



# Council Meeting

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**Draft Minutes**

**Tuesday, 25 February 2025**  
Council Chamber - Civic Centre

## Information for Councillors and the community

### ACKNOWLEDGEMENT OF COUNTRY

Yarra Ranges Council acknowledges the Wurundjeri and other Kulin Nations as the Traditional Owners and Custodians of these lands and waterways.

We pay our respects to all Elders, past, present, and emerging, who have been, and always will be, integral to the story of our region.

We proudly share custodianship to care for Country together.

### COUNCIL VISION

Whether you live here or visit, you will see how much we care for country, how inclusive and connected our communities are, and how sustainable balanced growth makes this the best place in the world.

### VALUE OF HISTORY

We acknowledge that history shapes our identities, engages us as citizens, creates inclusive communities, is part of our economic well-being, teaches us to think critically and creatively, inspires leaders and is the foundation of our future generations.

### COUNCILLOR COMMITMENT

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

### OUR COUNCILLORS

**Billanook Ward:** Tim Heenan

**Chandler Ward:** Gareth Ward

**Chirnside Ward:** Richard Higgins

**Lyster Ward:** Peter McIlwain

**Melba Ward:** Mitch Mazzarella

**O'Shannassy Ward:** Jim Child

**Ryrie Ward:** Fiona McAllister

**Streeton Ward:** Jeff Marriott

**Walling Ward:** Len Cox

### CHIEF EXECUTIVE OFFICER & DIRECTORS

**Chief Executive Officer,** Tammi Rose

**Director Built Environment & Infrastructure,**

Hjalmar Philipp

**Director Communities,** Leanne Hurst

**Director Corporate Services,** Vincenzo Lombardi

**Director Planning and Sustainable Futures,**

Kath McClusky

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- making a verbal submission for up to 5 minutes on matters not listed on the agenda.
- submitting a question.
- speaking for up to 5 minutes to a specific item on the agenda. For planning applications and policy issues, the Chair will invite one person to speak on behalf of any objectors and one person to speak on behalf of the applicant. For other matters on the agenda, only one person will be invited to address Council, unless there are opposing views. At the discretion of the Chair, additional speakers may be invited for items of large interest.
- speaking for up to 5 minutes to a petition to be presented at a meeting.

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## **CONTACT US**

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# YARRA RANGES COUNCIL

## MINUTES FOR THE 621ST COUNCIL MEETING HELD ON TUESDAY, 25 FEBRUARY 2025 COMMENCING AT 7.07 PM COUNCIL CHAMBER - CIVIC CENTRE

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### 1 COUNCIL MEETING OPENED

Councillor Jim Child (Mayor) declared the meeting open.

### 2 ACKNOWLEDGEMENT OF COUNTRY

Cr Mariott then read the Acknowledgement of Country and welcomed all present.

### 3 INTRODUCTION OF MEMBERS PRESENT

#### Councillors

Councillor Jim Child (Mayor)

Councillor Richard Higgins (Deputy Mayor)

Councillor Jeff Marriott

Councillor Peter Mcilwain

Councillor Gareth Ward

Councillor Mitch Mazzarella

Councillor Tim Heenan

Councillor Len Cox OAM

Councillor Fiona McAllister (via teleconference)

#### Officers

Tammi Rose, Chief Executive Officer

Hjalmar Philipp, Director Built Environment & Infrastructure

Kath McClusky, Director Planning & Sustainable Futures

Leanne Hurst, Director Communities

Vincenzo Lombardi, Director Corporate Services

### 4 APOLOGIES AND LEAVE OF ABSENCE

There were no apologies received prior to the commencement of this meeting.

## 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 MAYORAL ANNOUNCEMENTS

There were no Mayoral Announcements for this meeting.

## 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

**Moved: Cr Heenan**  
**Seconded: Cr Mazzarella**

*That the Minutes of the Council Meeting held Tuesday 11 February 2025, as circulated, be confirmed.*

**The motion was Carried unanimously.**

*In Favour: Cr Child, Cr Heenan, Cr Higgins, Cr Ward, Cr Mcilwain, Cr Mazzarella, Cr McAllister, Cr Marriott and Cr Cox*

*Against: Nil*

## 8 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 TO COUNCIL**

*In accordance with Governance Rule 59.10, Anne Whelan read their Question to Council*

#### **Anne Whelan of Lilydale asked;**

In recent times many drivers have been avoiding Main Street by using John and Hardy Streets. With more development planned on Hardy Street this traffic will increase. It is quite difficult to cross Hardy Street now.

People using the parking on the south side of Hardy Street need a safer, more convenient means to cross the road safely.

The existing median strip crossing is dangerous. What are council's plans to make this area safe for our community?

#### **Director Built Environment & Infrastructure, Hjalmar Philipp**

Thank you for your question, Anne,

The Lilydale Major Activity Centre Structure Plan provides a strategic framework to manage growth and guide infrastructure delivery in Lilydale over the next 20 years.

The plan acknowledges that John and Hardy Streets are experiencing increased traffic as drivers avoid Main Street, creating safety and accessibility concerns for pedestrians, as you noted.

To address these challenges and enhance pedestrian safety, the Plan includes the following:

Firstly, upgrading John and Hardy Streets into active, lower-speed environments, prioritising pedestrian movement and returning them to their intended function as local roads.

Secondly, enhanced pedestrian connectivity through new pedestrian links between Main Street and Hardy Street, improving accessibility and safety.

And thirdly, intersection and traffic management upgrades to include a new signalised intersection at Hutchinson Street and Main Street. This will alleviate pressure on Hardy Street as well. And, in the long term, Council is advocating for the Lilydale Bypass to divert high-speed traffic away from Main Street and surrounding local streets, creating a safer and more pedestrian-friendly environment. However, this project requires State Government investment to proceed.

**Belinda Bernardini of Lilydale asked;**

Residents are fed up with council rules, regulations and bylaws that aim to control personal property use by claiming it is for "public safety, order and environmental protection". Does the Shire of Yarra Ranges enforce any Private Land Use Permits (or similar) as seen at the City of Casey? If so under what legislation are such regulations derived and what avenues exist for residents to challenge or appeal permit requirements in order to regain control of their properties.

**Leanne Hurst, Director Communities**

Thank you for your question, Belinda

I can confirm that Yarra Ranges Council does not require local law permits for the types of activities that have been identified recently at the City of Casey. Specifically, using recreational vehicles, storing large or unregistered vehicles, and the use of temporary dwellings.

However, for completeness, Yarra Ranges Council does utilise Local law permits for certain activities on private land. The Local Law 2020 requires permits for activities such as accommodating large numbers of animals or burning off in specific areas. Additionally, residents may need to obtain permits for activities related to storm and wastewater, building, planning, events and vegetation management.

There are a range of legislative frameworks that guide Council's strategic direction, compliance and operations. These include but are not limited to, the Victorian Local Government Act, 2020, Planning and Environment Act, 1987, Building Act, 1993 and the Public Health and Wellbeing Act 2008.

If you would like a Council officer to give you a call and provide further details about Council's powers under any of these specific legislations, please let us know.

Thanks, again for your question

**SUBMISSIONS TO COUNCIL**

**Playground Facilities at Stuart Reserve Lilydale**

Ewan Hay discussed a proposed upgrade to the playground facilities at Stuart Reserve in Lilydale. Ewan noted the equipment is dated and inadequate and lacking shade in the summer months.

The Mayor referred the matter to the Director Built Environment & Infrastructure for further investigation.

*Cr Heenan left the meeting at 7:51pm and returned to the meeting at 7:53pm.*



## **9 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 for this meeting.

## 10 BUSINESS PAPER

### 10.1 Pre-Budget Submission Australian Government 2025-2026

#### SUMMARY

The Australian Government's delivery of its annual Budget is currently scheduled for 25 March 2025. Before or shortly after that date a federal election will be called by the Prime Minister, with the election required to be held before the end of May 2025.

A submission has been prepared to present to local candidates for election in the Federal seat of Casey and to send to relevant Australian Government Ministers and shadow Ministers seeking to influence decision-making. The suggested projects and programs are drawn from existing Council strategies and plans. The submission is provided in the attachment to this report.

*In accordance with Governance Rule 29.1, Cr Higgins, Cr Marriott, Cr Heenan, Cr McAllister and Cr Mazzarella spoke to the Motion.*

**Moved: Cr Higgins**

**Seconded: Cr Marriott**

That Council note the Pre-Budget Submission – Australian Government 2025-26 (Attachment 1).

**The motion was Carried unanimously.**

*In Favour: Cr Child, Cr Heenan, Cr Higgins, Cr Ward, Cr Mcilwain, Cr Mazzarella, Cr McAllister, Cr Marriott and Cr Cox*

*Against: Nil*

## 10.2 Sustainable Environment Advisory Committee Terms of Reference and Membership Appointments

### SUMMARY

Yarra Ranges Council Advisory Committees play a key role in demonstrating local leadership and working directly with community on important matters for Council.

The Sustainable Environment Advisory Committee (SEAC) is comprised of community representatives, Councillors, and staff with an interest and/or expertise in sustainability and environmental matters. The Committee provides local insight and advice to support Council decision making.

This report provides Council with an updated Terms of Reference to guide SEAC over the next four-year term, along with a recommendation to formally appoint twelve community representatives to SEAC following an extensive recruitment process.

*In accordance with Governance Rule 29.1, Cr Mcilwain, Cr Heenan and Cr Marriott spoke to the Motion.*

**Moved: Cr Mcilwain**  
**Seconded: Cr Heenan**

**1. That Council**

- (a)** *Adopt the updated Sustainable Environment Advisory Committee Terms of Reference generally in accordance with Attachment 1.*
- (b)** *Formally appoint the recommended individuals to the Sustainable Environment Advisory Committee for the 2025-2029 term.*
- (c)** *The Confidential Attachment to this report remains confidential indefinitely as they relate to matters specified under section 3(1)(f) of the Local Government Act 2020.*

**The motion was Carried unanimously.**

*In Favour: Cr Child, Cr Heenan, Cr Higgins, Cr Ward, Cr Mcilwain, Cr Mazzarella, Cr McAllister, Cr Marriott and Cr Cox*

*Against: Nil*

### 10.3 Quarterly Financial Report - December 2024

#### SUMMARY

The attached December 2024 Finance Report has been prepared as of 31 December 2024.

The report includes financial year-to-date data up to the end of December for the 2024-2025 financial year and is compared to adopted budget for the financial year 2024-2025.

*In accordance with Governance Rule 29.1, Cr Higgins and Cr Mcilwain spoke to the Motion.*

**Moved: Cr Higgins**  
**Seconded: Cr Mcilwain**

*That Council receives and notes the Finance Report for the six months to 31 December 2024.*

**The motion was Carried unanimously.**

*In Favour: Cr Child, Cr Heenan, Cr Higgins, Cr Ward, Cr Mcilwain, Cr Mazzarella, Cr McAllister, Cr Marriott and Cr Cox*

*Against: Nil*

## 10.4 Disability Action Plan 2024-2028 Draft

### SUMMARY

Council's Equity, Access, and Inclusion Strategy 2013-2023 (The Strategy) meets Council's legislative obligations under the *Victorian Disability Act (2006)* and stipulates the requirements for a Disability Action Plan (DAP). The most recent DAP expired in 2023, with the next iteration for Council (Attachment One) building upon the learning and success of the previous Strategy.

The proposed DAP (2025-2029) outlines Council's approach to meeting legislative requirements, ensuring we work towards a common vision, advancing disability inclusion across all aspects of Council. The DAP works towards a long-term vision through the structure of four goals and is written to ensure Council has strategic foresight to additional legislative obligations pending the passing of the *Disability Inclusion Bill*.

A first phase (four weeks) of community engagement, in addition to Council's Disability Advisory Committee and Access and Equity Reference Group supported the development of the DAP to date, identifying both the key themes and desired outcomes of the Plan. This is attached to this report as Attachment Two: Disability Action Plan Community Engagement Report. A further four weeks of stakeholder and community engagement is required before finalising the DAP. This is planned to commence in March 2025.

*In accordance with Governance Rule 29.1, Cr Cox and Cr Higgins spoke to the Motion.*

*Cr McAllister left the meeting at 7:51pm and returned to the meeting at 7:51pm prior to debate and a vote being taken.*

**Moved: Cr Cox**  
**Seconded: Cr Higgins**

That Council endorse the Draft Disability Action Plan 2025-2029 and support a further four weeks of consultation.

***The motion was Carried unanimously.***

*In Favour: Cr Child, Cr Heenan, Cr Higgins, Cr Ward, Cr Mcilwain, Cr Mazzarella,  
Cr McAllister, Cr Marriott and Cr Cox*

*Against: Nil*

## 10.5 Mooroolbark Community House

### SUMMARY

That the new Neighbourhood House in Mooroolbark, commence with Council funding of \$20,000 until incorporated status is achieved and then increase to the same level as the other Neighbourhood Houses.

The Department of Families, Fairness and Housing (DFFH) is the lead funder of Neighbourhood Houses (Community Houses) in Victoria. The Houses connect and support local communities.

Yarra Ranges Council also funds Neighbourhood / Community Houses through its Neighbourhood House Partnership program. The program is run on a four-year cycle and the current cycle was endorsed by Council in 2022. Council funding is for community development and has a focus on community participation, inclusion, connection and capacity building.

After the closure of the Kallista Community House in December 2022 an opportunity was identified to support a new Neighbourhood House in Mooroolbark.

Mooroolbark is one of the most populous areas of Yarra Ranges and growing. It has strong community volunteering and commitment to strengthening and connecting the local community.

In 2024, the Mooroolbark Umbrella Group (MUG) led an engagement process to develop an application for Neighbourhood House funding from the DFFH with support from the regional DFFH and Council. In June 2024, DFFH announced that the Mooroolbark Umbrella Group was successful in achieving Neighbourhood House funding to commence the work of establishing a new Community House in Mooroolbark.

This report proposes that, with core DFFH funding now secured, funds from Council's current Neighbourhood House Partnership program be allocated to the new Mooroolbark Community House. Council funding will assist with developing a sustainable operating model with strong community-led governance to further strengthen the Mooroolbark community.

*In accordance with Governance Rule 58, Randall Bouchier spoke in support of the recommendation included in the report.*

*In accordance with Governance Rule 29.1, Cr Mazarella, Cr Marriott and Cr Higgins spoke to the Motion.*

**Moved: Cr Mazzarella**  
**Seconded: Cr Marriott**

That Council endorse the proposal:

1. *To include the new DFFH funded Community House in Mooroolbark in Council's Neighbourhood House Partnership Program.*
2. *That the new Neighbourhood House in Mooroolbark, commence with Council funding of \$20,000 until incorporated status is achieved and then increase to the same level as the other Neighbourhood Houses.*

**The motion was Carried unanimously.**

*In Favour: Cr Child, Cr Heenan, Cr Higgins, Cr Ward, Cr Mcilwain, Cr Mazzarella, Cr McAllister, Cr Marriott and Cr Cox*

*Against: Nil*

## 10.6 Warburton Paid Parking Pilot Fees Proposal

### SUMMARY

With visitor numbers in the Yarra Ranges expected to double, effective parking management is essential to support accessibility and local businesses. The Warburton Paid Parking Pilot aims to ease congestion and improve parking availability in high-demand areas by introducing a targeted, location-specific fee system.

**Yarra Ranges residents and eligible Warburton traders (including non-residents) will be exempt from paying parking fees.**

Following extensive research, engagement with local businesses, and benchmarking against other Victorian municipalities, Council proposes a variable fee structure that balances affordability with effective parking management. Paid parking will apply only during peak times (weekends and public holidays, 9 am–5 pm) at key locations, including Thomas Avenue, Warburton Highway, Water World, and Station Street. Fees range from \$3.50 to \$6.00 per hour (excluding the providers' transaction costs) with the first hour free along Warburton Highway to encourage customer turnover and support local businesses. A digital permit system will allow Yarra Ranges residents and traders to park for free. Additionally, a \$99 penalty under Road Rule 207(2) will apply for failure to pay parking fees or comply with signage.

Noting that the primary objective of the pilot is to improve traffic and parking safety and amenity, the financial impact of the pilot remains uncertain, given fees apply only to non-residents, making revenue projections variable. However, initial estimates suggest that the cost of implementing paid parking infrastructure and technology should be recovered within two years. The performance of the pilot will be reviewed after 12 months to assess its viability as a long-term solution.

More information on the paid parking pilot, including Frequently Asked Questions, is available on the Council's website. Please refer to:

[Paid Parking in Warburton Yarra Ranges Council](#)

*Cr Child moved an Alternate Motion.*

*In accordance with Governance Rule 29.1, Cr Child, Cr Heenan, Cr Mazzarella and Cr Higgins spoke to the Motion.*



**Moved: Cr Child**  
**Seconded: Cr Heenan**

That Council

1. *Approves location-specific fees (excluding the provider's transaction costs) for parking during Warburton Paid Parking Trial:*
  - *Thomas Ave \$3.50 an hour*
  - *Water World \$6.00 an hour*
  - *Station St \$3.50 an hour*
  - *Warburton highway first hour for free, second hour \$6.00*
2. *Notes the introduction of a new penalty under Road Rule 207 (2) set at \$99 for individuals who fail to comply with parking payment requirements.*
3. *Notes that Yarra Ranges residents and eligible Warburton traders (including non-residents) will be exempt from paying parking fees, in line with the Draft Parking Management Framework.*

**The motion was Carried.**

*In Favour: Cr Child, Cr Heenan, Cr Higgins, Cr Ward, Cr Mcilwain,  
Cr McAllister, Cr Marriott and Cr Cox*

*Against: Cr Mazarella*

## 10.7 CT 7747 Yarra Valley Trail Stage 1B.2

### SUMMARY

This report summarises the evaluation process taken and seeks Council approval for the construction of a new 1.5 km long shared path trail along the alignment of the former Healesville Railway Line, starting at the end of the existing path 1.2 kilometres north of MacIntyre Lane, Yering and finishing at the end of the existing earth railway viaduct 50 metres from the Yarra River, Yering. This construction constitutes stage 1B.2 of the Yarra Valley Trail project.

An advertisement calling for tenders was placed in The Age newspaper on Saturday 2 November 2024. Tenders closed on Wednesday 4 December 2024 and two (2) tenders were received.

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

The recommendation in this report has been formally endorsed by the tender evaluation panel.

*In accordance with Governance Rule 29.1, Cr McAllister, Cr Heenan and Cr Mazzarella spoke to the Motion.*

**Moved: Cr McAllister**  
**Seconded: Cr Heenan**

*That*

- 1. Council awards the tender from Cope Ag Pty Ltd for a total lump sum price of \$2,654,990.65 Inclusive of Provisional Items and Exclusive of GST (\$2,920,489.71 inclusive of GST and Provisional Items) for contract CT7747 Yarra Valley Trail Stage 1B.2.*
- 2. The Director Built Environment and Infrastructure 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 3(1)(g)(i)(g)(ii) of the Local Government Act 2020.*

**The motion was Carried unanimously.**

*In Favour: Cr Child, Cr Heenan, Cr Higgins, Cr Ward, Cr Mcilwain,  
Cr Mazzarella, Cr McAllister, Cr Marriott and Cr Cox*

*Against: Nil*

## **11 COUNCILLOR MOTIONS**

*In accordance with Chapter 3, Division 4, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

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

## **12 ITEMS THROUGH THE CHAIR**

### **12 ITEMS THROUGH THE CHAIR**

#### **12.1 Crossing Safety – Hardy Street Lilydale**

Cr Heenan reiterated the request earlier in the evening from the public question to Council for a safe crossing area to be created on Hardy Street Lilydale. Cr Heenan also cited the impact from the flooding of Olinda Creek and the impact the flooding has on the current traffic lights and area. The Mayor requested that the Director Built Environment & Infrastructure brief Councillors further on this matter at a future Forum.

#### **12.2 Chin National Day**

Cr Mazzarella congratulated the local Chin Community on their 77<sup>th</sup> Chin National Day on 20<sup>th</sup> February 2025. He noted, the Chin National Day is a significant occasion that honours the rich cultural heritage, history and unity of the Chin people. Cr Mazzarella also thanked the Chin Community for the contribution they make to the Mooroolbark Community and the wider Yarra Ranges.

## **13 REPORTS FROM DELEGATES**

Cr Marriott

- Attended the Municipal Fire Management Planning Committee on 12 February 2025. The meeting was also attended by Cr Child.
  
- Attended the Indigenous Advisory Committee on 18 February 2025. The meeting was also attended by Cr McAllister.
  
- Attended the Municipal Emergency Management Planning Committee on 19 February 2025. The meeting was also attended by Cr Child.

## 14 DOCUMENTS FOR SIGNING AND SEALING

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

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

## 15 INFORMAL MEETING OF COUNCILLORS

*In accordance with Governance Rule 29.1, Cr Child and Cr Higgins spoke to the Motion.*

**Moved: Cr Child**  
**Seconded: Cr Higgins**

*That the records of the Informal Meetings of Councillors, copies of which are attached to the report, be received and noted.*

**The motion was carried unanimously.**

*In Favour: Cr Child, Heenan, Cr Higgins, Cr Ward, Cr Mcilwain, Cr Mazzarella, Cr McAllister, Cr Marriott and Cr Cox*

*Against: Nil*

**16 URGENT BUSINESS**

There were no Urgent Business listed on the agenda for this meeting.

**17 CONFIDENTIAL ITEMS**

*In accordance with section 66(2)(a) of the Local Government Act 2020.*

There were no Confidential Items listed on the agenda for this meeting.

**18 DATE OF NEXT MEETING**

There being no further business the meeting was declared closed at: 8.43 pm.

Confirmed this day, Tuesday, 11 March 2025.

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**Councillor Jim Child (Mayor)**