

**COUNCIL MEETING**

**TUESDAY 8 SEPTEMBER 2020**

**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)

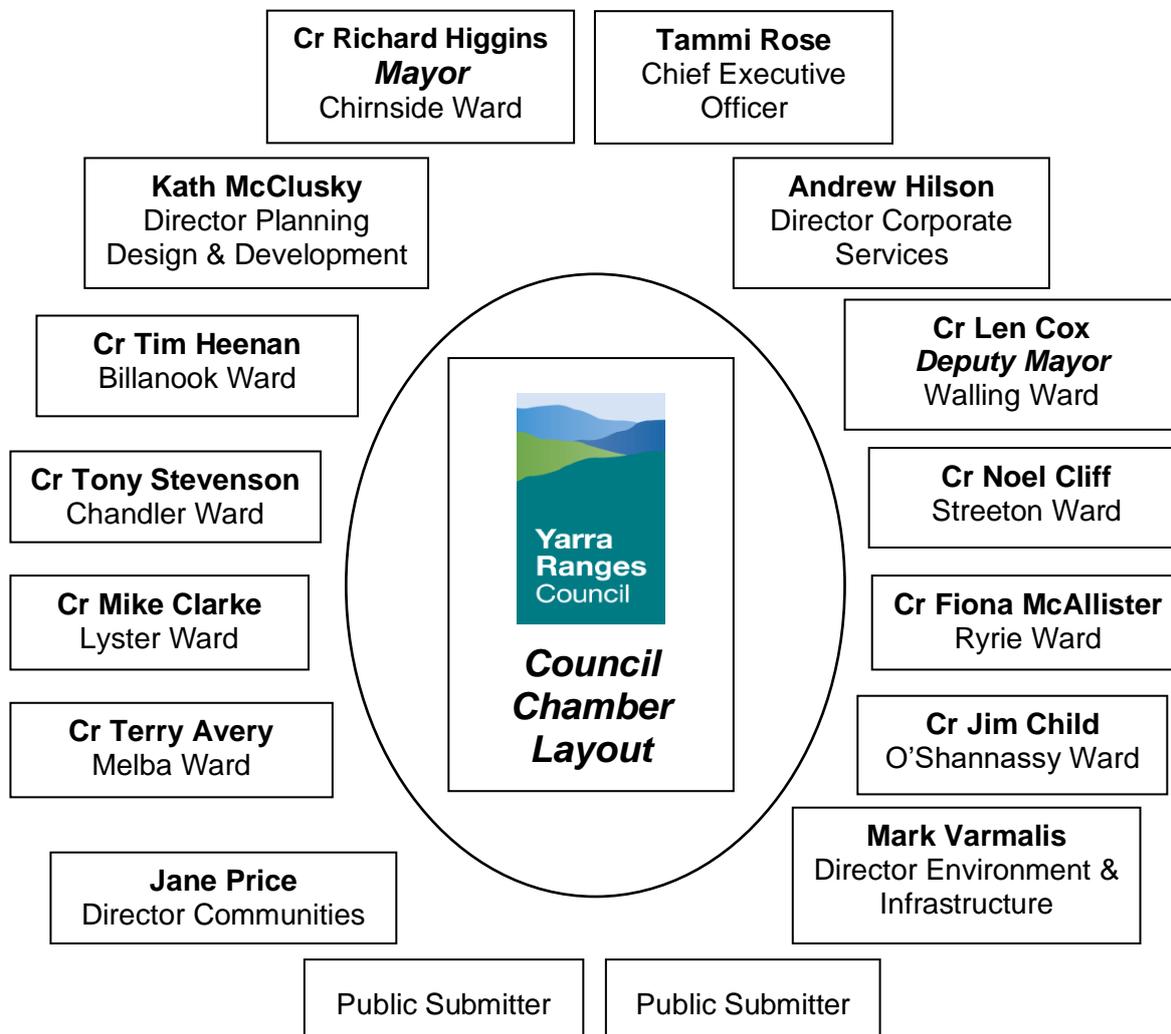
The public is invited to submit questions to the Council Meeting by completing [the form on the Council's website](#); or via [email](#). Your question must be received **no later than 5.00pm on the day before the Council meeting date**. Questions relating to items on the agenda, or which are the same 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 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 Council'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 521<sup>TH</sup> ORDINARY COUNCIL MEETING HELD ON TUESDAY 8 SEPTEMBER 2020 COMMENCING AT 7.00PM VIA TELECONFERENCE

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### 1. COUNCIL MEETING OPENED

Cr Richard Higgins (Mayor) declared the meeting open, read the Acknowledgement of Country, and welcomed all present to the meeting.

The Mayor informed Councillors that the meeting was being streamed live to Council's website and welcomed those viewing online.

In line with recent guidelines issued by the Minister for Local Government on virtual meetings, the Mayor advised that if any technical difficulties were encountered in being able to broadcast the meeting, the meeting would be adjourned until they had been resolved. It was reported that if this was not possible within 30 minutes, the meeting would be postponed to a date and time that will be published on Council's website.

For the benefit of those watching the meeting on Council's website, the Mayor advised that Councillors will be asked to show their hands clearly to the screen when a call was made for Councillors to move a motion, second a motion and vote on a motion. The Mayor also advised that presentations would be allowed during the meeting which will temporarily limit the view of all Councillors. This was only to operate during discussion and at the commencement of a debate or vote the presentation will cease and all Councillors will confirm they can see and hear proceedings.

### 2. INTRODUCTION OF MEMBERS PRESENT

#### Councillors

Richard Higgins, Chirnside (*Mayor*) (*Chair*)

Len Cox, Walling (*Deputy Mayor*)

Noel Cliff, Streeton

Fiona McAllister, Ryrie

Jim Child, O'Shannassy

Terry Avery, Melba

Mike Clarke, Lyster

Tony Stevenson, Chandler

Tim Heenan, Billanook

#### Officers

Tammi Rose, Chief Executive Officer

Andrew Hilson, Director Corporate Services

Mark Varmalis, Director Environment & Infrastructure

Jane Price, Director Communities

Kath McClusky, Director Planning Design & Development

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## **Mayoral statement regarding storm event Thursday, 27 August 2020**

The Mayor addressed the meeting regarding the recent storm which ravaged communities in the Yarra Ranges. On behalf of Council, the Mayor offered condolences to those families who lost loved ones and expressed sympathy with those residents who suffered damage to property. He advised that Council's thoughts were with all those effected. The Mayor then acknowledged the extent of the damage and thanked Council Staff for their work and for reaching out to community members who needed support.

### **3. APOLOGIES AND LEAVE OF ABSENCE**

There were no apologies received for this meeting.

### **4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**Moved: Cr Higgins**

**Seconded: Cr McAllister**

*That the Minutes of the Council Meeting held 25 August 2020, as circulated, be confirmed.*

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

#### **Questions for Council**

***Ms Karen Duke, resident of Warburton, asked:***

*Could council please release all current maps and information with regard to the WMBTD project for Warburton and Wesburn on the Ride Yarra Ranges Page; so the current scoping study being done by DEWLP can be filled out by the community correctly with the correct information and as soon as possible?*

***Mark Varmalis, Director Environment & Infrastructure responded:***

All current and up-to-date information regarding the Warburton Mountain Bike Destination project is currently available on the Council's Ride Yarra Ranges website. This is information that has been provided to the Department of Environment, Land, Water and Planning as part of the Environmental Effects Statement process and is unchanged.

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The masterplan process for Wesburn Park is a separate project to the Warburton Mountain Bike Destination project, and is currently in the early stages of community engagement. Wesburn Park has therefore not been included in the scope of the EES for the Warburton Mountain Biking Destination project.

Correspondence has been sent to Ms Duke advising that the Ride Yarra Ranges website has the most current information relating to the EES for the Warburton Mountain Bike Destination project along with providing a link to the information on the website.

### **Submissions from the Public**

#### ***Mr Bill Grund, Yarra Glen Bowls Club***

*Mr Grund spoke in relation to Yarra Glen Bowls Club and highlighted recent and potential future works that are required to upgrade the facility.*

## 7. BUSINESS PAPER

### PLANNING, DESIGN AND DEVELOPMENT

#### 7.1 Amendment C177 - Restructure Overlay Correction: Consideration of Panel Report and Adoption

##### SUMMARY

Planning Scheme Amendment C177 implements recent work on the Restructure Overlay to review controls and improve the fairness of this Overlay for landowners.

At its Ordinary Meeting of 5 May 2020, Council resolved to seek the appointment of an independent Planning Panel to consider submissions to Planning Scheme Amendment C177 and make some changes in response to submissions received during the public exhibition of the proposal.

The report considered by Council at its Ordinary Meeting of 5 May 2020 contained recommended changes to the exhibited version of Amendment C177, which formed Council's position at the Panel Hearing. The Panel Hearing was held on 6 July 2020.

The Panel report recommends adoption of Amendment C177 subject to minor changes to improve its clarity and operation, in addition to minor changes to restructure maps. Officers have reviewed the Panel report and, subject to some refinements, generally concur with the Panel's findings that the recommended changes would improve the operation of the Restructure Overlay. Therefore, Council is recommended to adopt Amendment C177, generally consistent with the Panel findings.

Comments from the Panel about supporting landowners to remove the Restructure Overlay where possible are noted. However, future action should be careful not to undermine long-standing State and local policy in the Yarra Ranges Planning Scheme and *Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan* (RSP) limiting the intensification of development throughout areas affected by the Restructure Overlay.

*Cr Cox left the meeting at 7.37 pm and returned to the meeting at 7.38 pm, prior to a vote being taken.*

**Moved: Cr Child**

**Seconded: Cr McAllister**

*That Council*

- 1. Notes the Panel's report for Planning Scheme Amendment C177 (Restructure Overlay Correction).*
- 2. Having considered the Panel's report under section 27 of the Planning and Environment Act 1987, adopts Amendment C177 to the Yarra Ranges Planning Scheme, generally in accordance with the Panel's recommendations, and as contained in Attachments 2 and 3 to this report.*
- 3. Submits Amendment C177 to the Minister for Planning to consider its approval, in accordance with section 31 of the Planning and Environment Act 1987.*

4. *Writes to all submitters advising them of Council's decision to adopt Amendment C177 and continue to work with them to clarify and resolve outstanding issues where possible.*

**The motion was Carried unanimously.**

## **7.2 Former Lilydale Quarry - Proposed Planning Scheme Amendment C193**

### **SUMMARY**

Amendment C193 the proposed redevelopment of the former Lilydale Quarry was submitted to Council on 30 April 2020. The amendment seeks to rezone the site from the current Special Use Zone 1 – Earth and Energy Resource to a Comprehensive Development Zone (CDZ) that would facilitate in the order of 3,000 dwellings, a neighbourhood activity centre, public open space and community facilities.

The Lilydale Quarry is recognised as a major urban renewal site in the Victorian Government's *2017-2050 Plan Melbourne* and the Victorian Planning Authority (VPA) has been directly involved in preparation of the amendment, acting in an advisory capacity to Council.

Between May 2020 and July 2020, officers reviewed the amendment documentation and sought advice from key State Government departments. On 4 August 2020, Council officers provided feedback to the proponent on the draft amendment, which also included comments from relevant State Government agencies. It was agreed by the proponent and VPA that this feedback would be used to refine the draft amendment before it was to be formally considered by Council.

On 14 August 2020, the Minister for Planning advised Council that he has directed the VPA to lead the preparation and finalisation of the Lilydale Quarry precinct and Amendment C193. The Minister has directed the VPA to continue to work closely with Council and key stakeholders and has appointed the VPA Priority Projects Standing Advisory Committee to review any unresolved issues. Once the draft amendment is finalised, the Minister will then determine the approval pathway for the amendment.

At this stage officers consider the draft amendment is incomplete and requires resolution of key issues prior to any community engagement. The key issues requiring resolution are around public transport, traffic management, stormwater, proposed planning controls, infrastructure delivery, affordable housing contribution, public open space and geotechnical considerations associated with the quarry rehabilitation.

It is recommended that Council provide in principle support for the redevelopment of the quarry subject to the resolution of key matters outlined in this report and continue to work with the VPA on resolving the key issues identified in this report. It is also recommended the State Government commit to major upgrades of State infrastructure that are required to support the Lilydale Quarry precinct and that the approval pathway for the amendment is open and transparent enabling full public consultation.

*Cr Avery left the meeting at 7.49 pm and returned to the meeting at 7.50 pm, prior to a vote being taken.*

*Cr Avery left the meeting at 7.57 pm and returned to the meeting at 7.57 pm, prior to a vote being taken.*

*Cr Clarke left the meeting at 7.59 pm and returned to the meeting at 7.59 pm, prior to a vote being taken.*

**Moved: Cr Avery**  
**Seconded: Cr Stevenson**

*That Council*

1. *Provide in principle support to redevelop the former Lilydale Quarry for residential, commercial and community uses generally, as envisaged under draft Amendment C193 to the Yarra Ranges Planning Scheme, subject to the resolution of key issues outlined in this report.*
2. *Continue to work with the Victorian Planning Authority on preparation of draft Amendment C193 and request that the outstanding matters raised in this report be fully addressed.*
3. *Request that the VPA undertake a comprehensive engagement process with all relevant stakeholders in finalising draft Amendment C193.*
4. *Request that the VPA advance the timely and coordinated upgrade of regional transport infrastructure to support the Lilydale Quarry redevelopment including the duplication of the rail line from Mooroolbark to Lilydale, construction of a new train station within the quarry site, and planned upgrades to the arterial road network.*
5. *Write to the Minister for Planning advising him of Council's position on Amendment C193 and request the approval pathway for the Amendment is open and transparent allowing for full public consultation.*
6. *Make a submission to a future Advisory Committee Hearing generally in accordance with this report.*

**The motion was Carried unanimously.**

## COMMUNITIES

### 7.3 RidgeWalk Master Plan

#### SUMMARY

RidgeWalk is a large scale art experience celebrating the natural and cultural histories of the Dandenong Ranges from First Nations People to contemporary local communities along 39 kilometres of walking trail connecting townships and villages of the Dandenongs. RidgeWalk delivers new and improved pathways, architectural nodes, permanent sculptures, land art, and heritage interpretation. It also includes a program of temporary exhibitions and performances, attracting visitors from across the country and around the world.

The RidgeWalk Master Plan was completed over the past 18 months. During that time the project has received funding from each tier of government. The project is funded for \$9.8 million to achieve the outputs indicated in the master plan. A detailed cost plan identifies that the project as specified can be achieved within this budget.

An economic and cost benefit analysis demonstrates that RidgeWalk will generate a substantial economic impact beyond the cultural, social and physical benefits.

The project has had ongoing engagement through community events, workshops, drop-ins, walking consultations and forums. Stakeholders, including major stakeholders such as Parks Victoria, have had continuous involvement on the Project Reference Group and through special briefings.

Formal consultation on the RidgeWalk Master Plan occurred in two phases up until August 2020. Submissions on the Master Plan were received through Council's Have Your Say page. A number of improvements were made as a direct result of feedback.

The final draft consultation occurred between 30 July 2020 and 27 August 2020, when the updated Master Plan was open for public review and comment. There were 14 submissions received. Generally, the responses were positive and there are no changes being proposed to the RidgeWalk Master Plan as a result.

The project will be in detail design and construction over the next two years and completed in March 2022.

**Moved: Cr Cliff**  
**Seconded: Cr Clarke**

*That Council endorse the RidgeWalk Master Plan and request that officers continue to consult community whilst undertaking the detail design and construction phase.*

**The motion was Carried unanimously.**

## ENVIRONMENT AND INFRASTRUCTURE

### 7.4 Elizabeth Bridge Reserve Master Plan

#### SUMMARY

This report seeks Council endorsement of the draft Elizabeth Bridge Reserve Master Plan (the draft Master Plan), following its release for community consultation in July 2020. The draft plan was developed following extensive consultation with the Friends of Elizabeth Bridge Reserve group, Kilsyth Community Action Group, sports clubs, local residents and the community which has been reengaged during the latest round of consultation.

The draft Master Plan provides short-term recommendations that respond to the State Government Growing Suburbs Fund commitment to upgrade facilities in the Elizabeth Bridge Reserve and on the adjoining oval. The draft Master Plan also considers future opportunities to improve recreation facilities at the reserve and meet anticipated sporting demands in the next 10 years.

Upgrades are recommended throughout the reserve providing improved amenities for the community, dog walkers, junior footballers and cricketers. Improved parking opportunities have also been proposed.

*Cr Cox sought to move an Alternate Recommendation to that printed in the agenda.*

*The Mayor adjourned the meeting for a period of 5 minutes to enable the writing of the Alternate Recommendation.*

*The meeting was adjourned at 8.25pm and reconvened at 8.30pm.*

**Moved: Cr Cox**

**Seconded: Cr Heenan**

*That Council defer consideration of the Elizabeth Bridge Reserve Master Plan until a deputation expected to be put to the Deputy Premier, James Merlino MP regarding the future of the land located at the northern Part of 150 Cambridge Road Kilsyth has been considered.*

**The motion was lost.**

*Cr Cox moved the recommendation printed in the Agenda.*

**Moved: Cr Cox**

**Seconded: Cr Stevenson**

*That Council adopt the Elizabeth Bridge Reserve Master Plan.*

**The motion was Carried unanimously.**

## **7.5 CT5988 Provision of Planting Materials and Equipment (Panel)**

### **SUMMARY**

This report summarises the evaluation process and seeks Council approval for the establishment of a panel of suppliers for the provision of Planting Materials and Equipment.

An advertisement calling for tenderers was placed in The Age newspaper on Saturday 11 July 2020. Tenders closed on 29 July 2020 and 5 submissions were received.

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 Stevenson**  
**Seconded: Cr Clarke**

*That*

1. *Council award contract CT5988 – Provision of Planting Materials and Equipment to the following panel of suppliers (subject to satisfactory compliance checks) for an initial period of five (5) years commencing immediately, at the respective tendered schedule of rates:*
  - (a) *Allviron Pty Ltd*
  - (b) *ACW Group Pty Ltd trading as Arborgreen Landscape Products*
  - (c) *Fernland Agencies Pty Ltd*
  - (d) *SureGro TreeMax Australia Pty Ltd trading as SureGro TreeMax Australia.*
2. *At Council's discretion the panel may be refreshed periodically throughout the contract, to include new suppliers and innovative products.*
3. *The Director Environment and Infrastructure be delegated authority to sign the contract documents.*
4. *The Manager Recreation Projects and Parks be delegated authority to extend the contract term by up to two (2) periods of one (1) year each, to a total potential contract term of seven (7) years, subject to satisfactory performance on the terms set out in the original contract.*
5. *The confidential attachments to this report remain confidential indefinitely as they relate to matters specified under section 3(1)(g)(ii) of the Local Government Act 2020.*

**The motion was Carried unanimously.**

## **7.6 CT6122 - Green Spine Stage 3B – Shared Footpath and Elevated Walkway, Chirnside Park**

### **SUMMARY**

The *Green Spine* is one of the 10 key outcomes defined in the Chirnside Park Urban Design Master Plan 2008; it is a shared path extending along Maroondah Highway from Manchester Road to Brushy Creek.

Stage 3B of the Green Spine is the final missing link of this path network. It incorporates a meandering shared path, elevated walkway, street furniture, soft landscaping, planting, warning signage and line marking. The project is made up of two parts.

- Part 1 is 356 metres of shared walkway from the existing path near the Homemaker Centre to East Ridge Drive, featuring an all accessible elevated walkway (190 metres) and planting.
- Part 2 includes 145 metres of shared walkway, 42 metres of elevated walkway, street furniture and planting.

The main purpose of the Green Spine is to increase community pride and participation in the Chirnside Park community by providing an attractive, central point of orientation, which links surrounding commercial and residential areas together. It will provide a scenic, active, green corridor extending through the main transport thoroughfare, and provide an attractive and prominent gateway to the municipality. It will significantly reduce reliance on cars over time as the activity centre develops, providing enhanced pedestrian and cycle access to the shopping precinct, transport hub and residences.

Tenders were advertised in the Age Newspaper on Saturday 4 July 2020. Tenders closed on Wednesday 29 July 2020 and eight (8) submissions were received.

**Moved: Cr Higgins**  
**Seconded: Cr Avery**

*That*

1. *Council accepts the tender from LJM Construction (Aust) Pty Ltd for the total lump sum price of \$1,647,693.76 inclusive of GST (\$1,497,903.42 excluding GST) for both Parts 1 and 2 of the Contract for CT6122 - Green Spine Stage 3B – Shared Footpath and Elevated Walkway, Chirnside Park.*
2. *The funding shortfall of \$200,568.76 (GST exclusive) to construct Part 2 of the Works (\$311,766.68 GST exclusive) be allocated from the 2020-21 Capital Expenditure Program - Asset Investment Reserve with any remaining funds following the completion of the project to be returned back into the Asset Investment Reserve.*
3. *The Director Environment and Infrastructure be delegated the authority to sign the contract documents.*
4. *The confidential attachment to this report remains confidential indefinitely as it relates to matters specified under section 3(1)(g)(ii) of the Local Government Act 2020.*

**The motion was Carried unanimously.**

## **7.7 Lease to Optus Mobile Pty Ltd, Part 840 Wellington Rd, Lysterfield**

### **SUMMARY**

On 27 July 2020, Council gave Public Notice in accordance with sections 190 and 223 of the *Local Government Act 1989* of its intention to lease a 29.3m<sup>2</sup> section of Council land at 840 Wellington Road, Lysterfield (adjacent Lysterfield Transfer Station), to Optus Mobile Pty Ltd for the continued use as a telecommunication equipment shelter.

The proposed lease term is ten (10) years, with an option for a further term of ten (10) years.

At the public submission closing date on 26 August 2020, no public submissions had been received.

The proposed lease is a renewal of a 20 year lease already held by Optus Mobile, which has recently expired and is currently in a period of holding over. The proposed lease relates to the siting of an equipment shelter only, with associated telecommunications equipment co-located on a nearby pole which is the subject of a Council lease to Telstra Corporation Limited.

Due to no public submissions having been received, it is recommended that Council proceed to execute the aforementioned lease.

**Moved: Cr Clarke**

**Seconded: Cr Stevenson**

*That Council, having given Public Notice of its intention to lease, and having received no public submissions, resolves to:*

- 1. Lease the land at 840 Wellington Road, Lysterfield (adjacent the Lysterfield Transfer Station) to Optus Mobile Pty Ltd for a term of ten (10) years, with an option for a further ten (10) years, for continued use as a telecommunication equipment shelter.*
- 2. Authorise the Executive Officer, Property & Facilities Management to sign the lease documents.*

**The motion was Carried unanimously.**

## 8. 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.

## 9. ITEMS RAISED THROUGH THE CHAIR

*The Mayor requested an item of urgent business be accepted for consideration. The request was voted on and accepted unanimously.*

### 9.1 **Urgent Motion - Request for Yarra Ranges Council be reclassified in the Area Directions made under the Public Health and Wellbeing Act 2008 - Cr Child**

#### **SUMMARY**

This motion is urgent because relates to a matter that has arisen since the distribution of the Council Agenda and which cannot be deferred to the next scheduled meeting.

Yarra Ranges is home to over 159,462 people and covers approximately 2,500km<sup>2</sup>. Around 30% of the Yarra Ranges population live in regional areas, which represents 97% of the Yarra Ranges landmass. Yarra Ranges has an area of 730 km<sup>2</sup> of rural land where our agricultural industry thrives. Approximately 55% of Yarra Ranges is made up of Crown land and National Parks.

There is a clear distinction between communities in regional areas and those in urban areas, but this is not recognised by classifying the whole of the Yarra Ranges municipality as metropolitan Melbourne.

The Stage 4 COVID-19 Restrictions are having a significant impact upon all our communities, but our regional communities have less access to support, services, business and employment with constant themes of people working from home and home schooling expressing frustration regarding the inadequate availability of telephony and broadband services.

At present there is a huge impact on agribusiness, small business and community wellbeing.

The regional areas of the Yarra Ranges (Regional YR) are recognised as premier visitor destinations with its exceptional wine and food production, indulgent breaks complemented by nature based, cultural and village experiences.

Before the COVID-19 Pandemic Regional YR was receiving approximately 6.6 million domestic (overnight and daytrip) and international overnight visitors annually.

A COVID-19 Economic Impact Report (May 2020) commissioned by Yarra Ranges Council notes that the Yarra Ranges economy is likely to experience a greater contraction, at approximately -14% due to the specific industry sector composition when compared to Australia's economic contraction of approximately -6%.

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Economic recovery across Regional YR is anticipated to take some time as international and interstate borders remain closed, local travel restrictions of 5km remain in place, and reduced business and consumer confidence constrain discretionary spending.

Regional YR business owners including food and beverages, accommodation and associated industries (agriculture and transport) have been sharing with Council throughout the COVID-19 Pandemic the significant negative economic impact to their businesses. They are predominantly small family owned and operated businesses employing local residents and are being confronted by the prospect of temporary or permanent closure. For example, since April 2020 the Accommodation and Food sector across Yarra Ranges has experienced a -29% contraction in economic output and -14% in jobs.

Mental health has been consistently identified as a key concern across Regional YR as the communities including business owners and their employees struggle with financial commitments and future business/employment prospects.

Regional YR is achieving low COVID-19 infection rates and is a step ahead of metropolitan Melbourne in this regard.

At the time of this motion Regional YR has no infection rates.

With the low COVID-19 infection rates in Regional YR, it is unfair to subject these communities, who are isolated at the best of times, to these unnecessary Stage 4 Restrictions. Regional YR should instead be classified as regional Victoria, to ensure those communities within Yarra Ranges can follow the reopening roadmap to recovery at the earliest opportunity.

**Moved: Cr Child**  
**Seconded: Cr McAllister**

*That Council*

- 1. Write to the Premier to request that Yarra Ranges Council be reclassified in the Area Directions made pursuant to section 200(1)(b) and (d) of the Public Health and Wellbeing Act 2008 and that the Wards of O'Shannassy and Ryrie, together with rural communities in Chandler Ward, be classified as regional Victoria and thereby excluded from the metropolitan Melbourne Stage 4 COVID-19 Restrictions.*
- 2. Request the Chief Executive Officer continue to advocate Council's position to the Premier and State Government.*

**The motion was Carried unanimously.**

## **9.2 Positive Social Media Message**

*Cr McAllister acknowledged a member of the Healesville community who posted a positive social media message during the recent storm. Mr Leigh Davies, the local waste management specialist, notified residents of a disruption to the normal route cause by a fallen tree. The kind hearted message was shared by many locals and appreciated by many more.*

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### **9.3 Local Economic Impact Awareness in Consideration of Contracts**

*Cr McAllister requested that any future contractual decisions coming to Council regarding purchasing services or materials, include the local and economic impact awareness matrix for consideration.*

### **9.4 Public Open Space in Healesville**

*Cr McAllister stressed that an important piece of land (situated at 13 Green Street, Healesville) currently owned by VicTrack is in danger of being re-purposed from Public Use Zone 4 to Commercial 1 Zone. Cr McAllister urged Council to advocate on behalf of the community to retain this land as open public space and to make a submission to the current planning proposal; further details can be found on the [engage.vic.gov.au](http://engage.vic.gov.au) website.*

### **9.5 Celebrating Young People in the Community**

*Cr Cliff celebrated three young women in the Yarra Ranges community who are currently working in the aged care sector and have performed their roles with compassion and sacrificed much time and energy during Covid-19 to care for their residents to the best of their ability.*

### **9.6 Reflecting on the impact of the storm on Thursday 27 August 2020**

*Cr Clarke paid his respects to the families who lost loved ones during the storm on Thursday 27 August 2020. Cr Clarke then acknowledged those who had suffered extensive damage to property. He then noted that the extent of the damage had been reported by the major news networks as a scene of devastation, where the community was still in shock and reports of selfless assistance were surfacing. Cr Clarke commended the resilience amongst the community and the efforts of the Emergency Management team who opened up a relief centre to support those affected.*

### **9.7 Opening of Warburton Waterworld**

*Cr Child thanked Mr Mark Varmalis and the Environment and Infrastructure team regarding the opening of the Warburton Water-world playground facility, noting that the news was well received by the local community and will assist in lifting the moral during these times.*

### **9.8 Appreciation for Council staff**

*Cr Child acknowledged the great work by the Tree Crew and the Community Wellbeing teams in recent and distressing circumstances.*

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## **9.9 Reflecting on the recent storm event and the aftermath in the community**

*Cr Heenan spoke about the tragic storm event that ravaged local communities, noting that he had been caught in the devastation trying to access his own home. He stated that despite this, the response of the community had been excellent, from going out and assisting with torches and signs to connecting and coming together in the days that followed. Cr Heenan also spoke of the aftermath effect on the community, who had lost power for days, and thanked AusNet Services, Lilydale SES, Lilydale and Mount Evelyn CFA crews and Council tree crews for working tirelessly to assist with the re-establishment of amenities. Cr Heenan emphasised the severe damage on Tramway Road where roughly 100 trees came down devastating the local environment and 14 years of work from the Mount Evelyn Environmental Protection & Progress Association.*

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## 10. PETITIONS

*In accordance with Chapter 3 Rule 60 of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

There were no Petitions received prior to the Agenda being printed.

## 11. DOCUMENTS FOR SIGNING AND SEALING

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

There were no documents for signing and sealing received prior to the Agenda being printed.

## 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 *section 3(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 Higgins**  
**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. 18 August 2020 - Council Briefing [↓](#)
2. 18 August 2020 - Council Forum [↓](#)

**The motion was Carried unanimously.**

# Assembly of Councillors

## Public Record



<b>Meeting Name:</b>	Council Briefing	
<b>Date:</b>	18 August 2020	Start Time: 6.32pm      Finish Time: 7.09pm
<b>Venue:</b>	via teleconference	
<b>Attendees:</b>	<b>Councillors:</b>	Terry Avery, Jim Child, Mike Clarke, Len Cox, Richard Higgins, Fiona McAllister & Tony Stevenson
	<b>CEO/Directors:</b>	Tammi Rose, Andrew Hilson, Mark Varmalis, Kathleen McClusky & Jane Price
	<b>Officers:</b>	Matthew Budahazy, Ben Champion, Emma Brown, Nathan Islip, Sarah Osanz, Steve Jones & Sarah Candeland
<b>Apologies</b>	Councillors Noel Cliff & Tim Heenan	
<b>Declarations of Interest:</b>	Nil	
<b>Matter/s Discussed:</b>	7.1	Amendment C186 - 361-365 Mt Dandenong Tourist Road, Sassafras, and Planning Permit YR-2019/131: Consideration of Panel Report and adoption
	7.2	Amendment C178 - Coldstream Structure Plan: Consideration of Panel Report and Adoption
	7.3	EOI6105 - Road Construction & Associated Works Panel
	7.4	Risk Management and Fraud Control Policies
	7.5	Governance Rules
	7.6	Review of Delegations Made to Council Staff
	7.7	Public Transparency Policy
	7.8	2019-20 Annual Financial Statements and 2019-20 Performance Statement - Adoption in Principle
	7.9	Guiding Principles Housing and Homelessness
	7.10	Neighbourhood Amenity Local Law 2020
	7.11	Liveable Climate Plan Endorsement
<b>Completed By:</b>	Sarah Candeland	

# Assembly of Councillors

## Public Record



<b>Meeting Name:</b>	Forum		
<b>Date:</b>	18 August 2020	Start Time: 7.18pm      Finish Time: 10.26pm	
<b>Venue:</b>	Via teleconference		
<b>Attendees:</b>	<b>Councillors:</b>	Terry Avery (until 8.21), Jim Child, Mike Clarke, Len Cox, Tim Heenan (from 7.20pm), Richard Higgins, Fiona McAllister & Tony Stevenson	
	<b>CEO/Directors:</b>	Tammi Rose, Andrew Hilson, Mark Varmalis, Kathleen McClusky & Jane Price	
	<b>Officers:</b>	Matthew Budahazy, Sarah Candeland, Damian Closs, Claudette Fahy, Alanna Ford, David Harper, Nathan Islip, Steve Jones, Sarah Osanz, Jessica Rae, Peter Smith, Tracey Varley & Simon Woodland	
	<b>External Guests:</b>	From VicTrack: Nic Fisher, Sandy Hooft, Gurinder Singh, Rob Silvester, James O'Brien & Jo Mayall From GHD: Byron Tabet	
<b>Apologies</b>	Councillor Noel Cliff		
<b>Declarations of Interest:</b>	Nil		
<b>Matter/s Discussed:</b>	1.1	Action & Agreement Record - 4 August 2020	
	1.2	Belgrave Station Multilevel Car Park - Project Update	
	1.3	Lilydale Quarry Redevelopment Planning Scheme Amendment C193	
	1.4	Amendment C177 - Restructure Overlay Correction: Consideration of Panel Report and adoption	
	1.5	State Government Consultation on Planning for Green Wedge and Agricultural Land	
	1.6	Governance Rules	
	1.7	Public Transparency Policy	
	1.8	Biomass Carbon Capture Facility - Coldstream	
	2.1	Contract Approvals and Variations - July 2020	
	2.2	Indicative Forum & Council Meeting Schedule	
	2.3	Mayor & CEO Updates	
	<b>Completed By:</b>	Sarah Osanz	

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### 13. REPORTS FROM DELEGATES

Cr Cliff attended:

- A meeting of the Positive Aging Reference Group and noted the impressive work by the Aged and Disability team during Covid-19.

Cr Child attended:

- A meeting of the Yarra Valley ECOSS Committee held on Wednesday 26 August 2020 via videoconference.

Cr Clarke:

- Will be attending the Yarra Ranges Environment Advisory Committee meeting to be held Thursday 10 September 2020.
- Will be attending a meeting of the Eastern Transport Coalition.
- Noted his appreciation for the opportunity to represent Council on these committees and expressed that the most inspiring group was the Eastern Alliance of Greenhouse Action.
- Will be attending a board meeting at Burrinja on Monday 21 September via videoconference.
- Expressed his sincere thanks to Colleagues and Council staff who have supported him on his journey as Councillor.
- Farewelled Cr Cliff and Cr Avery and paid tribute to their dedication and commitment to Council.

Cr Cox:

- Chaired the Disability Advisory Committee held on Wednesday 2 September 2020 via videoconference. The Mayor was also in attendance.

Cr McAllister attended:

- A meeting of the Jack Hort Memorial Indoor Pool Management Committee held this week via videoconference.

Cr Higgins:

- Commended Council's staff in their handling of a number of recent events, namely, water contamination, the ravaging storm and Covid-19. The community are still smiling and Cr Higgins urged staff to keep up the good work.

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**14. 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.

**15. DATE OF NEXT MEETING**

The next meeting of Council is scheduled to be held on Tuesday 22 September 2020 commencing at 7.00pm, via teleconference.

**16. CLOSE OF THE MEETING**

There being no further business the meeting was declared closed at: 9.58pm.

Confirmed this day, Tuesday 22 September 2020.

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**Cr Richard Higgins**

**Mayor**