



**ORDINARY COUNCIL
MEETING**

TUESDAY 26 MARCH 2019

MINUTES

VISION

Whether you live here or visit, you will see how much we value our natural beauty, how connected our communities are, and how balanced growth makes this the best place in the world.

COUNCILLOR COMMITMENT

We'll be truthful, represent the community's needs, be positive and responsive and always strive to do better.

NOTES FOR QUESTIONS AND SUBMISSIONS FROM THE PUBLIC

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

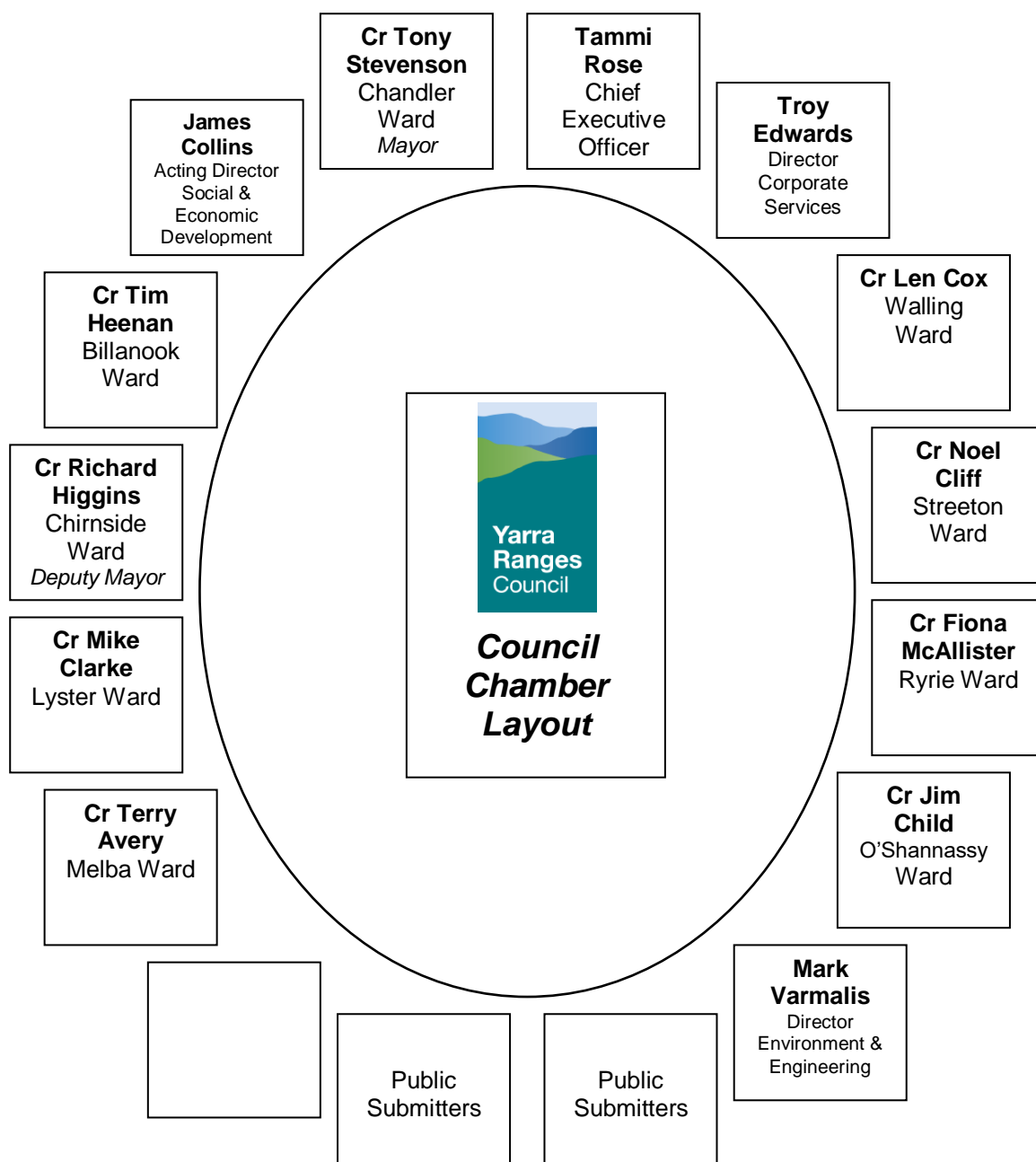
The public is invited to submit questions to the Ordinary Council Meeting by completing [the form on the Council's website](#); or via [email](#). Your question must be received **no later than 5.00pm on the day before** the [Council meeting date](#). Questions relating to items on the agenda, or which 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 491ST ORDINARY COUNCIL MEETING HELD ON TUESDAY
26 MARCH 2019 COMMENCING AT 7.00PM IN COUNCIL CHAMBER, CIVIC CENTRE,
ANDERSON STREET, LILYDALE

1. COUNCIL MEETING OPENED

Cr Tony Stevenson (Mayor) declared the meeting open, read the Acknowledgement of Country, and welcomed all present.

2. INTRODUCTION OF MEMBERS PRESENT

Councillors

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

Officers

Tammi Rose, Chief Executive Officer
Troy Edwards, Director Corporate Services
Mark Varmalis, Director Environment & Engineering
James Collins, Acting Director Social & Economic Development

3. APOLOGIES AND LEAVE OF ABSENCE

An apology for this meeting has been received from Councillor Noel Cliff.

TRIBUTE TO TOM O'MEARA

The Mayor acknowledged Tom O'Meara who passed suddenly on Sunday 17th March.

Formerly Principal of Pembroke Secondary School, Tom O'Meara has been a key leader in the community for many years, most recently as President of the Upper Yarra Valley Historical Society and the Upper Yarra Museum, which thanks to his influence have grown in capacity and vitality over recent years.

Alongside his committee, Tom supported the establishment of a Master Plan for the Upper Yarra Museum, lead the installation of an access ramp for visitors and the upgrade of research and archival facilities, brokered new grants and sponsorships, and supported many community events in Yarra Junction, including the Museum's popular Crank Up event.

Alongside this busy community role, Tom also volunteered his time as President of both the Yarra Ranges Heritage Network and the Association of Eastern Historical Societies, both organisations which are key to the health of heritage in our wider region.

Tom was a kind, generous and patient leader who believed strongly in working in partnership with a broad range of community groups and with Council. His loyalty, commitment and sense of humour will be keenly missed by many, and our deepest sympathies are with his family, friends and all those who knew him.

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved: Cr Stevenson

Seconded: Cr Higgins

That the Minutes of the Ordinary Council Meeting held 12 March 2019, as circulated, be confirmed subject to an amendment to correct the Assembly of Councillors listed on pages 10 and 11 to show that Cr Avery had submitted apologies and was not present at either the Council Briefing or the Forum Meeting on 19 February 2019.

The motion was Carried unanimously.

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.

QUESTION TO COUNCIL

Ms Lynne Donchi, Resident of Healesville, asked:

“The Coldstream Resident and Business Group was formed last month by concerned residents and business owners who have the need to access Maroondah Hwy. from their premises on a regular basis. We are very concerned at the hazard of doing so due to amongst other things, sight angles, unsafe turns, and especially speed of traffic along the Hwy. While being aware that Maroondah Hwy. is a state controlled road, we have been in contact with VicRoads and have met twice with representatives to discuss our concerns. VicRoads along with the TAC are conducting projects and investigations based on accident statistics, however despite our best endeavours, we seem to be failing to get to the people who can actually deliver some actions. With Maroondah Hwy. being the gateway to the Yarra Valley, we need to make this as safe as is possible for not only our residents and business, but for tourists as well.

Is council aware of the VicRoads / TAC study project and are you having any input into the process and what consultation is proposed for the residents and businesses who need to have a safe means of access to the Hwy?”

Mark Varmalis, Director Environment & Engineering responded:

As outlined in the question to Council, Maroondah Highway is under the management of VicRoads as the responsible authority for the road.

Council's traffic engineering team are in regular contact with VicRoads in relation to road safety needs across the municipality.

VicRoads has been in contact with Council's traffic engineering team in relation to a project for implementing safety improvements along Maroondah Highway between Coldstream and Healesville. The project will include initiatives such as installing safety barriers to reduce the risk of run-off road and head-on crashes widening traffic lanes and road shoulders installing rumble strips in high-risk locations to warn drivers when they begin to veer from their lane exploring options for safer overtaking opportunities.

VicRoads have advised that they will also be consulting with the local community on access requirements for landowners, businesses and emergency services as a part of this project.

Council staff will have an initial meeting with VicRoads in early April where more information on the project will be gained. Council staff are aware of the views and requests of the local community and will take the opportunity at this meeting to raise these with VicRoads and ensure that appropriate local community engagement occurs as VicRoads develop their project further.

SUBMISSION FROM THE PUBLIC

Lilydale Bypass Reserve

Mr Paul Dempsey spoke with regard to a proposal to transform the Lilydale Bypass Reserve in to the Lilydale Climate Emergency Gardens, an efficient education and communications strategy.

7. BUSINESS PAPER

SOCIAL AND ECONOMIC DEVELOPMENT

7.1 Yarra Ranges Amendment C148 - Implementation of the Planning Scheme Review

SUMMARY

Amendment C148 implements the Review of the Planning Scheme by introducing new policy and revised controls to bring the Scheme in line with Council's vision for planning. The new ordinance addresses a number of key topics which Council can influence through its Planning Scheme. A full account of the Amendment is provided later in this Report.

Yarra Ranges Amendment C148 and associated Amendment 122 to the Upper Yarra and Dandenong Ranges Regional Strategy Plan (RSP) were exhibited in late 2016 and have now progressed through public notice, consultation, consideration of submissions, and a review by an independent planning panel. The Panel's report is generally favourable but makes further recommendations for the Amendment which are discussed in this report.

Officers have assessed and responded to the Panel's recommendations (Attachment 1) and have prepared a final version of the Amendment recommended for Council's consideration and adoption (Attachment 2). Should Council decide to adopt the amendment it will be sent to the Minister for Planning for approval.

Through the Amendment/panel process a number of changes have been made to the exhibited Amendment, notably revised mapping of the Environmental Significance Overlay and the retention of the tenement provisions. Vacant lots and developed properties comprising multiple titles which may form part of a tenement as defined in Clause 51.03 will be mapped via the new Specific Controls Overlay.

The Minister for Planning (State Government) is responsible for the Regional Strategy Plan (RSP). The provisions of the Planning and Environment Act require Amendment 122 to the RSP to be approved and ratified by Parliament before the Minister for Planning can approve C148 to ensure there are no inconsistencies with the RSP and the Yarra Ranges Planning Scheme. If Council adopts the Amendment as recommended (which now includes tenement controls) the associated changes to the RSP will be minimal and a revised Amendment 122 that reflects this forms Attachment 3.

Cr Clarke moved a recommendation alternate to that printed in the agenda.

Moved: Cr Clarke
Seconded: Cr Cox

That Council

1. *Adopt Amendment C148 in the form of Attachments 2 and 5 to the report.*
2. *Adopt a revised Environmental Significance Overlay combining the exhibited version with the modified version Council endorsed at its meeting 22 May 2018. The combined version of the ESO will recognise modifications to the ESO on 16 individual properties as endorsed by Council at the May meeting and as presented to the Planning Panel.*

3. *Submit the adopted Amendment C148 to the Minister for Planning for approval.*
4. *Support the Minister's approval of Amendment 122 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan in the form of Attachment 3 to the report.*
5. *Request officers prepare a report within six months that outlines a program of further environmental investigations to be undertaken relating to identification of flora and fauna and habitat values of Yarra Ranges that will not be subject to land area limitations which will among other things inform future planning controls relating to vegetation and habitat protection.*

The motion was Carried.

Cr McAllister called for a division.

In Favour: Cr Avery, Cr Child, Cr Clarke, Cr Cox, Cr Heenan and Cr Stevenson

Against: Cr Higgins and Cr McAllister

Absent: Cr Cliff

Moved: Cr Stevenson

Seconded: Cr Child

That the Order of Business be altered to consider Item 7.4 Release of the State Government's Timber Release Plan prior to Item 7.2 The Healesville Belonging Place Feasibility Study.

The motion was Carried unanimously.

7.4 Release of the State Government's Timber Release Plan.

SUMMARY

The Timber Release Plan is a key strategy that dictates where native timber can be harvested by the state-owned Victoria Forests. The State Government has recently announced it will continue to withhold the Timber Release Plan which was due to be finalised in July 2018. This delay is causing significant issues for the local timber industry, with businesses unable to plan with any confidence. Furthermore a 20% reduction in the quota delivered to mills in the past twelve months is impacting the long term sustainability of these businesses.

Council's Rural Advisory Committee (RAC) has requested that Council write to the State Government requesting they immediately release the Timber Release Plan.

Moved: Cr Child
Seconded: Cr Clarke

That Council write to the State Government requesting the immediate release of the Timber Release Plan.

The motion was Carried.

Cr Child called for a division.

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

Against: Cr Heenan

Absent: Cr Cliff

Cr Child left the Council Chamber at 8:36pm after the motion went to a vote.

7.2 The Healesville Belonging Place Feasibility Study

SUMMARY

The health gap between Aboriginal and non-Aboriginal residents across Yarra Ranges and the Outer East remains significant, particularly in relation to chronic and communicable diseases, poor infant health, mental health and lower life expectancy.

Connection to culture, community, family and Country are recognised as the key social determinants of Aboriginal health and wellbeing critical to 'Close the Gap'. Currently, an interim Belonging Place, operating under the Aboriginal community control of Healesville Indigenous Community Services Association (HICSA), offers the Aboriginal community a health service model tailored to meet local health needs.

HICSA's strong program and service growth over the past two years, has created logistical issues as the facilities are no longer fit-for-purpose and struggling to accommodate increasing levels of service demand.

To facilitate the critically needed expansion of local and regional Aboriginal health services, HICSA and Yarra Ranges Council commissioned a Feasibility Study. The Study (see Attachment 1) includes site identification, business case, concept drawings and quantity surveyor's cost report.

A Belonging Place described in the *Belonging Place Conceptual Design Drawing* (see Attachment 2) will enable HICSA to significantly expand its service delivery and build capacity to meet ever increasing Aboriginal health and wellbeing service and cultural programming demand.

Cr Child returned to the Council Chamber at 8:37pm prior to consideration of this item.

Moved: Cr McAllister

Seconded: Cr Clarke

That Council

1. *Acknowledges the critical role Healesville Indigenous Community Services Association and the Healesville Belonging Place have in addressing Aboriginal health and wellbeing.*
2. *Notes the Executive Summary, including key recommendations, for Healesville Belonging Place Feasibility Study.*
3. *Notes the intention that external funding be sought to fund the construction of the Belonging Place with Council's role being to support and advocate with Healesville Indigenous Community Services Association.*

The motion was Carried unanimously.

7.3 Health & Wellbeing Strategy Year 1 report

SUMMARY

Council develops a Municipal Public Health and Wellbeing plan every four years as required by the Public Health and Wellbeing Act 2008. This report provides a progress update for Year 1 (2018) across the seventeen goals of the 2017-2021 Health and Wellbeing Strategy (the Strategy). The update includes work delivered in Council's core business areas: services, infrastructure, open space and community support that have contributed to improving community health and wellbeing, and key projects.

The key projects include partnering in integrated health planning with local health services; a VicHealth funded *Water in Sport* project, work on housing affordability, and three Major Initiative Projects (MIPs):

- Closing the Indigenous health gap.
- Making water people's drink of choice instead of sugary drinks.
- Increasing walking for active transport, recreation and exercise.

The collective impact approach being applied to the MIPs focuses on collaboration across Council. It includes skill building in how to undertake collective impact work and evaluation, and how to better measure the impact of our work in the community. Feedback on the new cross-Council MIP approach indicates increased organisational awareness of the key priorities of the Health and Wellbeing Strategy.

Moved: Cr Clarke

Seconded: Cr McAllister

That Council endorses the year 1 progress report for the Health and Wellbeing Strategy 2017-2021 which includes feedback from Council's Health and Wellbeing Advisory Group.

The motion was Carried unanimously.

CORPORATE SERVICES

7.5 CT5815 Enterprise Systems Project Tender Evaluation Report

SUMMARY

- This contract is for the provision of a fit for purpose 'whole of organisation' enterprise systems solution on a Software as a Service (SaaS) platform and provision of services to implement, support and maintain this solution.
- Two (2) of the organisations, who were invited to demonstrate their proposed solutions, following an Expression of Interest process undertaken in June 2018, were subsequently invited to participate in a selective Tender on 10 December 2018.
- Tenders closed on 23 January 2019 and two (2) submissions were received.
- The evaluation panel recommends the tender from TechnologyOne be accepted for an amount of \$7,331,379 (excl GST), which includes annual SaaS subscriptions for the initial period of five years together with implementation services.
- This item has been included in the public agenda to facilitate openness and transparency in Council's decision making. A confidential attachment has been included with the report which contains commercially sensitive information that is not to be disclosed whilst the meeting is open to the public.

Cr McAllister moved an amendment to the recommendation printed in the agenda.

An amendment was made to the motion with the consent of the mover and the seconder.

Moved: Cr McAllister
Seconded: Cr Heenan

That

1. *Council awards the tender from TechnologyOne for CT5815 Enterprise Systems Project for the total price of \$7,331,379 (excl GST) for the initial period of five years with provision of an extension of another five years subject to the approval of Council.*
2. *The Chief Executive Officer be delegated authority to sign the contract documents.*
3. *The confidential attachment to this report remain confidential indefinitely as it relates to matters specified under section 89(2)(d) of the Local Government Act.*

The motion was Carried unanimously.

7.6 Review of Delegations Made to Council Staff

SUMMARY

The current Instrument of Delegation to members of Council staff was adopted by Council on 22 January 2019.

An update has been required to incorporate administrative changes requested by both the Planning and Safer Communities departments. The proposed changes, shown by way of “track changes” in Attachment 1, ensure that appropriate members of Council staff holding, acting in or performing the duties of the positions described in the Instrument of Delegation are nominated to act as delegates.

Council is asked to adopt the updated Instrument of Delegation, as per Attachment 1.

Moved: Cr Cox

Seconded: Cr Higgins

1. *In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 and the legislation referred to in the Instrument of Delegation included at Attachment 1, Council resolves that*
 - (a) *The delegations made to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff be approved, subject to the conditions and limitations specified in that Instrument.*
 - (b) *The instrument comes into force immediately the common seal of Council is affixed to the instrument.*
 - (c) *On the coming into force of the Instrument all previous delegations to members of Council staff (other than to the Chief Executive Officer) are revoked.*
 - (d) *The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

The motion was Carried unanimously.

ENVIRONMENT AND ENGINEERING

7.7 Rue De Gare and Prospect Road, Wandin North Declaration of Special Charge

SUMMARY

Following an extensive consultation process with landowners, Council at its meeting of 22 January 2019 considered a report on road improvement works for Rue De Gare and Prospect Road, Wandin North. Council resolved to advise of its intention to declare a special charge in accordance with the provisions of Section 163 of the *Local Government Act 1989*.

This report advises that eight submissions have been received regarding the special charge, and recommends that Council declare the special charge without modification.

Moved: Cr Avery
Seconded: Cr Heenan

That

- 1. Council, having given notice of its intention, reviewed the details of the proposed special charge, and given consideration of submissions thereto, declare the special charge for works associated with the Rue De Gare and Prospect Road, Wandin North Special Charge Scheme in accordance with the provisions of Section 163 of the Local Government Act 1989, without modification.*
- 2. In accordance with the provisions of Section 163 of the Local Government Act 1989, notice be served upon all persons liable for the special charge advising of Council's decision and that persons aggrieved by Council's imposition of the special charge upon them, may apply to the Victorian Civil and Administrative Tribunal within 30 days of the notice, for a review of the decision.*

The motion was Carried unanimously.

7.8 EOI - Former Montrose MCH Building

SUMMARY

In late 2018, Council undertook an Expression of Interest process to seek a Social Enterprise tenant for the vacant former Maternal & Child Health building at 4 Leith Road, Montrose.

With the generally accepted definition of Social Enterprise organisations being quite specific, Council's initial Expression of Interest process failed to uncover a respondent which adequately met the selection criteria. Due to the criteria set, other community organisations, which do not classify as Social Enterprise organisations, were dissuaded from expressing their interest in the site.

Officers now seek an alternative resolution which concludes the initial Expression of Interest process on the basis that a suitable Social Enterprise organisation could not be found, and broadens Council's search for a tenancy to include all community organisation types.

At the conclusion of a secondary Expression of Interest process, a further report would be presented to Council to confirm a tenancy arrangement.

Moved: Cr Cox

Seconded: Cr Heenan

That, having undertaken an Expression of Interest process to seek a Social Enterprise tenant for the vacant former MCH building at 4 Leith Road, Montrose, and having assessed that none of the submissions satisfactorily met the criteria of a Social Enterprise, Council

- 1. Conclude its current Expression of Interest process without awarding the tenancy on the basis that a suitable Social Enterprise tenant was not found.*
- 2. Resolves to broaden its search for a tenant for the property to include all community organisation types.*
- 3. Commence a secondary Expression of Interest process, with results of the report to be presented to Council following officer's evaluation of submissions.*

The motion was Carried unanimously.

7.9 CT5775 - Warburton Mountain Bike Destination - Award of Contract

SUMMARY

This project involves the delivery of approximately 110km of purpose built mountain bike trails and associated minor water crossings for Stage 1 of the Warburton Mountain Bike Destination.

The project will be undertaken in two phases using an early contractor involvement delivery methodology in which:

- the design development, cost planning and programming of the works in the Project Development Phase will be performed on a part fixed lump sum and part schedule of rates basis
- subject to the successful completion of the Project Development Phase, the Principal may engage the Contractor for the Delivery Phase on a fixed lump sum basis based on the pricing submitted as part of the successful tender.

An advertisement calling for Tenders was placed in The Age newspaper on Saturday 19 January 2019. Tenders closed on 15 February 2019 and 3 conforming submissions were received.

The evaluation panel recommends the tender from World Trail Pty Ltd be accepted for an estimated contract value of \$3,928,085 exclusive of GST (\$4,320,893.50 inclusive of GST).

This item has been included in the public agenda to facilitate openness and transparency in Council's decision making. A confidential attachment has been included with the report which contains commercially sensitive information that is not to be disclosed whilst the meeting is open to the public.

Moved: Cr Child
Seconded: Cr Clarke

That

1. *Council awards the contract for CT5775 – Warburton Mountain Bike Destination to World Trail Pty Ltd ATF World Trail Unit Trust t/as World Trail Pty Ltd for the estimated total lump sum price of \$3,928,085 exclusive of GST (\$4,320,893.50 inclusive of GST).*
2. *The contract documents be signed.*
3. *The confidential attachment to this report remain confidential indefinitely as it relates to matters specified under section 89(2)(d) of the Local Government Act 1989.*

The motion was Carried unanimously.

7.10 CT5843 - Yarra Valley Trail - Stage 1A

SUMMARY

This contract is for the construction of a new 7.4 kilometre long shared path trail between Beresford Road, Lilydale and MacIntyre Lane, Yering. This construction constitutes Stage 1A of the Yarra Valley Trail project.

An advertisement calling for tenders was placed in The Age newspaper on Saturday 19 January 2019.

Tenders closed on Wednesday 13 February 2019 and six (6) tenders were received.

The evaluation panel recommends the tender from RK & JA Kent & Co Pty Ltd be accepted for a total contract lump sum price of \$1,435,965 (exclusive of GST).

Moved: Cr McAllister
Seconded: Cr Heenan

That

- 1. Council awards the tender from RK & JA Kent & Co Pty Ltd for a total contract lump sum price of \$1,435,965 exclusive of GST (\$1,579,561.50 inclusive of GST) for Contract CT5843 – Yarra Valley Trail – Stage 1A.*
- 2. The contract document be signed.*
- 3. The confidential attachment to this report remain confidential indefinitely as it relates to matters specified under section 89(2)(d) of the Local Government Act.*

The motion was Carried unanimously.

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

There were no items raised through the chair by Councillors.

10. PETITIONS

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

The following listed and late petitions were received:

PART A – General Petitions

1. Request that Council construct footpaths along Nambour Drive, Maralee Drive and Naroo Road connecting Landscape Drive to Bimbadeen Drive, Mooroolbark. Residents raised concerns regarding the need for safe pedestrian access in this area and the benefit the improved public safety will have on the whole community. 88 valid signatures.
2. Request that Council construct a footpath on Coolaroo Court in Mooroolbark. Residents raise concerns that there is great need for a footpath on Coolaroo Court as many parents, children and elderly from the neighbourhood walk along this road to get to nearby kindergartens, primary schools, parks and shops and require a safe place to walk. Currently residents either walk on the uneven nature strips or due to parked cars are forced to walk further onto the road with prams and children. 31 valid signatures.
3. Request that Council seal Mason Drive and Aurora Rise, Sassafras. 7 valid signatures.

Moved: Cr Higgins
Seconded: Cr Avery

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

1. *Request that Council construct footpaths along Nambour Drive, Maralee Drive and Naroo Road connecting Landscape Drive to Bimbadeen Drive, Mooroolbark.*
2. *Request that Council construct a footpath on Coolaroo Court in Mooroolbark.*
3. *Request that Council seal Mason Drive and Aurora Rise, Sassafras.*

The motion was Carried unanimously.

11. DOCUMENTS FOR SIGNING AND SEALING

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

It is requested that the following documents be signed and sealed:

Creation of Easement -Yarra Ranges Shire Council and Roads Corporation (Vic Roads).

Creation of Easement for drainage purposes in favour of Yarra Ranges Council and part of land contained in Certificate of Title Volume 7717 Folio 068 and Volume 8975 Folio 355 and known as 41-47 Mountain View Road Kilsyth.

Moved: Cr Stevenson

Seconded: Cr Higgins

That the following listed documents be signed and sealed:

- 1. Creation of Easement -Yarra Ranges Shire Council and Roads Corporation (Vic Roads).*

The motion was Carried unanimously.

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.

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 Stevenson

Seconded: Cr Clarke

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

1. *5 March 2019 - Council Briefing.*
2. *5 March 2019 - Council Forum.*
3. *1 March 2019 - Rural Advisory Committee Meeting.*
4. *23 November 2018 - Rural Advisory Committee Meeting.*

The motion was Carried unanimously.

Assembly of Councillors

Public Record



Meeting Name:	Council Briefing	
Date:	5 March 2019	Start Time: 6:08pm Finish Time: 6:15pm
Venue:	Council Chamber, Civic Centre, Anderson Street, Lilydale	
Attendees:	<p>Councillors: Terry Avery, Noel Cliff, Len Cox, Tim Heenan, Fiona McAllister, Tony Stevenson & Mike Clarke</p> <p>CEO/Directors: Tammi Rose, Troy Edwards, Mark Varmalis & James Collins</p> <p>Officers: Sarah Candeland</p>	
Apologies	Cr Jim Child & Cr Richard Higgins	
Declarations of Interest:	Nil	
Matter/s Discussed:	7.1	Cultural Diversity Policy
	7.2	2019 Progress Report on the Council Plan (July to December 2018)
	7.3	Yarra Ranges Environmental Advisory Committee (YREAC) Terms of Reference and Selection of Committee Members
	7.4	Contract No CT5814 Sport, Recreation & Trails Planning Services Consultancy Panel
Completed By:	Sarah Candeland	

Assembly of Councillors

Public Record



Meeting Name:	Forum	
Date:	5 March 2019	Start Time: 7:05pm Finish Time: 9:19pm
Venue:	Council Chamber, Civic Centre, Anderson Street, Lilydale	
Attendees:	<p>Councillors: Terry Avery, Mike Clarke, Noel Cliff, Len Cox, Tim Heenan, Richard Higgins, Fiona McAllister & Tony Stevenson</p> <p>CEO/Directors: Tammi Rose, Troy Edwards, Mark Varmalis & James Collins</p> <p>Officers: Sarah Candeland, Isha Scott, Cathi Walker, Kellie McPherson, Paul Mechelen, Madeline Cheah, Damien Closs</p>	
Apologies	Cr Jim Child	
Declarations of Interest:	Nil	
Matter/s Discussed:	1.1	Action & Agreement Record - 19 February 2019
	1.2	Health & Wellbeing Strategy Year 1 report
	1.3	2020 Grants for Community Round Initiation
	1.4	Small Grants Program Update
	1.5	Discussion regarding a tree outside 77 Alpine Way, Kilsyth
	1.6	Lilydale Quarry
	2.1	Major Projects Monthly Report end of January 2019
	2.2	Capital Expenditure Program Monthly Report - January 2019
	2.3	Indicative Forum & Council Meeting Schedule
	2.4	Monthly Reports of Outstanding Council Actions
	2.5	Mayor & CEO Updates
Completed By:	Sarah Candeland	

ATTACHMENT 3. 1 March 2019 - Rural Advisory Committee Meeting.

Assembly of Councillors

Public Record



Meeting Name:	Rural Advisory Committee	
Date:	01/03/2019	Start Time: 3.45pm Finish Time: 4.50pm
Venue:	Council Conference room, Anderson Street, Lilydale	
Attendees:	<p>Councillors: Jim Child</p> <p>CEO/Directors:</p> <p>Officers: Helen Ruddell (YRC), Tara Lemmens (YRC), Cathrine Bennett (YRC) Karen Thomas, Dr Mike Blake, Harold Fox and Guest Caroline Evans</p>	
Apologies	Fiona McAllister & Tony Stevenson	
Declarations of Interest:	It was noted Harold Fox was from the timber industry re: matters 1.6	
Matter/s Discussed:	1.1	New Terms of Reference and Membership
	1.2	Clean fill policy update
	1.3	Phylloxera and the Yarra Valley
	1.4	Coldstream recycled Water Pipeline Update
	1.5	Food Print Melbourne Report: food for thought
	1.6	Other business: State Government announced holding the timber release plan.
Completed By:	Tara Lemmens	

- ATTACHMENT 4. 23 November 2018 - Rural Advisory Committee Meeting.

Assembly of Councillors

Public Record



Meeting Name:	Yarra Ranges Council Rural Advisory Committee	
Date:	23/11/2018	Start Time: 3pm Finish Time: 5pm
Venue:	Conference Room, Anderson Street, Lilydale	
Attendees:	<p>Councillors: Jim Child</p> <p>CEO/Directors: James Collins</p> <p>Officers: Cathrine Bennett (YRC), Donna Fairweather (YRC), Betty Taylor; Karen Thomas; Dr. Mick Blake; Kevin Sanders; Clive Larkman; Robin Wood. Guests: Stephen Riseborough, Rachel Chivers & Julian Guess</p>	
Apologies	Cr. Tony Stevenson, Cr. Fiona McAllister, Helen Ruddell (YRC), Tara Lemmens (YRC), Meridie Jackson, Jim Ripepi, Harold Fox, John Frisina, & Kym Murphy	
Declarations of Interest:		
Matter/s Discussed:	1.1	<i>Presentation of Agritourism by Cherry Hill Orchards, Stephen Riseborough & Rachel Chivers, Marketing</i>
	1.2	<i>Visitation for Code Red days – formal policy</i>
	1.3	<i>Landfill management policies</i>
	1.4	<i>Environmental Upgrade Agreements (EUA)</i>
	1.5	<i>Review of general provision of local laws</i>
Completed By:	Tara Lemmens	

13. REPORTS FROM DELEGATES

Cr Heenan:

- Thanked the contribution of Mr Varmalis and his team for their prompt response to a recent footpath repair in Lilydale.
- Thanked Tony Smith MP and the federal government for the contribution of \$1M for pavilion upgrade works to Mount Evelyn Football and Netball club.

Cr Higgins attended:

- Kimberley Reserve with Cr Stevenson and Council staff for a funding announcement by Tony Smith MP and the federal government of a \$1M contribution for upgrades to Kimberley Reserve. Cr Higgins thanked Tony Smith MP for the funding and Mark Varmalis, Director Environment & Engineering and his team of Council officers for their work towards achieving funding for this project.

Cr Clarke attended:

- Eastern Transport Coalition meeting at Parliament House with Mark Varmalis, Director Environment & Engineering.
- Open Studios Exhibition at Sherbrooke Art Society with Cr Cox.
- Environmental Volunteers Celebration event with Council Directors and officers.
- Ecotopia with Cr Stevenson.

Cr Avery attended:

- Celebrate Mooroolbark Festival on 23 March 2019. Cr Avery took his hat off to all the children in the parade despite the weather and thanked the mighty job of the six volunteers responsible for the event.

Cr McAllister attended:

- 'The Journey Begins', Voices of Women Launch, at the Council Chamber, Lilydale. Cr McAllister congratulated the work of the Voices of Women group, the VLGA and Council officer Loren Hedger for their contribution to the event and program.

Cr Cox attended:

- Monbulk Aquatic Centre with the Disability Advisory Committee. Cr Cox praised the facilities available for disabled people at the Aquatic Centre.
- Opening of new roofed areas at two of the Kilsyth Netball Courts.

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- Environmental Volunteers Celebration on 22 March 2019 with Cr Stevenson. Cr Cox praised Cr Stevenson for his speech. Cr Cox thank the volunteers for their extensive work in the community.

Cr Stevenson:

- Attended Ecotopia.
- Attended Celebrate Mooroolbark on 23 March 2019 with Cr Avery and Council officers.
- Attended funding announcement of \$4.5M by Tony Smith MP for an Integrated Youth Health Hub. Cr Stevenson thanked those involved in the work to advocate for this funding and the work done on the day including EM PHN, Headspace Knox, Eastern Health, EACH, INSPIRO, Yarra Ranges youth ambassadors and Council officers in the Social & Economic Development department.
- Attended book launch 'When Roads Were Tracks' by the Monbulk Historical Society with James Merlino MP.
- Acknowledged the funding announcement of \$1M from the Commonwealth Government for the Wandin Community, Wandin Cricket Club and Wandin Football Netball Club for Pavilion Upgrade Works. Requested that Mr Varmalis, Director Environment & Engineering pass on his thanks to all Council officers involved in advocating for this funding and all of the funding previously mentioned by other Councillors.

14. CONFIDENTIAL ITEMS

In accordance with section 89(2) of the Local Government Act 1989

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 April 2019 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: 9:50pm.

Confirmed this day, Tuesday 9 April 2019.

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Cr Tony Stevenson

Mayor