



COUNCIL MEETING

TUESDAY 10 MAY 2022

MINUTES

VISION

Whether you live here or visit, you will see how much we care for Country, how inclusive and connected our communities are, and how 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

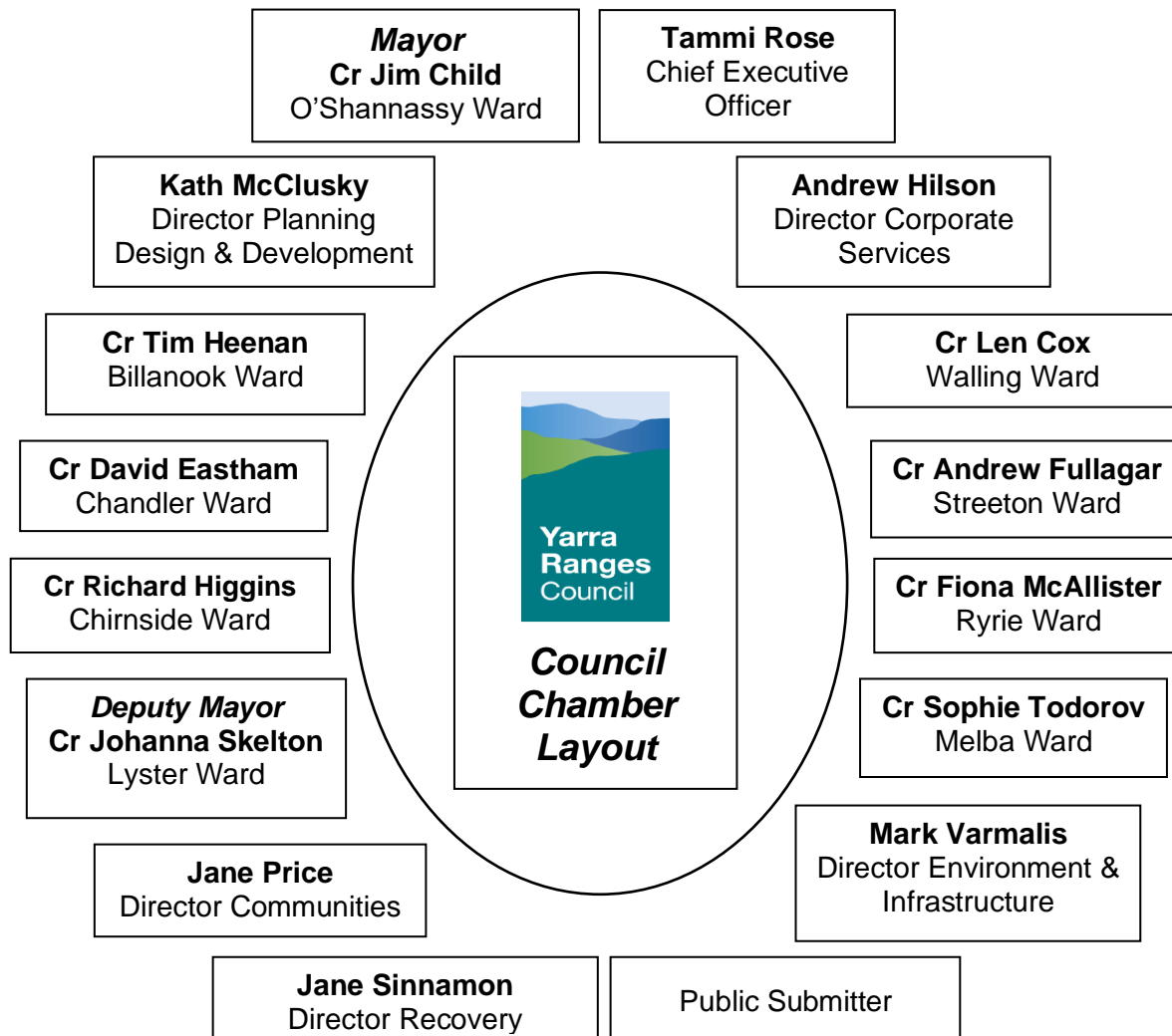
The public is invited to submit questions to the Council Meeting by completing [the form on the Council's website](#); or via [email](#). Your question must be received **no later than 5.00pm on the day before the Council meeting date**. Questions relating to items on the agenda, or which are the same 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 558TH COUNCIL MEETING HELD ON TUESDAY 10 MAY 2022 COMMENCING AT 7.00PM VIA VIDEOCONFERENCE

1. COUNCIL MEETING OPENED

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

2. INTRODUCTION OF MEMBERS PRESENT

Councillors

Jim Child, O'Shannassy (Mayor)
Len Cox, Walling
Andrew Fullagar, Streeton
Fiona McAllister, Ryrie
Sophie Todorov, Melba
Johanna Skelton, Lyster (Deputy Mayor)
Richard Higgins, Chirnside
David Eastham, 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
Jane Sinnamon, Director Recovery

3. APOLOGIES AND LEAVE OF ABSENCE

There were no apologies received for this meeting.

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved: Cr Child

Seconded: Cr Eastham

That the Minutes of the Council Meeting held 26 April 2022, as circulated, be confirmed.

The motion was Carried unanimously.

5. DISCLOSURE OF CONFLICTS OF INTEREST

In accordance with Chapter 7 Rule 4 of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

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

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.

There were no Questions received for this meeting.

Submissions from the Public

Mr Ron Thomas, Olinda Creek Bicycle Nature Trail Feasibility Study Support

Mr Ron Thomas, spoke in relation to gaining support from Council to investigate a Feasibility Study to construct the Olinda Creek Bicycle Nature Trail.

In accordance with Rule 23 of the Governance Rules the Mayor sought consent from Council change the order of business and allow Council to hear from a submitter in relation to Item 10. Petitions: Tree Assessment – Jacka and Macnamara Street, Ferny Creek.

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.

The following petitions were received:

PART A – General Petitions

1. Tree Assessment and future management of foliage – Jacka and Macnamara Street, Ferny Creek. 30 signatures. Residents are requesting an urgent assessment on all of the trees along Jacka and Macnamara Street in Ferny Creek. It is also requested that heavy foliage is pruned to prevent injury and power outages.

In accordance with Governance Rule 60.11, Judy Mraz spoke in support of the recommendation included in the report.

Moved: Cr Fullagar

Seconded: Cr Higgins

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

1. Tree Assessment – Jacka and Macnamara Street, Ferny Creek.

The motion was Carried unanimously.

7. BUSINESS PAPER

PLANNING, DESIGN AND DEVELOPMENT

7.1 Planning Application YR-2021/715 - 54 & 56 Clegg Road, Mount Evelyn

APPLICATION DETAILS	
Site Address	54 and 56 Clegg Road, Mount Evelyn
Application No.	YR-2021/715
Proposal	Use and development of a childcare centre; display of business identification signage; car parking reduction; vegetation removal; and alteration of access to a Road Zone, Category 1.
Existing Use	Dwelling on each lot
Applicant	Western Australian Commercial Investments Pty Ltd C/- Ratio Consultants Pty Ltd
Zone	Low Density Residential Zone (LDRZ)
Overlays	Bushfire Management Overlay (BMO) Significant Landscape Overlay – Schedule 22 (SLO22) Environmental Significance Overlay – Schedule 2 (ESO2)
Objections	Sixty-three (63) and one (1) submission in support.
Encumbrances on Title (Covenants/Section 173 Agreements)	No
Reason for Council Decision	More than 10 Objections
Ward	Billanook

SUMMARY

The application is for use and development of a childcare centre; display of business identification signage; car parking reduction; vegetation removal; and alteration of access to land in a Transport Zone 2. An application is triggered for assessment under the Low Density Residential Zone (for the use & development), the Environmental Significance Overlay – Schedule 2 (vegetation removal, front fence and to carry out building and works), Significant Landscape Overlay – Schedule 22 (front fence and vegetation removal), Bushfire Management Overlay (for an educational use), Clause 52.06 (reduction in car parking) Clause 52.09 (access to a State controlled road) and Clause 52.05 for two (2) business identification signs.

The application has been advertised and received 63 objections and one (1) submission in support to the development. The general themes of the objections are related to traffic

issues, built form, safety, privacy, vegetation impacts, amenity, location and operational hours.

The application has currently been appealed to the Victorian Civil and Administrative Tribunal (VCAT) for failure to determine the application within statutory timeframes. Notwithstanding this action, the decision before Council is for Council to determine whether, had it been able to make a decision, what would the decision be. A detailed assessment of the application has been undertaken, including a review of all submission and on balance officers are recommending that the application should be supported for the reasons outlined in the report below.

Cr Higgins left the meeting at 7.44pm and returned to the meeting at 7.45pm prior to a vote being taken.

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

Moved: Cr Heenan
Seconded: Cr Fullagar

That, had Council been able to make a decision on the application, Council would have resolved to refuse Planning Application YR 2021/715 for use and development of a childcare centre; display of business identification signage; car parking reduction; vegetation removal; and alteration of access to land in a Transport Zone 2 at 54-56 Clegg Road, Mount Evelyn on the following grounds:

1. The proposal does not respond to State Planning Policies within the Yarra Ranges Planning Scheme as the development fails to ensure the interface between public and private real enhances personal safety, the design and location of publicly accessible spaces does not create a safe environment for users, the development, including signs, does not minimise detrimental impacts on amenity and the natural built environment and on the safety and efficiency of roads, and neighbourhood character and sense of place is not adequately protected.
2. The development fails to respond to Clause 18.0-1S as it does not facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure, and does not protect the existing transport infrastructure from unreasonable detrimental impact.
3. The proposal fails to respond to a number of objectives and policies in the Municipal Strategic Statement in Clause 21 of the Yarra Ranges Planning Scheme in that the proposal does not contribute to local identity of the immediate area, fails to response to the significant landscapes of the area, the scale of the building is out of context with the existing dwellings and neighbourhood character of the immediate area, and the setbacks create adverse impacts on adjoining residential lots.
4. The proposal fails to respond to Clause 22.01 of the Yarra Ranges Planning Scheme, in that the proposed development fails to contribute to a sense of place, is of a scale or intensity which will detract from the amenity of the residential neighbourhood, and fails to provide adequate off street parking.
5. The proposal fails to meet the purpose of Clause 32.03 Low Density Residential Zone in that the proposed built form does not respond to the Municipal Planning Strategy and Planning Policy Framework.
6. The proposal is inconsistent with Clause 42.03 Significant Landscape Overlay,

Schedule 22, for the following reasons:

- a. The development fails to recognise or conserve the environmental and visual sensitivity of the residential area. The height and prominence on the streetscape fails to be inconspicuous in profile and dominates the landscape;
 - b. The development is not sensitive to the natural characteristics of the land in that the proposed building is excessively high, visually bulky and out of character in the immediate residential fabric; and
 - c. Setbacks are not generous and consistent with nearby dwellings;
 - d. Site coverage is excessive and is not consistent with nearby dwellings;
 - e. The development unduly impinges on the existing vegetation and detrimentally impacts retained trees both onsite and offsite; and
 - f. Proposed retaining walls impact both the residential amenity of adjoining residential properties and the continuing viability of retained vegetation.
7. The proposal to reduce the car parking provision is inconsistent with the Clause 52.06 – Carparking, in particular:
- a. The street network cannot reasonably accommodate the additional four car parking spaces during the peak car parking demand periods which coincides with the peak school car parking demand, resulting in a cumulative demand which cannot be accommodated without unreasonable detriment;
 - b. That overflow car parking on residential streets will result in an unreasonable amenity impact and additional car parking demand on the surrounding residential area;
 - c. The resultant on street car parking will cause an unreasonable risk to the safety of pedestrians;
 - d. The increased traffic as a result of the development does not achieve a safe, functional environment for users;
 - e. The cumulative impacts of the development with surrounding land uses have not been adequately addressed to ensure safe and efficient use of the road network;
 - f. The proposed safety treatments do not mitigate safety concerns for pedestrians and motorists of the adjacent Clegg Road/school access intersection;
 - g. The development fails to respond to the role and function of nearby roads and the ease and safety with which vehicles access and egress the site.

The motion was Carried.

7.2 Planning Application YR-2021/906 - 10-12 Briarty Road Gruyere

APPLICATION DETAILS	
Site Address	10-12 Briarty Road, Gruyere
Application No.	YR-2021/906
Proposal	Use and development of a winery, buildings and works to construct a fence and outbuildings, display of an internally illuminated business sign and vegetation removal
Existing Use	Vineyard
Applicant	Journeyman Planning
Zone	GWZ4 - Green Wedge Zone - Schedule 4d
Overlays	Bushfire Management Overlay (BMO) Significant Landscape Overlay - Schedule 14 (SLO14)
Objections	Ten (10)
Reason for Council Decision	Value of Development & Number of Objections
Ward	Ryrie

SUMMARY

It is proposed to use and develop the land for a winery, including cellar door, display of an internally illuminated business sign and to remove vegetation.

The proposed built form is architecturally designed to a high standard and is contemporary in nature, with articulation and varied finishes seeking to generate strong visual interest across the site and adjoining streetscape in line with other wineries within the Yarra Valley.

The application has been advertised and ten (10) objections have been received. Issues raised include impacts upon the rural landscape, traffic, scale of the use, and amenity impacts including noise and light.

It is considered that the proposal is consistent with the relevant planning controls as they relate to the Green Wedge Zone and the Regional Strategy Plan.

Overall, the proposal will enhance the economic prosperity of the Shire by realising the sites potential for productive agricultural and tourism activities. The proposal will strengthen the diversified economy of the Upper Yarra River region, by creating employment opportunities and increasing tourist activities in the area and it is appropriate to support the application subject to conditions.

Cr Heenan left the meeting at 7.50pm and returned to the meeting at 7.50pm prior to a vote being taken.

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

In accordance with Governance Rule 58, Angus McGuckian and Phil Sexton spoke in support of the recommendation included in the officer report.

Moved: Cr McAllister
Seconded: Cr Skelton

That Council resolve to approve Planning Application YR-2021/906 for use and development of a winery, buildings and works to construct a fence and outbuildings, display of an internally illuminated business sign and vegetation removal at 10-12 Briarty Road Gruyere and issue a Notice of Decision to Grant a Permit subject to the conditions in Attachment 1 to the report.

The motion was Carried.

7.3 Proposed Amendment to seek both interim and permanent Heritage Overlay Controls on 1 Montrose Road, Montrose

SUMMARY

Council has received planning permit application YR2022/13, for the use and development of 1 Montrose Road, Montrose for a childcare centre. The proposal involves partial demolition of the existing residential building on the site. The application received 27 objections, including on the basis that the building is of heritage value. Officers are currently assessing the merits of the planning application and a separate report will be prepared for a forthcoming Council meeting.

The site has not been identified as being of heritage significance in any existing Council heritage studies, and prior to this application had not been nominated for heritage protection. Subsequent to the advertising of the permit application, a formal nomination for inclusion in the Heritage Overlay was received from a community member.

Council has sought advice on the property from a qualified heritage consultant, that has identified that the property is of local heritage significance and recommended for inclusion in the Heritage Overlay of the Yarra Ranges Planning Scheme.

It is proposed that the Heritage Overlay be applied to 1 Montrose Road, Montrose on an interim basis, to ensure the heritage values of the place are protected while a planning scheme amendment for permanent heritage protection is publicly exhibited.

In order to apply interim controls, Council must request the Minister for Planning to use his powers of intervention under section 20(4) of the *Planning and Environment Act 1987* to prepare, adopt and approve an amendment to the Yarra Ranges Planning Scheme (Amendment C209).

In order to commence the amendment process for a permanent control, Council must also seek authorisation from the Minister for Planning to prepare and exhibit an amendment (Amendment C210).

Moved: Cr Cox

Seconded: Cr Fullagar

That Council

1. *Request the Minister for Planning to prepare, adopt and approve an amendment (Amendment C209) to the Yarra Ranges Planning Scheme under section 20(4) of the Planning and Environment Act 1987 to apply the Heritage Overlay to 1 Montrose Road, Montrose, on an interim basis, generally in accordance with the attachments to this report.*
2. *Request the Minister for Planning authorise the preparation and exhibition of Amendment C210 to apply the Heritage Overlay to 1 Montrose Road, Montrose on a permanent basis, generally in accordance with the attachments to this report.*
3. *Subject to the Minister's authorisation, exhibit Amendment C210 to the Yarra Ranges Planning Scheme.*

The motion was Carried unanimously.

CORPORATE SERVICES

7.4 2022-25 Draft Council Action Plan and 2022-23 Draft Budget including Capital Expenditure Program for Adoption in Principle

SUMMARY

A revised Council Action Plan 2022-25 and a draft 2022-23 to 2025-26 Budget including the 2022-23 to 2031-32 Capital Expenditure Program have been prepared following the outcomes of extensive internal consultation, taking into consideration the significant impact on the community from both the Covid-19 pandemic and June 2021 storm event. These documents articulate Council's focus for the next four years and articulate the financial and resource strategies to fund the activities and Council's response to supporting the community through a period of recovery from pandemic and storms.

They have been prepared in draft form to provide an opportunity for community comment as required under the *Local Government Act 2020* and Council's Community Engagement Policy. Any submissions received will be considered at a Hearing of Submissions Committee meeting on 15 June 2022 before Council considers the adoption of the Budget with any required changes at the Council meeting being held on 28 June 2022.

Cr Heenan left the meeting at 8.21pm and returned to the meeting at 8.32pm prior to a vote being taken.

Moved: Cr Child

Seconded: Cr Eastham

That

1. *The draft 2022-25 Council Action Plan be approved for the purpose of giving public notice and undertaking consultation with the community.*
2. *The draft 2022-23 to 2025-26 Budget (including the draft 2022-23 to 2031-32 Capital Expenditure Program) prepared in accordance with section 94 of the Local Government Act 2020 be approved for the purpose of giving public notice and undertaking consultation with the community.*
3. *The Chief Executive Officer be authorised to:*
 - (a) *Give public notice in accordance with the section 96 of the Local Government Act 2020 and Council's Community Engagement Policy of Council's intention to adopt the 2022-23 to 2025-26 budget (including the 2022-23 to 2031-32 Capital Expenditure Program) at the Council meeting to be held on 28 June 2022.*
 - (b) *Undertake any and all administrative procedures necessary to enable Council to carry out its functions in accordance with its Community Engagement Policy*
4. *In accordance with Rule 12 of the Governance Rules, the Chief Executive Officer make all arrangements for a meeting of the Hearing of Submissions Committee to commence at 6.30pm on Wednesday 15 June 2022 to consider requests to be heard in support of written submissions received on any matter contained in the draft Budget and that the Committee subsequently provide a report on its proceedings, including a summary of hearings, to Council.*

The motion was Carried unanimously.

7.5 Review of Delegations Made to Council Staff

SUMMARY

Updates have been made to the Instrument of Delegation to members of Council staff (the Instrument) to reflect changes to the *Food Act 1984*, *Planning and Environment Act 1987*, *Residential Tenancies Act 1997* and *Residential Tenancies Regulations 2021* and an additional provision from the *Road Management Act 2004*.

In addition, administrative changes have also been proposed in respect of the members of Council staff nominated to act as delegates.

The proposed changes, shown by way of “track changes” in Attachment 1 to the report, ensure that appropriate members of Council staff holding, acting in or performing the duties of the positions described in the Instrument are nominated to act as delegates.

Council is asked to approve the updated Instrument.

Moved: Cr Eastham

Seconded: Cr Todorov

In the exercise of the powers conferred by the legislation referred to in the Instrument of Delegation included at Attachment 1, Council resolves that:

- 1. 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.*
- 2. The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.*
- 3. 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.*
- 4. 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.

7.6 Appointment of Authorised Officers under the Planning and Environment Act 1987

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 313 of the *Local Government Act 2020*.

Moved: Cr Skelton

Seconded: Cr McAllister

That Council

1. *Formally appoint the officers referred to in the Instrument of Appointment and Authorisation included at Attachment 1 to the report as an Authorised Officer, pursuant to Section 147 (4) of the Planning and Environment Act 1987 and Section 313 of the Local Government Act 2020.*
2. *Request that the Instrument of Appointment and Authorisation be signed and sealed by the Chief Executive Officer.*
3. *Note that the Instrument of Appointment and Authorisation 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.

COMMUNITIES

7.7 2023 Grants for Community Initiation Report

SUMMARY

Council is committed to partnering with the community through grant funding to encourage, support and sustain diverse community initiatives.

Grant programs support the delivery of Council's strategic objective of "*Connected and Healthy Communities*." Funding opportunities also deliver vital resources to support community-led recovery through building community connection and facilitating strong, resilient communities.

This report outlines the 2023 Grants for Community Program, due to open on 1 June 2022 and includes the program guidelines, selection criteria and highlights proposed assessment panel members.

Insights from the 2022 Grants for Community Program, and engagement during the COVID-19 pandemic and post June 2021 storm events, have informed the 2023 round. This approach aims to ensure the grant program remains responsive to community needs and opportunities.

The grants celebration event which acknowledges successful grant recipients and showcases 2022 Grants for Community projects, is scheduled to occur in December.

Moved: Cr McAllister
Seconded: Cr Fullagar

That Council

1. *Endorse the 2023 Grants for Community Program, including guidelines and selection criteria.*
2. *Note that total funding pool is \$500,000 allocated as follows:*
 - (a) *\$125,000 to Festivals and Events.*
 - (b) *\$125,000 to Arts and Heritage.*
 - (c) *\$250,000 to Community Development.*
3. *Note the proposed panel members and assessment process for this round.*

The motion was Carried unanimously.

ENVIRONMENT AND INFRASTRUCTURE

7.8 Victorian Energy Collaboration - 100% Renewable Energy for Council's Small and Large Market Electricity Portfolio.

SUMMARY

Officers from Council's Sustainability team have investigated the value of Council fully participating in a joint tendering arrangement – the Victorian Energy Collaboration (VECO) power purchase agreement. VECO will enable Council to manage the uncertainty and volatility in the energy market while saving money and reducing emissions.

At the 27 April 2021 Council meeting, streetlighting was committed to the VECO contract for a 9.5 year period, which concludes December 2031. It is recommended Council considers including the small and large market electricity, using the 'flex-in' option of the contract, when current contracts expire on 30 June 2022.

Through the streetlighting contract over \$90,000 has been achieved in savings since July 2021, this will also abate 20% of Council emissions.

The expected savings through the addition of the small and large market accounts are \$300,000 annually, reducing over 50% of Council's annual greenhouse gas emissions in a single initiative.

Moved: Cr Skelton

Seconded: Cr Eastham

That

1. *Council*

(a) *Commit its small and large market electricity accounts to the Victorian Energy Collaboration Contract with Red Energy and prepare to transition the contract commencing 1 July 2022.*

(b) *Delegate authority to the Director of Environment and Infrastructure to sign the contract documents and enter into the tender arrangement.*

2. *The confidential attachments to this report remain confidential indefinitely as they relate to matters specified under section 3(1) (g)(ii), (g)(i) of the Local Government Act 2020.*

The motion was Carried unanimously.

7.9 Mt Morton Road (Section between Glen Road & Ryans Road) and Hood Street, Belgrave Heights Declaration of Special Charge

SUMMARY

In 2019 Council received \$150 Million Federal Government funding for sealing roads within the Dandenong Ranges and surrounding areas. Mt Morton Road (Section between Glen Road & Ryans Road) and Hood Street, Belgrave Heights were included within the endorsed list of approximately 190 kilometres of roads to be constructed using Federal Funds and Landowner contributions through a Special Charge Scheme process.

Following an extensive consultation process with landowners, Council at its meeting of 8 March 2022 considered a report on road improvement works for Mt Morton Road (Section between Glen Road & Ryans Road) and Hood Street, Belgrave Heights. 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 no submissions have been received regarding the Special Charge and recommends that Council declare the Special Charge without modification.

Moved: Cr Skelton
Seconded: Cr Fullagar

That

- 1. Council, having given notice of its intention, reviewed the details of the proposed special charge and having received no submissions hereto, declare the special charge for works associated with the Mt Morton Road (Section between Glen Road & Ryans Road) and Hood Street, Belgrave Heights 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 effective issue of the notice, for a review of the decision.*

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. URGENT BUSINESS AND ITEMS RAISED THROUGH THE CHAIR

The Mayor moved that one item of urgent business be accepted for consideration, with this being seconded by Cr Heenan. The motion was voted on and carried unanimously.

9.1 Urgent Motion - Traffic Issues on Hill Road, Gruyère - Cr McAllister

SUMMARY / BACKGROUND

Over recent years there has been a progressive change in the land use in the area of Hill Road, Gruyère where properties previously used for rural farming have shifted to growing grapevines and establishing wineries. This has led to a change in the nature of traffic using roads. These local roads were initially established for low-volume traffic use and are often only suited for single lane traffic use, however they are now experiencing increased use by heavy vehicles and increased tourism traffic accessing the properties and venues of the area.

These concerns have been highlighted through the recent consideration of the planning proposal for 10-12 Briarty Road, Gruyere for a change of use from vineyards to development of a winery with cellar door sales where local residents and community members have raised concerns with the narrowness of Hill Road and the increasing traffic use associated with tourism and truck access to properties in the area.

It is requested that an assessment be carried out of Hill Road, Gruyère to identify options for improving traffic access and safety and that this be reported back to Council Forum for further consideration.

CONCLUSION

The local community of Hill Road has raised concerns in relation to traffic safety of the road and therefore it is of significant urgency that Council investigates options to improve safety and accessibility for local traffic using the road.

Moved: Cr McAllister
Seconded: Cr Heenan

That, in response to increasing community concerns, officers investigate options for improving traffic access and safety of Hill Road, Gruyère and provide a report back to Council Forum for further consideration, with the intention to deliver localised improvement works through Council's Capital Expenditure Program in 2022/23.

The motion was Carried unanimously.

There were no items raised through the chair by Councillors.

11. DOCUMENTS FOR SIGNING AND SEALING

In accordance with Clause 87 of Meeting Procedures and Use of Common Seal Local Law 2015 as prescribed by Section 14(2)(c) of the Local Government Act 2020.

There were no Documents for Signing and Sealing received for this meeting

12. INFORMAL MEETING OF COUNCILLORS

Chapter 8, Rule 1, of the Governance Rules requires that records of informal meetings of Councillors must be kept and that the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting tabled at the next convenient Council meeting and recorded in the Minutes of that Council meeting.

An 'informal meeting of Councillors' is defined in the Governance Rules as a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting.

The records for informal meetings of Councillors are attached to the report

Moved: Cr Higgins

Seconded: Cr Cox

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

1. 7 April 2022 - Upper Yarra Recovery Committee [↓](#)
2. 12 April 2022 - Council Forum [↓](#)
3. 19 April 2022 - Council Briefing [↓](#)
4. 19 April 2022 - Council Forum [↓](#)
5. 26 April 2022 - Council Forum [↓](#)
6. 6 April 2022 - Councillor Planning Induction [↓](#)

The motion was Carried unanimously.

Informal meeting of Councillors

Public Record



Meeting Name:	Regional Community Recovery Committee Meeting – Upper Yarra	
Date:	07/04/2022	Start Time: 5:30pm Finish Time: 7:30pm
Venue:	The Yarra Centre (2435 Warburton Highway, Yarra Junction Victoria 3797)	
Attendees:	Councillors:	Nil
	Other attendees:	Lesley Grimes, Gordon Buller, Barry Megee, Brad Colling & Jim Brown
	CEO/Directors:	N/A
	Officers:	Tracey Reid (YRC), Kristal Johnson (YRC)
Apologies	Kerri Schroder, Emily Lewis, Rodney McKail, Nicole Plasajec, Miriam Fathalla, Paul Traynor, Cr Jim Child	
Disclosure of Conflicts of Interest:	Nil	
Matter/s Discussed:	1.1	Gia Underwood and Zoe Irving have resigned from their position with this group
	1.2	Discussion about some of the results from the surveys received so far
	1.3	Update from the Co-Chairs meeting, WHYLD-Don Valley Hall meeting, Yarra Ranges Life TV
	1.4	Next Meeting: Thursday 5 May 7:15pm-8:45pm
Completed By:	Kristal Johnson	

12 April 2022 - Council Forum

Informal meeting of Councillors

Public Record



Meeting Name:	Council Forum	
Date:	12 April 2022	Start Time: 7.54pm Finish Time: 9.07pm
Venue:	Via videoconference	
Attendees:	Councillors:	Andrew Fullagar, Jim Child, Len Cox, David Eastham, Tim Heenan, Richard Higgins, Johanna Skelton & Sophie Todorov
	CEO/Directors:	Tammi Rose, Andrew Hilson, Mark Varmalis, Kathleen McClusky Jane Sinnamon & Jane Price
	Officers:	Allison Southwell, Isabelle Cancino, Peter Smith, Andrea Jeffreys Abby McCarthy & Sarah Candeland
Apologies	Fiona McAllister	
Declarations of Interest:	Nil	
Matter/s Discussed:	1.1	2022-23 Budget Discussion
Completed By:	Sarah Candeland	

19 April 2022 - Council Briefing

Informal meeting of Councillors

Public Record



Meeting Name:	Council Briefing		
Date:	19 April 2022	Item 7.1 only	Items 7.2 – 7.12
		Start Time: 5.41pm Finish Time: 6.24pm	Start Time: 6.34pm Finish Time: 6.50pm
Venue:	Via video conference		
Attendees:	Councillors:	Jim Child (from 5.44pm), David Eastham, Tim Heenan, Richard Higgins (from 6.14pm), Fiona McAllister, Johanna Skelton Sophie Todorov & Andrew Fullagar	
	CEO/Directors:	Tammi Rose, , Mark Varmalis, Kathleen McClusky Jane Price, Jarrod Reid (Acting Director Corporate Services)	
	Officers:	Amanda Kern, Tracey Pascoe, Sarah Candeland, Andrea Jeffreys & Michael Ng	
Apologies	Andrew Hilson, Jane Sinnamon & Councilor Len Cox		
Declarations of Interest:	Nil		
Matter/s Discussed	This briefing covered the following items of business to be considered at the 26 April 2022 Council Meeting		
	7.1	Planning Application YR-2021/715 - 54 & 56 Clegg Road, Mount Evelyn	
	7.2	Submission to Landslide and Erosion in the Planning System – Discussion Paper	
	7.3	Amendment C197 to the Yarra Ranges Planning Scheme - corrections and anomalies	
	7.4	Audit and Risk Management Committee Biannual Report to Council	
	7.5	Audit and Risk Management Committee - Independent Member Reappointment	
	7.6	Mayor, Deputy Mayor and Councillor Allowances - Remuneration Tribunal Determination	
	7.7	Victoria Road (section between Station Road to Walker Road), Railway Road & English Street, Seville Declaration of Special Charge	
	7.8	School Road and Valley Road, Seville Declaration of Special Charge	
	7.9	Station Road, Seymour Street & Britton Road, Seville Declaration of Special Charge	
	7.10	Bell Street, Winifred Street, Read Road and Paynes Road (from 11 to 23), Seville - Intent to Levy a Special Charge	
	7.11	Nation Road, Selby - Intent to Levy a Special Charge	
	7.12	Asset Plan, Asset Management Policy Draft for community feedback and Asset Panel Engagement Summary Report.	
Completed By:	Michael Ng		

19 April 2022 - Council Forum

Informal meeting of Councillors

Public Record



Meeting Name:	Forum	
Date:	19 April 2022	Start Time: 7.02pm Finish Time: 10.16pm
Venue:	Via videoconference	
Attendees:	<p>Councillors: Jim Child, Len Cox, David Eastham, Tim Heenan, Richard Higgins, Fiona McAllister, Johanna Skelton, Sophie Todorov & Andrew Fullagar</p> <p>CEO/Directors: Tammi Rose, Mark Varmalis, Kathleen McClusky, Jane Price & Jarrod Reid (Acting Director Corporate Services)</p> <p>Officers: Kelly Dohle, Graeme Fletcher, Tracey Varley, Alison Southwell, David Harper, Graham Brew, Lisa Loulier, Kellie McPherson, Clint Hong, Kim O'Connor, James Lenihan, Andrea Jeffreys, Sarah Candeland & Michael Ng</p>	
Apologies	Andrew Hilson & Jane Sinnamon	
Declarations of Interest:	Nil	
Matter/s Discussed:	1.1	Actions and Agreements Records - 5 April 2022
	1.2	Councillor Discussion Time
	1.3	Asset Plan, Asset Management Policy Draft for community feedback and Asset Panel Engagement Summary Report.
	1.4	2022-23 Budget Discussion
	1.5	Community Waste and Resource Recovery Plan
	1.6	2023 Grants for Community Initiation Report
	2.1	Road Maintenance & Street Sweeping Services CT6788
	1.1	Victorian Energy Collaboration - 100% Renewable Energy for Council's Small and Large Market Electricity Portfolio.
	3.2	Contract Approvals and Variations March 2022
	3.3	Indicative Forum & Council Meeting Schedule
	3.4	Mayor & CEO Updates
Completed By:	Sarah Candeland	

26 April 2022 - Council Forum

Informal meeting of Councillors

Public Record



Meeting Name:	Forum	
Date:	26 April 2022	Start Time: 8.16pm Finish Time: 9.20pm
Venue:	Via videoconference	
Attendees:	Councillors:	Andrew Fullagar, Jim Child, Len Cox, David Eastham, Tim Heenan, Richard Higgins, Fiona McAllister, Johanna Skelton & Sophie Todorov
	CEO/Directors:	Tammi Rose, Andrew Hilson, Mark Varmalis, Amanda Kern (Acting Director Planning, Design and Development) Jane Sinnamon & Jane Price
	Officers:	Alison Southwell, Birgit King, Sarah Candeland, Andrea Jeffreys, Peter Smith
Apologies	Kath McClusky	
Declarations of Interest:	Nil	
Matter/s Discussed:	1.1	Draft 2022-23 Budget update
	1.2	Draft Council Action Plan 2022-25
Completed By:	Sarah Candeland	

6 April 2022 - Councillor Planning Induction

Informal meeting of Councillors

Public Record



Meeting Name:	INTRODUCTION TO PLANNING "PLANNING 101" with guest presenter David Vorchheimer (HWL Ebsworth Lawyers) – SESSIONS 1 of 2 and 2 of 2		
Date:	6/4/2022 & 11/4/2022	Start Time: 5.30	Finish Time: 7pm
Venue:	Zoom (recorded and retained for record)		
Attendees (Session 1):	Councillors:	Jim Child, David Eastham, Andrew Fullagar & Sophie Todorov]	
	Other attendees:	David Vorchheimer, Mary Pirozek	
	CEO/Directors:	Andrew Hilson, Kath McClusky, Jane Sinnamon & Jane Price	
	Officers:	Nathan Islip, Amanda Kern, Beck Stevens	
Attendees (Session 2):	Councillors:	Jim Child, Johanna Skelton, Andrew Fullagar & Sophie Todorov]	
	Other attendees:	David Vorchheimer	
	CEO/Directors:	Kath McClusky	
	Officers:	Nathan Islip, Amanda Kern, Beck Stevens	
Apologies	Johanna Skelton (First session), David Eastham (Second session), Both Sessions - Len Cox, Richard Higgins, Fiona McAllister, Tim Heenan		
Disclosure of Conflicts of Interest:	Nil		
Matter/s Discussed:		Planning Induction Session 1 & 2	
Completed By:	Amanda Kern		

13. REPORTS FROM DELEGATES

Cr Skelton attended:

- The annual conference for the Eastern Alliance for Greenhouse Action held 29 April 2022 at the Melbourne Convention and Exhibition Centre, Melbourne.
- A session on Farm Dam's and the positive impact they can have on the environment when used well.

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 24 May 2022 commencing at 7.00pm, via videoconference.

16. CLOSE OF THE MEETING

There being no further business the meeting was declared closed at: 9.04pm.

Confirmed this day, Tuesday 24 May 2022.

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Cr Jim Child

Mayor