



# ORDINARY COUNCIL MEETING

**WEDNESDAY 26 APRIL 2017**

## MINUTES

**VISION:** *Yarra Ranges will be a vibrant and dynamic municipality based on strong local communities living in a place of great natural beauty.*

*Our world class municipality will be sustained by a strong local economy and a rich social fabric that is consistent with and supports its environmental values.*

**MISSION:** *Yarra Ranges Council:*

- *Is a collective voice for its people.*
- *Builds healthy, connected and viable communities.*
- *Protects and enhances the natural environment.*
- *Provides transparent, accountable and participatory local democracy.*

## NOTES FOR QUESTIONS AND SUBMISSIONS FROM THE PUBLIC

(In accordance with the 2015 Council Meeting Guidelines – Public Participation)

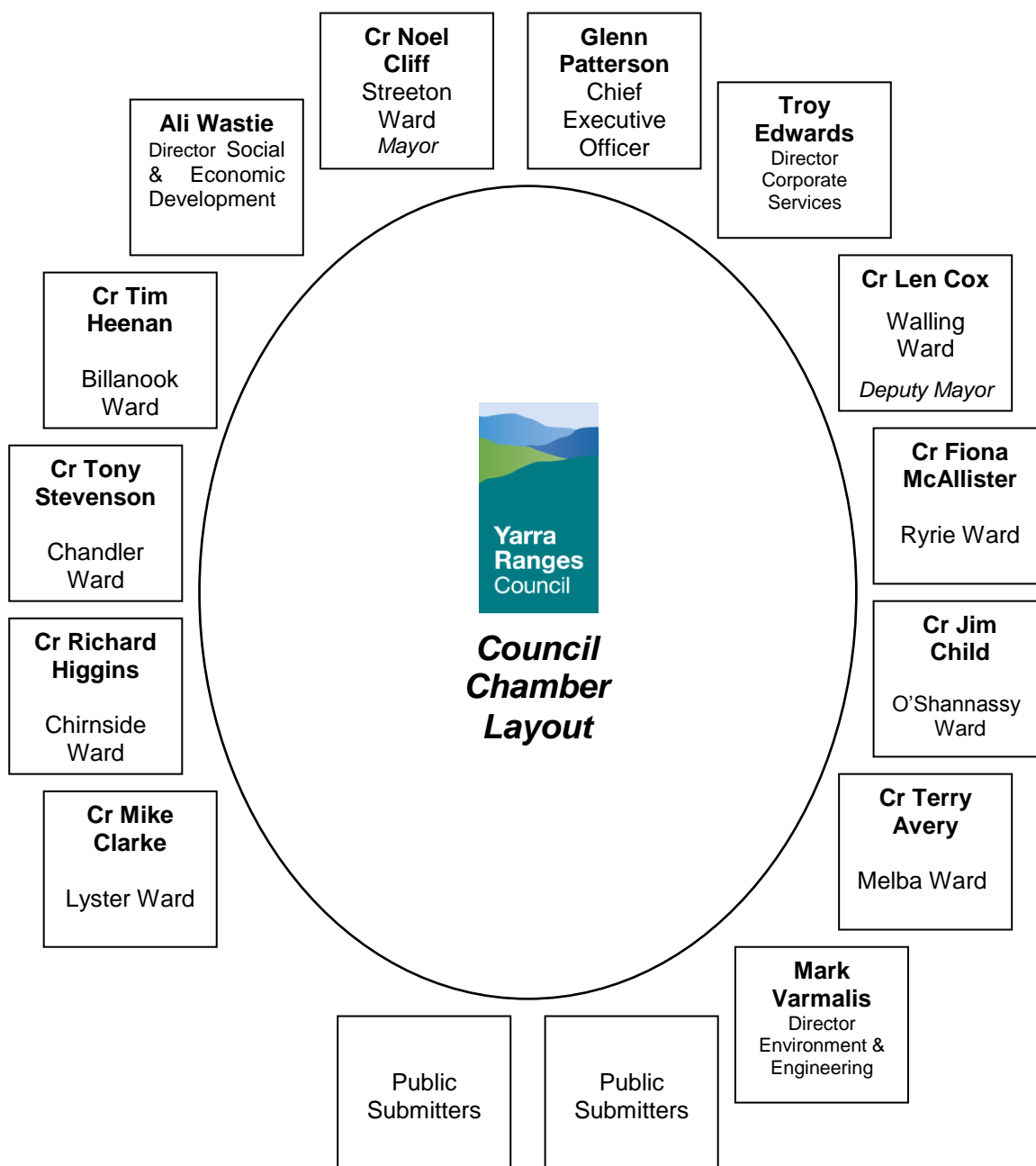
**The public is invited to submit questions to the Ordinary Council Meeting** by completing [the form on the Council's website](#); or via [email](#). Your question must be received **no later than 5.00pm on the day before** the [Council meeting date](#). Questions relating to items on the agenda, or which are the same as previous questions, will not be considered.

A question will not be accepted if, in the opinion of the Chief Executive Officer, it appears to be derogatory, defamatory or embarrassing to any Councillor, member of staff, ratepayer or member of the public. A limit of one question per person per meeting will apply. Multiple parts to a question will be treated as multiple questions. A maximum of 15 minutes will be allocated to 'Question Time' at each meeting. As far as practicable, questions will be considered in the order they were received. Your question will be read out on the night and if possible will be answered by the appropriate officer. If a question cannot be answered on the night or if time constraints restrict the ability to read out a question, it will be answered in writing in accordance with Council's normal correspondence procedures. You are welcome to attend the meeting and hear the answer to your question, but it is not a requirement. If your question is addressed on the night, we will provide a copy of the answer to you in writing in the days following the meeting.

**Submissions to Council on matters not listed on the Ordinary Council Meeting agenda** will generally be heard before the items listed on the agenda. The subject should not relate to matters on the agenda for the meeting, or matters that have been already considered by Council or to operational issues. You must provide the required information at least eleven **(11) days before the meeting** you wish to attend to the Governance Team, to allow for consideration of your request and appropriate arrangements to be made.

You should provide sufficient copies of any supporting information you want to be distributed to all Councillors and this will be circulated upon request. A copy of any supporting electronic presentation needs to be given to Governance Team **by midday** of the date of the meeting to ensure compatibility with the Shire's computer system.

**Submissions in relation to a specific item on the agenda** for consideration will be invited to come forward by the Chair in the order items are listed. 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. Submissions must be made in a way that is respectful of Councillors and staff. You should make sure that you are present at the meeting when the item you wish to speak about is considered, as there will no opportunity for you to speak after the Chair has invited speakers and councillors have begun to consider the item.



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# YARRA RANGES COUNCIL

## MINUTES FOR THE 448<sup>TH</sup> ORDINARY COUNCIL MEETING HELD ON WEDNESDAY 26 APRIL 2017 COMMENCING AT 7:02PM AT THE MEMO, 235 MAROONDAH HWY, HEALESVILLE

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### 1. COUNCIL MEETING OPENED

Cr Noel Cliff (Mayor) declared the meeting open and welcomed all present.

Anne Jenkins of The Healesville Indigenous Community Services Association (HICSA), delivered the Welcome to Country.

### 2. INTRODUCTION OF MEMBERS PRESENT

#### Councillors

Noel Cliff, Streeton (*Mayor*) (*Chair*)  
Len Cox, Walling (*Deputy Mayor*)  
Fiona McAllister, Ryrie  
Jim Child, O'Shannassy  
Terry Avery, Melba  
Mike Clarke, Lyster  
Richard Higgins, Chirnside  
Tony Stevenson, Chandler  
Tim Heenan, Billanook

#### Officers

Glenn Patterson, Chief Executive Officer  
Troy Edwards, Director Corporate Services  
Mark Varmalis, Director Environment & Engineering  
Ali Wastie, Director Social & Economic Development

### 3. APOLOGIES AND LEAVE OF ABSENCE

There were no apologies for this meeting.

### 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

**Moved: Cr Cliff**

**Seconded: Cr Child**

*That the Minutes of the Ordinary Council Meeting held 11 April 2017, as circulated, be confirmed.*

**The motion was Carried unanimously.**

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## 5. DISCLOSURE OF CONFLICTS OF INTEREST

*In accordance with section 79 of the Local Government Act 1989.*

There were no disclosures of conflicts of interest made for this meeting.

## 6. QUESTIONS AND SUBMISSIONS FROM THE PUBLIC

*In accordance with Clause 83 of Meeting Procedures and Use of Common Seal Local Law 2015.*

### Questions

#### 1. Healesville Gateway Site

**Annette Hill, Healesville asked:** *“As a lifetime resident of Healesville I have spent the past ten years attending Public, Council and VCAT meetings in regard to the applications on the Healesville Gateway Site. The last supposedly, in 2016.*

*I now learn a new application has been made for the section of this site known as the "Service Station". Will the conditions placed on the previous applicant for this site still be adhered to in the new application and will the colorbond security fence still be erected behind the development?*

*These conditions covered colours, lighting as in illuminated signs, the retention of Pin Oaks on Maroondah Highway, landscaping of the site, along with an acoustic fence to protect residential neighbours living in adjoining properties in Henry Street from noise and light.”*

**Director Social & Economic Development responded:** *“Council has received a fresh application (YR2017/93) for the development of a service station on the subject site by the future owner of the service station lot. The purpose of this application is to separate it from the main development permit for procedural simplicity. The applicants have indicated to Council that they are committed to honouring all conditions under the previous permit and all commitments made at VCAT under the previous permit and this includes acoustic and security fencing and landscaping. Officers are in the process of assessing this application for its consistency with the past permit and the planning schemes requirements.”*

#### 2. Aquatic Centre in Healesville

**Graham Chester, Healesville asked:** *“What is Council's progress in the provision of a new Aquatic Centre for Healesville?”*

**Director Environment & Engineering responded:** *“Council considered a report on the feasibility for developing a new aquatic facility for Healesville at its meeting of 9 September 2014. This report noted that the existing indoor and outdoor aquatic facilities in Healesville are considered to be approaching the end of their functional lives and that a plan for reviewing the future needs for aquatic facilities for the Yarra Valley was required. In noting the report, Council determined that recommendations of the study be referred to a review of Council's Aquatic Facility Strategic Plan and that advocacy continue to the State and Federal Government and other external sources, seeking funding assistance towards improving aquatic facilities across the municipality.*

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*More recently, Council has continued to support operational costs for the Jack Hort Memorial Indoor Pool and has worked with the staff of Healesville High School on maintenance and operational needs for the pool.*

*The review of Council's Aquatic Facility Strategic Plan has not been completed however recent discussions have occurred with councillors providing an assessment of the current condition of aquatic facilities across the municipality. Further discussion will occur with councillors over the coming months, which will lead to completion of the Aquatic Facility Strategic Plan. This Strategic Plan will then set the preferred direction for future provision of aquatic facilities for the Healesville area."*

### **Submitters**

1. Yellingbo Conservation Area

Ms Ann Frazer and Mr Len Milner spoke in regards to concerns surrounding the Yarra Valley Trail Project, in particular the alignment running along the river from Healesville to Woori Yallock not being included in the Council approved feasibility report and the conflict with the Yellingbo Conservation Area provisions.

Councillors requested that this matter be brought to a forum meeting for further consideration.

2. The Healesville Indigenous Community Services Association (HICSA)

Ms Anne Jenkins gave an organisational update on HICSA and the services it provides.

## 7. BUSINESS PAPER

### SOCIAL AND ECONOMIC DEVELOPMENT

#### 7.1 Planning Application YR-2016/640 - 175 Maroondah Highway, (Sec R CA 11A) Healesville

##### APPLICATION DETAILS

<b>Site Address</b>	175 Maroondah Highway, (Sec R CA 11A) Healesville
<b>Application No.</b>	YR-2016/640
<b>Proposal</b>	Buildings and Works for the Construction of a Supermarket, Advertising Signage, Reduction in Car Parking Requirements and Removal of Street Trees and Lopping of a Tree within a Heritage Overlay.
<b>Existing Use</b>	Building Supplies and Hardware store
<b>Owner</b>	Mrs C F Kenny and S & M Donkin Pty Ltd
<b>Applicant</b>	Aldi Stores
<b>Zone</b>	C2Z - Commercial 2 Zone
<b>Overlays</b>	LSIO - Land Subject to Inundation Overlay, DDO12 – Design and Development Overlay, HO159 – Heritage Overlay (street trees on Maroondah Highway)
<b>Objections</b>	13
<b>Reason for Council Decision</b>	More than 10 objections have been received
<b>Ward</b>	Ryrie

### SUMMARY

- The application seeks approval for buildings and works for the construction of a supermarket, advertising signage, reduction in car parking requirements, and removal of street trees.
- A planning permit is required for buildings and works to construct the supermarket under the provisions of the Commercial 2 Zone, Design and Development Overlay Schedule 12 and Land Subject to Inundation Overlay.
- A permit is required for the development of a business identification sign in accordance with Clause 52.05. A permit is required for the removal of street tree(s) in accordance with Clause 53, and for the lopping of a tree within the Heritage Overlay pursuant to Clause 43.01-1. A permit is also required to reduce the car parking required in accordance with Clause 52.06-5 of the Scheme.
- The application was advertised and has received 13 objections. The key concerns relate to excessive building scale, inappropriate building style, detrimental impacts on a heritage street tree, destruction of the heritage footpath, amenity impacts and lighting.

- The proposal has been assessed against the provisions of the Planning Scheme and subject to modifications and conditions will result in a net benefit to the community. The proposal is also consistent with the Healesville Structure Plan which identifies the need for a medium sized supermarket to be located within the retail core of the town. While acknowledging it is a supermarket building, the design is generally sympathetic to Healesville's rural character and will complement the streetscape. It is therefore recommended the proposal be approved subject to conditions and a Notice of Decision to Grant a Planning Permit to be issued.

*Cr McAllister presented a motion that differed to the officers recommendation within the Agenda.*

**Moved: Cr McAllister**  
**Seconded: Cr Stevenson**

***That Council resolve to***

1. *Approve a Planning Application YR-2016/640 for Buildings and Works for the Construction of a Supermarket, Advertising Signage, Reduction in Car Parking Requirements, Removal of Street Trees and Lopping of a Tree within a Heritage Overlay, at 175 Maroondah Highway, (Sec R CA 11A) Healesville.*
2. *Issue a Notice of Decision to Grant a Permit subject to the conditions in Attachment 1 to the minutes.*

**The motion was Carried.**



COUNCIL REPORT	
Application	YR-2016/640
Address of the land	175 Maroondah Highway, (Sec R CA 11A) Healesville
Proposal	Buildings and Works for the Construction of a Supermarket, Advertising Signage, Reduction in Car Parking Requirements, Removal of Street Trees and Lopping of Tree within a Heritage Overlay.
Responsible Officer	Manjusha Pitty

1.
  1. Prior to the commencement of the use and/or development, including the removal of any trees or other vegetation, amended plans (2 copies) must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and form part of the permit. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans referenced as 'Without prejudice plans' dated 11/4/17 but modified generally in accordance with the plan titled 'Aldi Markup' dated 29/3/17 to show:
    - a. The maximum overall height of the building and in particular the tower reduced from 7.42m to 7m along Maroondah Highway and reduced from 11.26m to 9.60m along the church street and River street frontage.
    - b. The steel balustrade replaced with a timber balustrade
    - c. The powder coated metal louvres replaced with timber louvres
    - d. Steel mesh replaced with rusted steel mesh
    - e. Stenciled graphic, similar to Maroondah highway tower, be applied to the Church Street tower.
    - f. Inclusion of green wall planting onto the River Street elevation.
    - g. The depth of the canopy along the Maroondah Highway and Church Street frontage increased to 2.4m.
    - h. Roof plan that identifies the location of all plant and equipment. Details of the height and method of screening of plant must be shown on the plan.
    - i. Notation of reconstruction of the footpath in Maroondah Highway that includes the reinstallation of the plaques that matches the existing conditions.
    - j. Seven sealed parking spaces and kerb and channel along Maroondah Highway adjacent to the site frontage, other than near the existing street tree and subject to arborist advice.
    - k. A widened bicycle lane on the Maroondah Highway west approach to the Church Street intersection.
    - l. A pedestrian refuge island on Maroondah Highway west of Church Street (not east of it) and the 50km/hr speed zone signs on Maroondah Highway relocated further west.
    - m. Two site cross sections: one from the site boundary through tree 12 and to the road; and one through the required pedestrian island on Maroondah Highway extended across the Highway pavement and to the north side of River Street.
    - n. Five sealed 60 degree on street parking spaces on Church Street adjacent to the

- site frontage.
- o. A vehicle barrier in accordance with AS2890.1 for the 4 elevated staff car spaces adjacent to River Street,
  - p. Kerb and/or other barrier adjacent to the bridged ramp vehicle crossing on River Street to safely contain trucks.
  - q. No kerb and channel along River Street.
  - r. Car park columns setback from walls and/or end of car spaces in accordance with Clause AS2890.1
  - s. Provision of a bicycle rack to accommodate a minimum of three bicycles that is available for customers. This rack must be located in the nature strip adjacent to the main entrance in either on Maroondah Highway or Church Street.
  - t. Provision of a bicycle parking rack for three spaces for staff that is provided adjacent to the staff parking area at the rear of the site.
  - u. Landscape plan in accordance with the requirements of condition 5.
  - v. Any changes to the 'Without prejudice plans' dated 11/4/17, generally consistent with the functional layout plan required under Condition 43 of this permit.
2. The layout of the site and the size of any proposed buildings and works shown on the endorsed plans shall not be altered or modified without the written consent of the Responsible Authority.
  3. This permit will expire if the development is not started within two years of the date of this permit. The Responsible Authority may extend this period if a request is made in writing before the permit expires or within six months afterwards.  
This permit will expire if the development is not completed within four years of the date of this permit. A request may be made to Responsible Authority to extend the time to complete a development or a stage of the development if:
    - a. The request for an extension is made within 12 months of the permit expiry.
    - b. The development or stage has lawfully commenced before the permit expiry.
  4. This permit authorises the removal of tree(s) numbered 8, 11 and 13, and the pruning of Tree 12 back to a canopy width of 3.5 metres at verandah canopy height, and to 4 metres above verandah canopy height, as shown on the endorsed plan. All other trees must be retained to the satisfaction of the Responsible Authority.
  5. The pruning/trimming of any tree(s) is to meet the 'Australian Standard for Pruning of Amenity Trees AS4373, 2007' and must be undertaken by a qualified Arborist. All pruning of Tree 12 is to be carried out by Council.
  6. Replacement street tree plantings of Three Pin Oaks (*Quercus palustis*) on the Church Street frontage, two English Elms (*Ulmus procera*) on the Maroondah Highway and two Swamp Oaks (*Quercus bicolor*) must be shown on the endorsed landscape plans. Replacement planting must be conducted within first planting season (May to September) following the completion of the permitted buildings and/or works. Trees must be planted and undergo a two-year maintenance period to the satisfaction of the Responsible Authority. Tree stock must be compliant with AS2303-2015 and have a minimum pot size of 50cm diameter at the time of planting.
  7. Prior to works commencing on the land a 'Construction Management Plan' (CMP) must be prepared to the satisfaction and approval of the Responsible Authority, detailing how the owner will manage the environmental and construction issues associated with the development. The CMP must address; any demolition, bulk excavation, management of the

## ATTACHMENT 1. Amended Conditions

construction site, land disturbance, hours of construction, noise, control of dust, public safety, traffic management, construction vehicles road routes, soiling and clearing of roadways, discharge of any polluted water, security fencing, disposal of site waste and any potentially contaminated materials, location of site offices, redirection of any above or underground services, and site lighting during any night works.

8. Prior to the approval of the engineering construction plans a Waste Management Plan must be submitted to, and approved by the Responsible Authority. The Waste Management Plan must document how waste is to be collected from the supermarket including, but not limited to, collection vehicle access, on/off street collection, indemnity if off street Council collection is required, and bin storage/collection points.
9. Any air-conditioning unit must be positioned so that no noise disturbance is caused to occupiers of adjoining properties. Any roof top unit must be provided with a sight screen, to the satisfaction of the Responsible Authority.
10. All external lighting provided on the site must be baffled so that no direct light is emitted beyond the boundaries of the site and no nuisance is caused to adjoining properties.
11. No external sound amplification equipment, loud speaker, siren or other audible signalling device will be installed on the land.
12. All waste water must be discharged into a reticulated sewerage system to the satisfaction of the Yarra Ranges Council Health Department.
13. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
  - a. transport of materials, goods or commodities to or from the land
  - b. appearance of any building, works or materials
  - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
  - d. presence of vermin
  - e. others as appropriate
14. No advertising sign other than those allowed in accordance with the Planning Scheme can be erected on the site without a planning permit from the Responsible Authority.
15. The Business Identification sign will expire 15 years from the date of this permit.
16. The location and details of the sign(s), and any supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.
17. The sign(s) must not contain any flashing light.
18. The sign(s) must not be illuminated by floodlights except with the written consent of the Responsible Authority.

19. The sign lighting must be designed, baffled and located to the satisfaction of the responsible authority to prevent any adverse effect on adjoining land.
20. Prior to the occupation of the permitted development piped Council outfall drainage must be constructed from the site to the existing pit on the north side of River Street to the satisfaction of the Responsible Authority. The piped outfall drainage must not pass through the Tree Protection Zone of any Council trees that are to be retained.
21. Prior to the occupation of the permitted development at least 5 sealed 60 degree car parking spaces, must be constructed on Church Street across the site frontage including drainage, barrier kerb and channel and line marking to the satisfaction of the Responsible Authority.
22. Prior to the occupation of the permitted development at least 7 sealed parallel car parking spaces, a wider bicycle lane and a pedestrian refuge island must be constructed on Maroondah Highway across the site frontage including drainage, barrier kerb and channel and line marking to the satisfaction of the Responsible Authority and VicRoads.
23. Prior to the occupation of the permitted development an asphalt footpath must be constructed on Maroondah Highway across the site frontage including drainage to the satisfaction of the Responsible Authority
24. Prior to the occupation of the permitted development a concrete footpath must be constructed on Church Street across the site frontage and connect to the footpath on the north side of River Street to the satisfaction of the Responsible Authority.
25. Prior to the occupation of the permitted development the existing crushed rock vehicle crossing in Church Street must be removed and all Council assets, including the nature-strip, reinstated to the satisfaction of the Responsible Authority.
26. Prior to the occupation of the permitted development the car parking spaces and vehicular access ways shown on the endorsed plan must be fully constructed, sealed, delineated and/or signed and drained incorporating Water Sensitive Urban Design elements to the satisfaction of the Responsible Authority.
27. Prior to the occupation of the permitted development two nominal 6 and 6 metre trafficable width concrete vehicle crossings must be constructed in Church Street in accordance with Standard Drawing SD/C2, to serve the development and all Council assets, including the nature-strip, reinstated to the satisfaction of the Responsible Authority.
28. Prior to the occupation of the permitted development a minimum 6 metre trafficable width piped culvert concrete bridged ramp vehicle crossing with approved kerb, barrier and end walls, must be constructed in River Street to serve the development, and all Council assets, including the nature-strip, reinstated to the satisfaction of the Responsible Authority.
29. Prior to the commencement of works required by this permit, engineering construction plans showing all internal works, including access ways, parking, footpaths, drainage, and all Council works, including roads, footpaths, drainage, together with a processing fee of \$500 must be submitted to and approved by the Responsible Authority.  
Civil works must then be constructed in accordance with these approved engineering plans. A non-destructive air-spade investigation to determine the extent and depth of the root system

of Tree 12 (the English Elm) is to be undertaken by a suitably qualified and experienced arborist prior to the development of the engineering construction plans. The findings from this investigation should be written up in a report that is submitted with the engineering construction plans. The engineering construction plans must be developed with reference to the findings of the air-spade investigation in order to enable the successful retention of Tree 12 on Maroondah Highway.

30. Prior to the approval of engineering construction plans an inspection/surveillance fee to the value of \$1500 or 2.5% of the estimated cost of all Council works required by this permit, must be paid to the Responsible Authority.
31. Prior to the approval of engineering construction plans, a maintenance bond to the value of \$5000 for Council works as required by this permit, must be paid to the Responsible Authority.
32. The Council works as required by this permit must be maintained in good condition and repair by the developer for a period of three months from the date of practical completion to the satisfaction of the Responsible Authority.
33. Prior to an Off Maintenance inspection and subsequent return of the maintenance bond, "As Constructed" plans of all Council works, together with a video survey record of the full length of all Council piped drainage, must be submitted to, and approved by, the Responsible Authority.
34. Prior to the occupation of the permitted development the construction of all civil works within the site, including water tanks and internal/external signs must be fully completed and subsequently inspected and approved by a suitably experienced Civil Engineer or qualified person at the arrangement and expense of the owner/developer. This person must supply written certification that the works have been constructed in accordance with this permit and to relevant standards to the satisfaction of the Responsible Authority.
35. The car parking spaces, vehicular access ways and drainage approved by this permit are to be maintained and must not be obstructed or made inaccessible to the satisfaction of the Responsible Authority.
36. The loading and unloading of vehicles and the delivery and pick up of goods must be carried out at all times within the site boundaries.
37. All vehicles must enter and exit the site in a forward direction.
38. Prior to the commencement of any buildings and/or works approved by this permit, tree protection fencing must be erected around all trees to be retained as per the endorsed plan to define a Tree Protection Zone (TPZ) to the satisfaction of the Responsible Authority. All TPZ's must comply with the following:
  - a. The fencing must be maintained and remain in place until all buildings and or/or works are completed; and
  - b. The fencing must be constructed in accordance with section 4 of the Australian Standard for Protection of Trees on Development Sites (AS4970-2009), and
  - c. No vehicular or pedestrian access, excavation, placement of fill, storage of materials or soil disturbance of any kind are to occur within the tree protection zone, and
  - d. Once erected the tree protection fencing may only be moved or otherwise altered with the consent of the project arborist, and

- e. The tree protection measures must not prevent the use of an existing road, footpath or accessway, and
- f. The approved works within the Tree Protection Zone must be supervised by the project arborist.

The TPZ fencing can be modified to accommodate the encroachment into the TPZ of tree(s) as per the endorsed plans. The fencing must be modified in line with the footprint of the approved works only.

39. All underground service pipes including storm water and sewerage must be diverted around any Tree Protection Zones of trees to be retained, or bored underneath with a minimum cover of 800mm to top of conduit from natural surface level. If the trees have not been assessed the TPZ is calculated by 12x the trunk diameter at 1.4m above ground level.
40. The footpath within the tree protection zones of Tree 12 must be constructed at the existing grade. There must be no excavation within the TPZ, except for up to 30mm deep for the purpose of removing ground cover plants or creating a level surface. The existing footpath within the TPZ must be removed without the use of heavy machinery in a tree root sensitive manner.
41. The location and distribution of roots within the tree protection zones of Trees 7 and 9 must be determined using non-destructive methods such as air-spade, hydro-excavation or hand-digging. The location of the support post holes for the bridged access ramp must be located to avoid damaging woody roots. The approved works within the TPZ of Trees 7 and 9 must be supervised by the project arborist and carried out in accordance with the letter from John Patrick Architects Pty Ltd dated 28 November 2016.
42. All works within the tree protection zones of Tree 12 must be dug using non-destructive methods and supervised by the project arborist.
43. Prior to endorsement of plans (or prior to commencement of works) a functional layout plan for works to be undertaken on Maroondah Highway must be prepared to the satisfaction of VicRoads and the Responsible authority. The works shall include:
  - a. works to ensure that traffic turning right into Church Street does not impede the flow of westbound through traffic on Maroondah Highway
  - b. works to ensure that traffic turning left into Church Street does not impede the flow of eastbound through traffic on Maroondah Highway
  - c. a pedestrian refuge to facilitate a staged crossing of Maroondah Highway, west of Church Street.
44. Prior to the occupation of the development, the works shown on the approved functional layout plan must be completed to the satisfaction of VicRoads and the Responsible authority.
45. The preparation of the detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads' policy, procedures and standards to the satisfaction of the Responsible Authority and Vic Roads, and at no cost to VicRoads and the Responsible Authority.

In order to meet the requirements for these tasks the applicant will be required to comply with the requirements documented as "Standard Requirements - Developer Funded Projects" and any other requirements considered necessary depending on the nature of the work.

46. No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.

**Melbourne Water**

47. Finished floor levels of the buildings including the warehouse, customer car park and lift entry area must be constructed at a minimum of 81.50 metres to Australian Height Datum which is 600mm above the applicable flood level of 80.90 metres to AHD.
48. The finished surface level for the staff carpark must be maintained at natural surface level or no lower than 350mm below the applicable flood level.
49. No earth filling outside the building envelope will be permitted with the exception of achieving minimal ramping and to accommodate the proposed new footpath levels.
50. Access on the eastern boundary must be maintained.
51. Any new fencing must be constructed of an open style design with a minimum of 50% of opening up to the flood level to allow for the passage of overland flows.
52. The entry/ exit driveway of the basement car park must incorporate a flood proof apex of a minimum of 81.5 metres to Australian Height Datum which is 600mm above the applicable flood level.
53. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
54. Prior to the issue of an Occupancy Permit, a certified survey plan showing finished floor levels (as constructed) reduced to the Australian Height Datum must be submitted to Melbourne Water. The Plan must demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.
55. Prior to the commencement of works, a separate application direct to Melbourne Water must be made for the approval of any new or modified stormwater connection to Melbourne Water's drains or watercourses.

**NOTES:**

The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority under any act, regulation or local law.

Building works approved under this planning permit shall not be commenced until a building permit has also been obtained under the *Building Act 1993* and the *Building Regulations 2006*.

Prior to the commencement of any works affecting or involving Council roads or drains, Asset Protection and/or Road Reserve/Easement Works permit(s) are required. An application for a permit can be made at the Yarra Ranges Council Community Links and must include a copy of the relevant planning permit(s), endorsed site plan, and approved civil engineering plan if one was required on the planning permit. Please call 1300 368 333 for further advice.

Drainage runoff from the approved development is to be directed to the existing pit on the north side of River Street. This should be confirmed by contacting Infrastructure Services, prior to commencement of any works.

**Melbourne Water**

The applicable flood level for this property that has a probability of occurrence of 1% in any one year is 80.90 metres to Australian Height Datum (AHD).

If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference 238796.



## CORPORATE SERVICES

### 7.2 Dog Off Lead Park - Kimberley Reserve

#### SUMMARY

In anticipation of the upcoming opening of the Kimberley Reserve Active Living Hub dog agility park, an amendment to the Order 1/2013 made by Council under section 26(2) of the Domestic Animals Act 1994 is required to allow dogs to be exercised off lead within the park area.

**Moved: Cr Higgins**

**Seconded: Cr Avery**

*That Council*

1. *Amend Schedule A of Order 1/2013 made under Section 25(2) and Section 26(2) the Domestic Animals Act 1994 to*
  - (a) *Remove Sunset Reserve, Chirnside Park as an area designated for dogs to be exercised off lead.*
  - (b) *Include Kimberley Reserve dog agility park as an area designated for dogs to be exercised off lead.*
2. *Publish the amended Order in the Victorian Government Gazette and in the local newspaper.*

**The motion was Carried unanimously.**

### **7.3 Appointment of Authorised Officers**

#### **SUMMARY**

This report provides for the formal appointment of Council Officers as Authorised Officers pursuant to Section 147(4) of the *Planning and Environment Act 1987* and Section 232 of the *Local Government Act 1989*.

**Moved: Cr Child**

**Seconded: Cr Stevenson**

*That Council*

1. *Formally appoint the officers referred to in the Instrument as an authorised officer pursuant to Section 147 (4) of the Planning and Environment Act 1987 and Section 232 of the Local Government Act 1989.*
2. *Request that the Instrument of Appointment and Authorisation be signed and sealed by the Chief Executive Officer.*
3. *Note that the instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it.*

**The motion was Carried unanimously.**

## ENVIRONMENT AND ENGINEERING

### 7.4 Eastern Transport Coalition (ETC) Transport Priorities Platform

#### SUMMARY

The Eastern Transport Coalition (ETC) consists of seven eastern councils that collaborate to advocate for accessible and integrated transport services on behalf of over one million residents that the ETC councils represent.

The ETC has completed a review of its policy agenda to ensure that it is well positioned to take advantage of opportunities presented for improvement to transport services in the region. An outcome of this process has been the preparation of a policy platform document 'Eastern Transport Coalition Transport Priorities' that outlines priority initiatives for the region. These priority initiatives have been consolidated from all the initiatives that member councils nominated and have been grouped together under four key themes: Connectivity, Liveability, Productivity & Efficiency and Sustainability.

The ETC Transport Priorities document will remain 'live' over the next two years, subject to review and updating by member councils from time to time, as required.

The ETC Transport Priorities document has been endorsed by the ETC at its February 2017 meeting. This document is now presented to Council for endorsement.

**Moved: Cr Clarke**  
**Seconded: Cr Child**

*That Council endorse the Eastern Transport Coalition Transport Priorities document.*

**The motion was Carried unanimously.**

## CHIEF EXECUTIVE OFFICER

### 7.5 Civic Centre Consultation

#### SUMMARY

This report provides an analysis of the data and information gathered during the community consultation for the civic centre's community space. It includes how this information will influence the design, and the feedback process to the community.

On 29 November 2016 Council discussed conducting a community engagement process to inform the community on the status of the project and consult on the proposed civic space incorporated in the schematic design. It was agreed that a process be developed and presented to Council on 17 January 2017 for discussion. The process was agreed and the engagement was conducted between 2 February and 17 March 2017.

Overall the community engaged positively with the information and the opportunity to provide input into the redevelopment. While there was some negativity, it was primarily through the social media conversation where many comments focused on roads, drainage and rates. The negative face-to-face conversations were primarily directed toward government as an institution, and issues people experience in their neighbourhoods, including the impact of planning decisions and development. Some people took the opportunity to make suggestions about the design, both inside and outside (building and landscaping). Irrespective of the negative comments there was overwhelming support for the development.

Key insights from the consultation highlight the community's desire to use the space for a range of activities. They want opportunities to come together with others, and as one person put it, this will be a 'Real asset for the community'.

From this information it can be surmised that the community's vision for the community space is to bring people of all ages, abilities and interests together to meet, recreate, socialise and mingle through a range of indoor and outdoor activities.

**Moved: Cr Clarke**

**Seconded: Cr Stevenson**

*That Council*

#### 1. *Notes*

- (a) *the outcomes of the civic centre redevelopment community engagement process*
- (b) *that 74% of participants in the face-to-face conversation were supportive of the redevelopment, 13% were not supportive and 13% were undecided*
- (c) *the proposed approach to publishing the outcomes, including a media release and updated information and FAQ's on Council's website, and a story in Yarra Ranges Local, both print and e-newsletter.*

2. *Refers a summary of the community engagement process comments that relate to the civic/community spaces design, to the project design team for consideration.*
3. *Notes the increase in community/civic space:*
  - (a) *From 431 square metres in the existing Anderson Street Lilydale building*
  - (b) *To a proposed 991 square metres indoor and a new 500 square metre flexible outdoor space in the redeveloped civic centre (a total of 1,491 square metres) – a 245% increase in floor space for community use, as shown in the plans in Appendices 1 and 2.*
4. *Requests the design team consider reconfiguration of the proposed Chamber/multi purpose room (405 square metres) and entrance foyer (463 square metres) drawn in the schematic design concept, so they are co-located/integrated to facilitate larger community functions/events.*

**The motion was Carried.**

Cr Child called for a division:

In Favour: Cr Avery, Cr Child, Cr Clarke, Cr Cliff, Cr Higgins, Cr McAllister and Cr Stevenson

Against: Cr Cox and Cr Heenan

Absent: Nil

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## 8. COUNCILLOR MOTIONS

*In accordance with Clause 72 of Meeting Procedures and Use of Common Seal Local Law 2015*

There were no Councillor motions listed on the agenda for this meeting.

## 9. ITEMS RAISED THROUGH THE CHAIR

*In accordance with Clause 80 of Meeting Procedures and Use of Common Seal Local Law 2015*

### ***Old Healesville Road Speed Signage – Cr McAllister***

Cr McAllister requested to renew Council's advocacy to VicRoads to improve speed signage and reduce speed limits on Old Healesville Road.

### ***Healesville Change the Story, Violence Against Women – Cr McAllister***

Cr McAllister raised awareness of Healesville Change the Story, a community partnership to prevent violence against women and asked for two members of the group to come forward and explain more about the project. Josette O'Donnell and Jayne Matthews provided some background information about the project, the key partners and the activities planned for 2017.

## 10. PETITIONS

There were no Petitions received in accordance with *Clause 83 of Meeting Procedures and Use of Common Seal Local Law 2015*.

## 11. DOCUMENTS FOR SIGNING AND SEALING

There were no documents for signing and sealing received in accordance with *Clause 87 of Meeting Procedures and Use of Common Seal Local Law 2015*.

## 12. ASSEMBLIES OF COUNCILLORS

*The Local Government Act 1989* requires that records of Assemblies of Councillors must be kept which list the Councillors attending, the matter discussed, disclosures of conflict of interest and whether or not a Councillor left the meeting after making a disclosure.

An 'Assembly of Councillors' is defined under s3(1) of the *Local Government Act 1989* as a meeting at which matters are considered that are intended or likely to be the subject of a Council Decision or the exercise of a delegated authority and which is either of the following

- A meeting of an advisory committee where at least one Councillor is present.
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council Officer.

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The *Local Government Act 1989* also requires that the record of an assembly must be reported to the next practicable ordinary Council Meeting and recorded in the minutes of that meeting.

The records for Assemblies of Councillors are attached to the report.

**Moved: Cr Cliff**

**Seconded: Cr Child**

*That the following records of the Assemblies of Councillors, copies of which are attached to the report, be received and noted*

1. 22 March 2017 - Disability Advisory Committee (DAC) Meeting
2. 04 April 2017 - Council Briefing
3. 04 April 2017 - Forum Meeting
4. 11 April 2017 - Civic Centre Consultation

**The motion was Carried unanimously.**

# Assembly of Councillors

## Public Record



Meeting Name:	Yarra Ranges Disability Advisory Committee		
Date:	22 March 2017	Start Time: 1.30pm	Finish Time: 3.30pm
Venue:	Japara Living and Learning Centre, Kilsyth		
Attendees:	<p><b>Councillors:</b> Len Cox,</p> <p><b>Other Attendees:</b> June Smith, Penny Kendall, Hilary and Rod Mellis, Cliff Wise, Amanda Davern, Michelle McDonald, Anthea Forbes, Bron Jones, James Wood, Sarina Bunnett</p> <p>Officers: Isha Scott, Amanda May, Paul Lacala, Kym Murphy</p>		
Apologies			
Declarations of Interest	None		
Matter/s Discussed:	1.1	Introductions	
	1.2	Presentation on the review of Council's Community Engagement Policy and Community Engagement Toolkit	
	1.3	Update on: <ul style="list-style-type: none"><li>Lilydale Past, Present &amp; Future</li><li>Changing Places</li><li>Lilydale Library</li></ul>	
	1.4	<ul style="list-style-type: none"><li>NDIS forums in Yarra Ranges</li><li>LAC appointment to Outer East</li><li>Council update</li></ul>	
	1.5	Council's upgrades to facilities that improve access for people with disabilities.	
Completed By:	Amanda May		



## Assembly of Councillors

### Public Record



Meeting Name:	Council Briefing		
Date:	4 April 2017	Start Time: 6:04pm	Finish Time: 6.09pm
Venue:	Council Chamber, Civic Centre, Anderson Street, Lilydale		
Attendees:	<b>Councillors:</b> Jim Child, Mike Clarke, Noel Cliff, Tim Heenan, Richard Higgins, & Tony Stevenson		
	<b>CEO/Directors:</b> Glenn Patterson, Troy Edwards, Mark Varmalis & Ali Wastie		
	<b>Officers:</b> Shannon Woodward		
Apologies	Cr Terry Avery, Cr Len Cox Cr Fiona McAllister		
Declarations of Interest:	Nil		
Matter/s Discussed:	7.1	Grants for Community Initiation Report 2018	
	7.2	Transfer of Land – 5 Cooeloongatta Rd, Sassafras	
Completed By:	Shannon Woodward		

# Assembly of Councillors

## Public Record



Meeting Name:	Forum		
Date:	4 April 2017	Start Time: 7:05pm	Finish Time: 9:46pm
Venue:	Council Chamber, Civic Centre, Anderson Street, Lilydale		
Attendees:	<b>Councillors:</b> Terry Avery, Jim Child, Mike Clarke, Noel Cliff, Len Cox, Tim Heenan (until 8:08pm), Richard Higgins, Fiona McAllister & Tony Stevenson  <b>CEO/Directors:</b> Glenn Patterson, Mark Varmalis, Ali Wastie & Troy Edwards  <b>Officers:</b> Kym Murphy, Tracey Varley, Scott Hodges, Michelle Jorgensen, Regan Ivill, Chelsea Schlink, Paul Mechelen, Jane Sinnamon & Shannon Woodward		
Apologies	Nil		
Declarations of Interest:	Nil		
Matter/s Discussed:	1.1	Action & Agreement Record - 22 March 2017	
	1.2	Office Redevelopment Project - Community Engagement	
	1.3	Tree outside 286 Kallista - Emerald Road, Kallista	
	1.4	2017/18 10 Year Capital Expenditure Program - Final Draft	
	1.5	Extended Capital Works Program	
	1.6	Eastern Transport Coalition (ETC) Transport Priorities Platform.	
	2.1	Neighbourhood House Memorandum of Understanding	
	2.2	Major Projects Monthly Report as of end of February 2017	
	2.3	Capital Works Program Monthly Report -1 July 2016 to 28 February 2017	
	2.4	Monthly Reports of Outstanding Council Actions	
	2.5	Indicative Forum & Council Schedule	
	2.6	Mayor & CEO Updates	
		MAV State Council Motions	
		2018 Grants for Community Program	
Completed By:	Shannon Woodward		

# Assembly of Councillors

## Public Record



Meeting Name:	Civic Centre Consultation		
Date:	11 April 2017	Start Time: 7:25pm	Finish Time: 8:15
Venue:	Council Chamber, Civic Centre, Anderson Street, Lilydale		
Attendees:	<p><b>Councillors:</b> Terry Avery, Jim Child, Noel Cliff, Richard Higgins, Fiona McAllister, Tony Stevenson</p> <p><b>CEO/Directors:</b> Glenn Patterson (CEO), Mark Varmalis, Troy Edwards &amp; Ali Wastie</p> <p><b>Other Attendees:</b> Kym Murphy, Tracey Varley and Michelle Jorgenson</p>		
Apologies	Cr Len Cox, Cr Tim Heenan, Cr Mike Clarke		
Declarations of Interest	NIL		
Matter/s Discussed:	1.1	Civic Centre Consultation	
	1.2	Healesville Council Meeting – 26 April	
Completed By:	Kym Murphy		

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### **13. REPORTS FROM DELEGATES**

Cr Stevenson attended:

- Five ANZAC Day services across the Municipality from 23 to 26 April at locations including Montrose, Monbulk, Wandin, Silvan and Yering Primary School.
- The opening of Bunjil Lookout Trail and launching 'Gardens for Wildlife' at the 'Minibeasts Festival', Birdsland Reserve on 23 April.

Cr Clarke:

- Thanked Cr Stevenson for attending on his behalf and spoke about the opening of Bunjil Lookout Trail and launching 'Gardens for Wildlife' at the 'Minibeasts Festival', Birdsland Reserve.
- Attended the ANZAC Day Dawn Service with Cr Cliff.
- Attended the Burrinja Board Meeting on 24 April.

Cr Cliff read out the letter of Peter Chandler JP, an Officer in the Navy during World War II.

### **14. CONFIDENTIAL ITEMS**

There were no confidential items listed on the agenda for this meeting.

### **15. DATE OF NEXT MEETING**

The next Ordinary meeting of Council is scheduled to be held on Tuesday 9 May 2017 commencing at 7:00pm, at Council Chamber, Civic Centre, Anderson Street, Lilydale.

### **16. CLOSE OF THE MEETING**

There being no further business the meeting was declared closed at: 9:48pm.

Confirmed this day, Tuesday 9 May 2017.

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**Cr Noel Cliff**

**Mayor**