamon, Director Recovery
Phil Murton, Director Environment & Infrastructure

4 APOLOGIES AND LEAVE OF ABSENCE

An apology for this meeting was received from Councillor Richard Higgins.

Vale Bryan McCarthy**The Mayor read the following statement:**

From all of us here at Yarra Ranges Council I pass on our sincere condolences to our much loved and respected past Mayor Maria McCarthy on the passing of her beloved husband Bryan.

Bryan's Career and Community service covered so many years, to mention just a few;

- MFB Operational Officer, Commander & management roles
- CFA volunteer
- Lilydale/Chirnside Park Rotary Clubs
- 2014 - Mitchell Shire Council - Emergency Management and Recovery Coordinator.

Bryan had given so much to our communities, more so in recent times, suffering with his illness he continued his unwavering support and leadership for the Mount Evelyn Sports & Community Hub. I was very moved at a recent Mount Evelyn Sports & Community Hub event to hear it announced that the new Community Hub function room will be named after Bryan McCarthy.

I'd like to quote the following, which I believe exemplifies the attributes of the late Bryan McCarthy.

Mitchell Shire Council:

"We lost a true gentleman this week.

Mitchell Shire Council will never be the same without our Emergency Management and Recovery Coordinator, Bryan McCarthy.

Bryan was an incredible colleague, friend, and mentor to many in the Mitchell family and this week lost his brave battle with cancer.

He will be remembered for his wisdom, humour, ready-smile, and positive impact he had on so many of us.

Some people come into our lives and quickly go, some stay for a while and leave footprints in our hearts.

Our deepest condolences go out to Bryan's wife Maria, their family, and friends at this sad time."

Aaron Violi – Federal Member for Casey:

"Bryan had two great loves in his life, his family including his wife Maria, children Chris and Andrea and his large extended family. His other love was serving others." -

How true.

Thank you Bryan, Rest In Peace. 'A lost community treasure'

Director Recovery – Jane Sinnamon

The Mayor read the following statement:

Tonight, is the final time Ms Jane Sinnamon joins us as the Director Recovery

The Recovery Directorate was specifically set-up to assist residents who had been impacted by the pandemic, and of course the June 2021 storm and has been in place for 18 months.

With the maturing of our recovery strategy, we enter the next phase of recovery, focusing on the medium and long-term needs which can be sustainably supported through Council's standard business units.

While the Directorate itself may be finishing, work to support our storm-impacted residents will continue.

I would like to take this opportunity to sincerely thank you, Ms Sinnamon, for your leadership of the Directorate during these challenging times, and to your direct report managers, Allison Fogarty, Belinda Arnott and Guy Masters and their Teams for their outstanding service to the community.

On behalf of Council, I thank you all so very much.

Acknowledgement of Deputy Mayor

The Mayor went on to thank Deputy Mayor, Cr Sophie Todorov, for filling in at many events during his absence due to illness.

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved: Cr Eastham

Seconded: Cr Todorov

That the Minutes of the Council Meeting held 22 November 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.

In accordance with Chapter 3, Rules 57 and 59, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

QUESTION FROM THE PUBLIC

Question from Anita Prowse of Woori Yallock:

Regarding the Wesburn Park masterplan how do you propose to run a shared trail on the equestrian leased area safely, where is the risk management analysis and plan, how are you going to manage cyclist riding in very close proximity to the club rooms and holding yards for the horses without any injuries and Why have none of the pony clubs safety concerns and association risk management policies being implemented in this plan?

Response from Phil Murton, Acting Director Environment & Infrastructure:

Thank you for your question Ms Prowse.

In reference to shared trails within the equestrian licence area, Council are not proposing any upgrades to alter the existing use of this trail and we expect it to be used as it currently is, which is largely by the Equestrian users. The master plan does include the proposed Little Yarra River Trail, however, this project will be designed and delivered by Melbourne Water.

Safety risks have been considered through the development of the master plan and hazards will continue to be managed operationally throughout Council's existing practices. An Emergency Management Plan will be developed for the Warburton Mountain Bike Destination that will include safety risks associated with the trail head function of Wesburn Park. As projects move from the masterplan to delivery phase, they will be individually assessed and designed using Council's integrated risk management profile to ensure risks are mitigated.

The master plan has identified that Wesburn Park is home to a variety of different user groups. To combat this we are proposing to extend the existing metal post and rail fence along the boundary of the Equestrian licence area. The extension of the post and rail fence will alleviate concerns with increased traffic and help prevent inappropriate behaviour within the licence area. Council believe it is not feasible or desirable to fence all different areas of usage in the space.

The masterplan has considered all feedback from user groups and the general community. Priorities identified through direct consultation with the equestrian groups include storage security, safety lighting and improvements to the circuit track, arena and other sports specific infrastructure. These requests have been reflected in the masterplan implementation program.

Question from Anita Prowse of Woori Yallock:

When will the equestrian strategy be released and are you taking so long so that you can implement all the mountain biking infrastructure and pretend you don't know what a massive detrimental impact that infrastructure will have on our enormous equestrian community?

Response from Phil Murton, Acting Director Environment & Infrastructure:

Thank you for your question Ms Prowse.

Council undertook some background work in 2020 on the Equestrian Industry across Yarra Ranges. The work completed by a consultant on behalf of Council was in fact a Report not a Strategy. The focus of the report was to provide an understanding of the depth and breadth of the equestrian industry within Yarra Ranges.

When this work was commissioned, Council's knowledge of the equestrian industry was limited. We did not really know how many members each club had, how many people attended/ participated in the many events that are held throughout the year, or how many other people are connected to the industry.

What the report helped demonstrate and quantify was the equestrian industry in Yarra Ranges is large and provides many jobs and businesses, as well as having thousands of participants, not all of whom belong to Pony Clubs or Adult Riding Clubs. This report has provided a much clearer picture for Council of the size of the equestrian industry across Yarra Ranges Council.

Council is not commissioning strategies for individual sports in the foreseeable future, however, we are in the process of updating the Recreation and Open Space Strategy as an overarching strategic document.

We believe the consultation and subsequent work in the Wesburn Masterplan indicates that equestrian, mountain biking and other users can co-exist in the site.

Question from Robyn Thomas of Yarra Junction:

As the Wesburn Park bike pump track compliments and is being partially funded via the Warburton Mountain Bike Destination project, will council now commit to use funds from the same project to erect a fit for purpose fence on the licensed equestrian area as one of the council's mitigation measure's identified and reiterated as a safety concern to the equestrians previously to council staff before any of the Warburton Mountain Bike infrastructure is shovel ready.

Response from Phil Murton, Acting Director Environment & Infrastructure:

Thank you for your question Ms Thomas.

The safety and amenity of all users of Wesburn Park has been an important consideration in the development of the Draft Wesburn Park Master Plan. The Wesburn Pump Track is funded independently of the Warburton Mountain Bike Destination (WMBD), however the WMBD project is funding some of the actions identified in the plan where they relate to the establishment of the mountain bike trail head. These works are expected to commence in the first half of 2023.

Council will ensure that appropriate signage, screening and fencing is installed prior to the operation of the pump track or WMBD. The approved Wesburn Park Master Plan will guide these works.

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

9 PETITIONS

9.1 Petitions to Council

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.

SUMMARY

The following petitions were received:

Late General Petitions

1. Owners of properties along Wiseman Road, Silvan (north of Link Road) 71, 73, 75, 77, 79, 81, 83, 85, 87 & 90 would like Council to seal the road via Special Charge Scheme. 8 valid signatures.
2. Residents from Maroondah and Yarra Ranges are seeking acknowledgment from Council regarding safety concerns caused by an increase in heavy vehicle usage on Hull Road, Croydon. The Petition is seeking action from VicRoads and the Victorian Planning Authority. 566 valid signatures. (57 Yarra Ranges residents).

In accordance with Governance Rule 58, Mr Chris Corke spoke in support of the recommendation included in the officer report.

Moved: Cr Eastham
Seconded: Cr Heenan

That the following late General Petitions be received and noted.

1. *Request for road sealing for 71-90 Wiseman Road, Silvan (north of Link Road), under a Special Charge Scheme. The request is to be referred to the appropriate officer for action.*
2. *Request that Council acknowledge the concerns raised by community regarding increased heavy vehicle usage on Hull Road, Croydon.*

The motion was Carried unanimously.

10 BUSINESS PAPER

10.1 Monbulk Urban Design Framework

SUMMARY

Between 2014-2017 the Monbulk Community participated in several engagement activities to share their aspirations for the future of Monbulk. This was captured in the development of the Monbulk Community Plan 2015-2020 and embedded into the more expansive Monbulk Structure Plan adopted by Council in 2017.

The Draft Monbulk Urban Design Framework builds upon the vision and strategic direction of the Monbulk Structure Plan by providing practical design solutions to realise the intent as a suite of deliverable projects and proposed controls to guide private investment.

Focussing on the Monbulk Town Centre, the framework will assist Council decision making in the areas of development, infrastructure and programs for Monbulk that aligns with community needs.

Following consultation with key internal and external stakeholders during its development, the Draft Monbulk Urban Design Framework is now ready to be placed on public exhibition for broader community input.

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

Cr McAllister moved a motion alternate to that printed in the agenda.

Moved: Cr Eastham

Seconded: Cr McAllister

That Council

- 1. Support the Draft Monbulk Urban Design Framework to be placed on public exhibition between 16 December 2022 and 12 March 2023; and*
- 2. Note that findings from the community feedback and proposed amendments to the Draft Monbulk Urban Design Framework will be presented at a future Council meeting.*

The motion was Carried unanimously.

10.2 Warburton Urban Design Framework

SUMMARY

The Warburton community outlined their vision and values through an extensive community engagement process during late 2018 and early 2019. The findings resulted in the development of the now-adopted Warburton Place Plan 2021. One of the priorities of the Place Plan was development of an Urban Design Framework for the Warburton Town Centre.

The Draft Warburton Urban Design Framework provides practical design solutions to realise the intent of the design, development, and public realm actions within the Warburton Place Plan. Focussing on the commercial centres within Warburton Township, the Framework will assist Council decision making in the areas of development, infrastructure, and programs for Warburton that aligns with community expectations.

Following consultation with key stakeholders during its development, the Draft Warburton Urban Design Framework is now ready for broader community review and input. With the recent announcement by the Minister for Planning regarding support for the majority of the Warburton Mountain Bike Destination project, it is timely to engage community around solutions and a future character for the centre to support alignment across all projects in the area.

Moved: Cr Child
Seconded: Cr Eastham

That Council

- 1. Support the Draft Warburton Urban Design Framework being placed on public exhibition between 16 December 2022 and 24 February 2023; and*
- 2. Note that findings from the community feedback and proposed amendments to the Draft Warburton Urban Design Framework will be presented at a future Council meeting.*

The motion was Carried unanimously.

10.3 Structure Plan Review and Action List Update

SUMMARY

Over the last 12 years Council has adopted structure plans for its activity centres (Lilydale, Coldstream, Monbulk, Healesville, Mooroolbark) and an Urban Design Masterplan for Chirnside Park, which is similar in content to a structure plan.

The lifespan of a structure plan is approximately 20 years, which is the timespan a structure plan is expected to remain relevant, and provides enough time to implement actions within each plan.

A recent review of structure plan actions has identified that many actions have either been implemented or are out of date.

This report outlines how actions within each structure plan have been rationalised and updated to improve their relevance and longevity, excluding the Lilydale Structure Plan that was adopted by Council earlier this year.

Should Council resolve to adopt the revised action lists, consistent with the recommendations of this report, it is intended that the revised lists will then form the basis of annual reporting to Council on status of action implementation.

Moved: Cr Skelton

Seconded: Cr Todorov

That Council adopt the revised action lists for the Healesville, Coldstream, Mooroolbark and Monbulk Structure Plans and the Chirnside Park Masterplan, consistent with the recommendations of this report.

The motion was Carried unanimously.

10.4 Councillor Appointments to Committees & External Bodies

SUMMARY

Each year Council appoints representatives to a number of committees and external bodies.

Approval is sought to appoint Council representation to the committees and external bodies listed for the period November 2022 to November 2023. This also includes the four Regional Community Recovery Committees (RCRCs) established by Council and due for expiry June 2023.

A list of the appointments recommended to be made to committees and external bodies is included at Attachment 1.

Moved: Cr Heenan

Seconded: Cr McAllister

That Council approve the appointment of representatives to committees and external bodies for the period November 2022 to November 2023, as per Attachment 1 to the report.

The motion was Carried unanimously.

10.5 Neighbourhood Safer Places Annual Report

SUMMARY

This report is to note the status of Bushfire Shelter Options within the municipality of Yarra Ranges.

Annual Audits have been completed for the existing 18 designated Bushfire Neighbourhood Safer Places (NSP) in Yarra Ranges. Eighteen (18) sites are currently designated NSPs and comply with the required assessment criteria and as such, will maintain their status as designated NSP's for the 2022/23 fire danger period.

Three existing Community Fire Refuges (CFRs) are still commissioned by Emergency Management Victoria and will be retained within the municipality. These buildings are state owned managed assets, listed on both the CFA and Yarra Ranges Council websites.

No additional NSP or CFR sites have been established for the 2022/2023 fire danger period.

Moved: Cr Eastham

Seconded: Cr McAllister

That Council notes

- 1. Eighteen (18) Neighbourhood Safer Places remain designated for the 2022/2023 fire danger period and three (3) Community Fire Refuges managed by Emergency Management Victoria remain designated for the 2022/2023 fire danger period.*
- 2. The Seville Recreation Reserve, First Oval Upon Entry, 20-28 Monbulk-Seville Road, Seville is not compliant for the 2022/2023 year. The oval continues to be decommissioned due to oval resurfacing maintenance.*

The motion was Carried unanimously.

10.6 Disability Advisory Committee 2022-2026

SUMMARY

The Disability Advisory Committee (DAC) was established in 2012 as an advisory committee to Council. It assists in the consultative process for a wide range of activities and initiatives, provides advice to support Council's decision making and monitors the achievement of objectives of the Equity, Access and Inclusion Strategy.

The Disability Advisory Committee is appointed by Council for a four year term. The process for recruiting a new advisory committee has been conducted and recommendations are presented in this report for membership of the 2022-2026 Committee.

Moved: Cr Cox
Seconded: Cr Todorov

That Council

1. *Appoints the following representatives to the 2022-2026 Disability Advisory Committee:*
 - (a) *Representatives of people with disability - Michelle McDonald, James Wood, Isabella O'Hara, Paul Stoney, Marie Pleuger and Allyson Lees*
 - (b) *Unpaid Carer representatives - Shek Kho, Tracey Wannet and Renae Purcell*
 - (c) *Service Providers/representative of Community Organisations - Lesley Grimes – Belgravia Leisure, Julie McDonald – Montrose All abilities Netball group, Lisa McIlfatrick – Capability in Action*
2. *Directs officers to notify the new members of their appointment and extend Council's congratulations.*

The motion was Carried unanimously.

10.7 2022-2026 Burrinja Cultural Centre Partnership Agreement

SUMMARY

For nearly twenty years, Council has supported Burrinja Cultural Centre (Burrinja) as a key strategic partner via funding and representation on the independent Board.

The most recent agreement between Burrinja and Council expired on 30 June 2022 and there have been delays in finalising a new agreement. The Burrinja Board have been briefed and kept updated on the delay and work towards a new agreement.

This report presents the draft 2022-2026 agreement with a proposal to increase the term from 3 to 4 years with two further 1 year options to extend the agreement and includes updated key performance indicators (KPI's) which better align with key Council strategies. (See attachment 1 – Draft 2022-2026 Burrinja Partnership Agreement).

Cr Eastham moved a motion alternate to that printed in the agenda.

Moved: Cr Eastham

Seconded: Cr Heenan

That Council

1. *Endorse the 2022-2026 Burrinja Cultural Centre Partnership Agreement which includes:
 - (a) A 4 year term with two further 1 year options to extend;
 - (b) Annual funding of \$592,885 for the term of the agreement; and
 - (c) Updated KPI's which better align with Burrinja Cultural Centre and Council Strategies.*
2. *Amend the Partnership Agreement document, included at Attachment to the report, to reflect that the annual funding rate of \$592,885 only for the term of that agreement.*

The motion was Carried unanimously.

10.8 Municipal Recovery Plan Version 3

SUMMARY

The Municipal Recovery Plan (MRP) Version 3 (Attachment 1) details the actions Yarra Ranges Council, in partnership with the State Government, support agencies and community groups, will undertake in response to the storm and pandemic. Through these initiatives, Council will support recovery from impacts of the 9 June storm event and the Covid-19 pandemic.

The first version of the MRP was endorsed by Council at its meeting held on 14 December 2021. This third version of the MRP has been extensively updated with the most recent storm and pandemic impact data, expenditure data, cultural recovery priorities, and details the anticipated recovery timeframe going forward and a revised action plan.

Unlike previous versions of the MRP, version 3 is fully funded excluding those actions that are identified in the Advocacy section of the Action Plan.

The MRP clearly identifies that the majority of the remaining recovery activities will be delivered by June 2024, with a small number of activities continuing beyond this point supporting residents still progressing with rebuilding and ongoing trauma.

With the maturing of this recovery strategy we enter the next phase of recovery, focusing on the medium and long-term needs which can be sustainably supported through Council's standard business units.

Included with this report is Attachment 2 – Progress Against Recovery Activities. This document provides an overview of recovery activities to date and includes the expected completion dates for each stream of recovery activity as it is defined in the MRP.

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

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

Moved: Cr Child

Seconded: Cr Heenan

That Council

- 1. Notes the recovery activities completed to date; and*
- 2. Endorses the attached Municipal Recovery Plan Version 3.*

The motion was Carried unanimously.

10.9 Regional Community Recovery Committees Update

SUMMARY

In April 2021, Yarra Ranges Council agreed to develop a community-led recovery project, with Council endorsing *“the establishment of four Community Recovery Committees that are empowered to make funding decisions for their communities and have membership based on representativeness and skills to contribute to the recovery phase of the pandemic”*.

The remit for these groups was expanded in September 2021, to also include recovery from the June 2021 Storm. Four Regional Community Recovery Committees (RCRCs) were then formed as Advisory Committees to Council covering the Hills, Valley, Upper Yarra, and Urban regions of the municipality.

This report gives an overview of the work the Regional Community Recovery Committees have achieved since they were formally established in November 2021. Regional Community Recovery Committees have worked tirelessly with their communities to support an understanding of the local recovery issues. To date, Regional Community Recovery Committees in partnership with the Community Enterprise Foundation (CEF) have engaged with community and delivered grant funding totalling close to \$279,000 for 59 community led recovery projects.

The processes undertaken by the RCRCs so far have developed skills and confidence in each of the communities they are supporting.

Regional Community Recovery Committees will continue until 30 June 2023 and will oversee delivery of further Council funding for community-led recovery projects.

The Council support for the Regional Community Recovery Committees will now transfer to Council’s Communities Directorate which requires an update of the delegations associated with the RCRCs to allow for the continued administration.

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

Moved: Cr Skelton
Seconded: Cr Fullagar

That Council

1. *Note the progress made by the four Regional Community Recovery Committees and its support of the recovery of our communities.*
2. *Note the first round of Community-Led Recovery Grants with 59 community-led projects receiving \$278,809.95 worth of funding.*
3. *Endorse the transfer of the delegated authority from Director of Recovery and Manager of Community & Business Recovery to the Director of Communities and Manager Community Wellbeing from the from 31 December 2022, to authorise:*
 - (a) the appointment of members of the community to respective Regional Community Recovery Committees;*
 - (b) the Community Led Recovery Plans; and*
 - (c) funding recommendations of the Regional Community Recovery Committees.*

The motion was Carried unanimously.

10.10 Wesburn Park Master Plan

SUMMARY

Wesburn Park is currently used by the local community for junior sports, equestrian and social recreation. It also plays a significant regional role for emergency response with a staging area located within the park. In order to ensure this large area functions well, the draft Wesburn Park Master Plan (Attachment 1) was developed.

The Wesburn Park Master Plan (draft Master Plan) provides strategic direction for coordinated and timely improvements to the reserve to maximise its use for social recreation, improve community use and support significant regional projects. The draft Master Plan also provides strategic justification for future grant opportunities to assist Council in delivering the proposed infrastructure upgrades.

In addition to its current roles, Wesburn Park will serve as the primary trail head for stage 1 of the Warburton Mountain Bike Destination (WMBD). This space will provide key infrastructure to assist Council to manage visitation and traffic safely, ease pressure on the Warburton Township and spread the economic benefits of the WMBD beyond Warburton itself. The draft Master Plan, including the proposed Community and Recreation Centre, contributes to the customer experience for visitors, supporting Councils commitment to this project, while managing amenity impacts on local communities. Designing for increased use in a safe way is paramount. Failing to plan for the required infrastructure to support large projects can have significant consequences for customer experience and tourism brand, the success of the project in the long term and impact the amenity of local communities.

With the WMBD project now supported following the EES decision of the Minister, its acknowledged that the draft Master Plan represents significant investment. Given the proposed investment, the project team investigated all avenues to maximise future use of the asset. While it is expected that weekend and holiday periods will be peak use for mountain bike riders, daytime and mid-week use are likely to be quiet. An opportunity for schools to utilise the community pavilion to conduct their outdoor education courses, aligning with the soon to be delivered pump track, proposed skills park and nearby mountain bike trails was identified. An outdoor education market assessment was undertaken to test revenue potential of charging for access to specific facilities and services that would be provided at Wesburn Park. Council would not be entering into the delivery of education but rather providing the facilities for schools to hire. The outcomes of the market assessment suggested demand for this type of arrangement. It also identified that operating the facility in this manner would offset the ongoing operational cost following the proposed upgrades.

In addition, Wesburn Park, and in particular the Community and Recreation Centre, will be utilised by emergency services as a staging area during an emergency event. The proposed pavilion has been designed to accommodate the existing users, expected tourist visitation and other potential emergency functions as required by relevant authorities.

The draft Master Plan was developed following extensive community consultation with the local sporting clubs, community groups, reserve users, schools and outdoor education providers and included several meetings, on site pop ups and an online campaign. Given the high level of interest and engagement, the project team engaged with the community more than usual for a project of this nature. The draft Master Plan was on public exhibition during March and April 2021 and received 788 comments on the Shaping Yarra Ranges

page, as well as elevated levels of community engagement at pop up consultation sessions on site (Attachment 1). Overall, the project team has had over 1,000 comments and touch points with members of the community. While the project elicited mixed reactions, the project team have focused on the safety of all users and optimising the function of this asset in developing the plan. Key amendments to the plan following community consultation included the provision of barrier fencing and clear zoning of uses to reduce risk following expected intensity of use. While some community members are still apprehensive about the proposed changes, the risk-based approach to developing the plan has been supported by the community. Changes made to the draft Master Plan are detailed later in the report.

The draft Master Plan recommends future reserve and infrastructure improvements tailored to the local community needs, which have been prioritised over the next ten years and beyond. This report seeks to inform Council of the outcomes following the exhibition and further community consultation of the draft Wesburn Park Master Plan (draft Master Plan), provides options for levels of support, and seeks Council endorsement of the draft Wesburn Park Master Plan for adoption.

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

Moved: Cr Child

Seconded: Cr Eastham

That Council endorse the draft Wesburn Park Master Plan for adoption.

The motion was Carried.

The Mayor called for a division:

In Favour: Mayor Child, Cr Cox, Deputy Mayor Todorov, Cr Skelton, Cr Heenan, Cr Eastham and Cr McAllister

Against: Cr Fullagar

Absent: Cr Higgins

10.11 Harberts Road, Don Valley Variation of Special Charge

SUMMARY

Council at its meeting on 26 July 2022 considered a report relating to the proposed construction of Harberts Road (from no.30 to 100), Don Valley and resolved to declare a special charge in accordance with the provisions of Section 163 of the Local Government Act 1989.

This report recommends the Special Charge allocated to property 24 Williams Road, Don Valley be varied from 1.0 development units to 0.5 development units and that Council fund the reduction in charge.

Moved: Cr Child

Seconded: Cr Heenan

That

1. *Council varies the special charge for works associated with the Harberts Road (from no.30 to 100), Don Valley Special Charge Scheme in accordance with the provisions of Section 166 of the Local Government Act 1989, as follows.*
 - (a) *The development unit allocation to property 24 Williams Road, Don Valley be reduced from 1.0 unit to 0.5 unit; and*
 - (b) *Council fund the 0.5 benefit unit resulting from the reduction of apportionment to 24 Williams Road, Don Valley, estimated at \$5,266.*
2. *Council notify those persons liable to pay the varied special charge of the variation to the Special Charge Scheme.*

The motion was Carried unanimously.

10.12 Part Road Discontinuance Wellman Road (abutting no.12), Launching Place

SUMMARY

It is proposed Council use its powers under Section 206 (1) and Schedule 10 of the Local Government Act 1989 to discontinue a small portion (281m²) of unused road reserve abutting 12 Wellman Street, Launching Place shown in Attachment 1.

The portion of road is not constructed or utilised for road purposes. It has not been identified as being reasonably required for public use now or into the future.

Upon removal of the road status, the land will vest in Council. It is proposed the road portion be transferred to the abutting owner subject to purchasing the land based on a land valuation, the reimbursement of Council costs and entering into an agreement to consolidate the land.

The proposal is fully supported by the relevant Council departments.

Consultation with the surrounding property owners was undertaken. There were no objections to the proposal.

Public Notice has been given and no formal submissions were received.

Moved: Cr Child

Seconded: Cr Todorov

That Council having given notice of its intention to discontinue the 281m² road portion abutting 12 Wellman Street, Launching Place and having invited public submissions with no public submissions received, and being of the opinion that this road portion is not reasonably required for public use

1. *Discontinue the portion of road.*
2. *Direct that notice of the discontinuance be published in the Government Gazette.*
3. *Direct that the land from the road portion be transferred to the abutting owner subject to the reimbursement of Council costs, purchasing the land based on a land valuation and entering into an agreement to consolidate the land.*
4. *Direct that any necessary documentation to give effect to the transfer be signed and sealed.*

The motion was Carried unanimously.

10.13 EOI6105 7127: Bell Street Road Group, Seville - Road Improvement Works (SCS)

SUMMARY

This report summarises the quotation evaluation process for the Bell Street Road Group, Seville - Road Improvement Works (SCS) and seeks Council approval to award the contract for construction to TDM Earthworks Pty Ltd.

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. 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.

Bell Street, Winifred Street (12-22), Read Road, and Paynes Road (no. 11 to 23), Seville were included on this list of roads and in accordance with Council's Special Charge Scheme Policy, landowner support has been sought and obtained for construction of the road. The project has been listed in Council's 2022/23 Capital Expenditure Program.

The Special Charge Scheme Statutory Process has been successfully completed and the project is ready for construction.

Cr Heenan left the meeting at 9.49pm prior to the vote being taken.

Cr Eastham moved a motion alternate to that printed in the agenda.

Moved: Cr Eastham
Seconded: Cr Skelton

That

- 1. Council accepts the tender from TDM Earthworks Pty Ltd for the total lump sum price of \$1,506,030.63 (GST exclusive), \$1,656,633.69 inclusive of GST and all provisional items as defined in this proposal, subject to the Federal Government funding component of this project being confirmed.*
- 2. Council approves the Director of Environment and Infrastructure be delegated the authority to sign the contract documents.*
- 3. 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.

EXTENSION OF TIME LIMIT FOR THE MEETING

Cr Heenan returned to the meeting at 9.55pm prior to a vote being taken.

Moved: Cr Child

Seconded: Cr Eastham

That, in accordance with Rule 21 of the Governance Rules, the meeting be extended by 30 minutes to 10.30pm.

The motion was Carried unanimously.

10.14 EOI6105 7111: Nation Road - Selby - Road Improvement Works Special Charge Scheme

SUMMARY

This Report summarises the evaluation process for submissions received for the Nation Road, Selby – Road Improvement Works Special Charge Scheme and seeks Council approval to award the contract for construction to TDM Earthworks Pty. Ltd.

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. 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.

Nation Road, Selby was included on this list of roads and in accordance with Council's Special Charge Scheme Policy, landowner support has been sought and obtained for construction of the road. The project has been listed in Council's 2022/23 Capital Expenditure Program.

The Special Charge Scheme Statutory Process has been successfully completed and the project is ready for construction.

Cr Skelton moved a motion alternate to that printed in the agenda.

Moved: Cr Skelton

Seconded: Cr Fullagar

That

- 1. Council accepts the tender from TDM Earthworks Pty Ltd for the total lump sum price of \$1,122,391.17 (GST exclusive), \$1,234,630.29 inclusive of GST and inclusive of all provisional items as defined in this proposal, subject to the Federal Government funding component of this project being confirmed.*
- 2. Approves the Director of Environment and Infrastructure be delegated the authority to sign the contract documents.*
- 3. 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.

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 Acknowledgement

Cr Todorov acknowledged Yarra Ranges Council staff and stakeholders for the achievements of the past week. Having attended many events over the past week Cr Todorov wanted to express her gratitude to all involved. She acknowledged the trying circumstance over the past few years and commended all involved with the successful events.

12.2 Holy Fools Christmas Hamper Packing

Cr Heenan informed Council the Holy Fools Christmas Hamper Packing will be occurring on 17 December 2022 at the Holy Fools ARC, Chirnside Park. Cr Heenan encouraged community to donate through the ARC centre or purple pins located throughout the Municipality.

Cr Child noted that there is a purple bin for donation in the foyer of the Civic Centre.

13 REPORTS FROM DELEGATES

Cr Cox

- Attended the funeral of long-term Disability Advisory Committee member Cliff Wise on 9 December 2022 at the Montrose Uniting Church. Cr Cox praised the work that Mr Wise has accomplished in the community and noted how much he will be missed.

Cr Skelton

- Attended the Sustainable Environment Advisory Committee on 1 December 2022 held at the Yarra Ranges Council Civic Centre.

Cr McAllister

- Attended the Audit and Risk Management Committee meeting on 28 November 2022 via videoconference.
- Attended the Valley Regional Community Recovery Committee celebration event on 30 November 2022 held at The Memo, Healesville.

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 Skelton

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: 10.08 pm.

Confirmed this day, Tuesday 31 January 2023.

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Councillor Jim Child (Mayor)