

# Council Meeting

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## Minutes

**Tuesday, 13 May 2025**  
Council Chamber - Civic Centre  
and via Videoconference

## 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

### GOVERNANCE RULES

All Council and Delegated Committee meetings are to be conducted in accordance with Council's Governance Rules, which can be viewed at: <https://www.yarraranges.vic.gov.au/Council/Corporate-documents/Policies-strategies/Governance-rules>

### PUBLIC PARTICIPATION IN MEETINGS

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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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<https://www.yarraranges.vic.gov.au/Council/Council-meetings/Submissions-questions-petitions-to-Council>

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### **CONTACT US**

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# YARRA RANGES COUNCIL

## MINUTES FOR THE 623<sup>RD</sup> COUNCIL MEETING HELD ON TUESDAY, 13 MAY 2025 COMMENCING AT 7.00 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

The Mayor 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 Mazzearella

Councillor Fiona McAllister

Councillor Len Cox OAM

#### Officers

Tammi Rose, Chief Executive Officer

Hjalmar Philipp, Director Built Environment & Infrastructure

Leanne Hurst, Director Communities

Ben Waterhouse, Acting Director Corporate Services

Amanda Kern, Acting Director Planning and Sustainable Futures

### 4 APOLOGIES AND LEAVE OF ABSENCE

An apology for this meeting was received from Councillor Tim Heenan.

### 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 Mazzearella**

**Seconded: Cr Higgins**

*That the Minutes of the Council Meeting held Tuesday 8 April 2025, as circulated, be confirmed.*

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

*In Favour: Cr Child, Cr Higgins, Cr Ward, Cr McIlwain, Cr Mazzearella, Cr McAllister, Cr Marriott and Cr Cox.*

*Against: Nil*

*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.*

## QUESTION 1

### **Jonathon Knudsen of Launching Place asked;**

In watching the recording of the last Council Meeting held on 8 April, I noted that Councillor Higgins spoke for nearly 14 minutes on Item 10.1.

To uphold transparency, integrity, consistency, and good governance, could the Council please advise.

What steps will be taken to ensure councillor speaking times remain within the limits outlined in the Governance Rules? And how will instances of non-compliance be monitored and addressed?

### **Mayor, Councillor Jim Child.**

Thank you for your question, Jonathon.

I acknowledge that the Councillor speaking times during the Council meeting of 8 April 2025 exceeded the Governance Rules.

To ensure this doesn't reoccur I have reminded all Councillors of their obligations under the Governance Rules. To further ensure compliance I have also requested the Governance Team display a timer for Councillors as we do for public submissions.

Please know I take the role of Mayor with the upmost importance and our goal as a Council is to reinforce compliance, uphold transparency, integrity, and consistency in meeting procedures.

Thanks again for your question.

## **QUESTION 2**

### **Anonymous asked;**

When will Works that were allocated in 2024-2025 budget for works to mitigate flooding at the corner of 20A Nimblefoot Way and Delta Close commence and what are the chances of the said works failing to do the job of decreasing the flooding at that point or the possibility of making it worse as at some of the other rectification works in Lilydale have happened ?

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

Thank you for your question,

Council is currently progressing the design of a drainage solution at the drainage reserve at 20A Nimblefoot Way, aimed at addressing water ponding at the Delta Close/Nimblefoot Way intersection.

Stakeholder engagement on the proposed design has commenced, and the design is being refined based on the feedback received. Broader community notification will occur following these updates.

Construction is expected to be completed by the end of the 2024–2025 financial year.

### QUESTION 3

**Belinda Bernardini of Lilydale asked;**

I refer to the Mayors announcement regarding the requirement to pre-register when speaking to an agenda item. The change is in breach of s60(4) of the LGA and s87 isn't applicable as the proposed change has been made on a whim and without consultation of those who regularly attend council. The amendment must be put to the community for discussion.

**Acting Director Corporate Services, Ben Waterhouse**

Belinda, thank you for your question.

Section s60(4) of the *Local Government Act* refers to amendments to Governance Rules. I can confirm that Yarra Ranges Council has made no changes to its Governance Rules.

The Mayoral announcement was to advise community members that wish to speak to an item listed on the agenda that they are required to register with the Governance Team prior to the Council Meeting. This practice is required to ensure that Council conducts an orderly meeting in line with the Governance Rules and our broader statutory obligations.

Further information on registering to attend a Council meeting is available on Council's website.

## **QUESTION 4**

### **Anonymous asked;**

Is the council doing anything to address dirt bikes being ridden in close proximity to houses? Many councils have rules regarding dirt bike usage's restricting the size of land, needing permits or a simple solution such as not allowing dirt bikes within 500m of a residential dwelling owned by another person. We live in Yarra Ranges for peace and quiet, and enjoyment of the environment.

### **Director Communities, Leanne Hurst**

Thank you for your question.

Yarra Ranges Council does have a Neighbourhood Amenity Local Law which restricts the use of recreational vehicles being used on private land, where it creates a nuisance or risk to safety. Similarly, the Local Law prohibits certain activities on Council land, which may apply depending upon the particulars of an alleged activity.

I would encourage anyone experiencing issues with recreational vehicles which they believe are being used in contravention the Local Law to contact Council, and this applies even if a previous complaint has been made and it is occurring again.

## QUESTION 5

### **Wendy Wright of Wandin North asked;**

Agenda Item 10.4 [Quarterly Financial Report - March 2025]

Commentary notes that income related to planning fees is \$400k less than budgeted due to lower than anticipated number of planning applications.

Related to this, Public open space contributions are down \$600k.

I assume this means that less houses are being built - what is the impact on the council's housing targets and what is the volume of reductions in new builds that this reduction reflects?

### **Acting Director Planning and Sustainable Futures, Amanda Kern**

Thank you for your question, Wendy.

Council is committed to supporting housing development across the Yarra Ranges through the implementation of our Housing Strategy. In line with the State Government's recently established housing targets, we anticipate the number of houses in the Yarra Ranges will grow to approximately 72,000 by 2041. This equates to around 11,000 new homes over the next 15 years—an average of 730 new homes per year.

However, recent trends do show a slowdown in development activity. In the last quarter, we've seen a decline in planning applications being lodged across all categories, including multi-unit developments and subdivisions. This has led to a corresponding drop in planning fees and public open space contributions. In 2024, 434 building occupancy permits for new dwellings were issued by private building surveyors. So far in 2025, 115 occupancy permits have been issued.

Because public open space contributions are collected at the time of subdivision, the reduced number of developments being constructed and subdivided has also impacted these contributions.

While recent reforms to Planning in Victoria introduced by the Minister for Planning are designed to help meet our housing targets, it's important to note that the approval of planning permits does not guarantee construction. Council plays a key role in facilitating appropriate development approvals, but ultimately, the market conditions, and other factors beyond Council's control will determine the pace and feasibility of construction.

## **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.*

### **9.1 Petitions to Council**

#### **SUMMARY**

The following petitions be received:

##### **General Petition**

1. Request Yarra Ranges Council provide the funding for the auditing, replacement and ongoing maintenance of the existing CCTV cameras in Healesville, to ensure that the Healesville community and traders can feel a stronger sense of security and safety.  
140 valid signatures.
2. Request that Yarra Ranges Council assess whether a speed zone change is required for Bickleigh Vale Road and Edna Walling Lane in Mooroolbark. If a reduction is warranted, ask that the Council follow its standard procedures to implement the change.  
20 valid signatures.
3. Request Yarra Ranges Council make improvements to drainage along Outlook Drive, Ernest Road and connecting Roads, Kalorama, as water runoff is causing significant damage to some properties, driveways and roads.  
30 valid signatures.

*In accordance with Governance Rule 58, Penelle Munro (via Videoconference), Christopher Baker and Lynne Pharoah-Hamer spoke in support to the recommendation included in the officer report.*

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

**Moved: Cr Mcilwain**

**Seconded: Cr Cox**

*That the following General Petitions be received, noted and referred to the appropriate officers.*

- 1. Yarra Ranges Council to investigate funding the auditing, replacement and ongoing maintenance of the existing CCTV cameras in Healesville.*
- 2. Yarra Ranges Council to investigate a speed zone change for Bickleigh Vale Road and Edna Walling Lane, Mooroolbark and if it determines that the speed zone be reduced to follow its procedures to implement the change.*
- 3. Yarra Ranges Council to investigate improvements to drainage along Outlook Drive, Ernest Road and connecting Roads, Kalorama.*

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

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

*Against: Nil*

## 10.1 Yarra Junction Place Plan - Consideration of Adoption

### SUMMARY

The final Yarra Junction Place Plan has been developed with extensive involvement from the community. The Plan establishes a vision that will help guide decisions about Yarra Junction, lays the foundations for design, captures the values and qualities of the place, and directs future investment for the township.

The draft Place Plan was on public exhibition between 8 August to 8 September 2024. There was high level engagement with 762 visitors to the project's Shaping Page, 49 face to face interviews and 3 written submissions were received. The Plan has been heavily informed by a collaborative representative community working group that was convened across several sessions and directed feedback on actions and content as it was developed.

The final Yarra Junction Place Plan (Attachment 1) has applied the methodology and model from previous Place Plans and will be used as a mechanism to program and plan future projects.

Feedback received has been incorporated into the final Plan. The refined Action Plan has been internally reviewed to ensure that all actions align with Council strategies, plans and works programs. Actions have also been shared with the Community Reference Group members to ensure the changes have not lost the original intent of the actions.

This report seeks Council to note the findings from community consultation and consider adoption of the final Yarra Junction Place Plan.

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

**Moved: Cr Child**

**Seconded: Cr Ward**

*That Council*

1. *Note the findings from community consultation on the Yarra Junction Place Plan.*
2. *Adopt the Yarra Junction Place Plan 2025.*
3. *Advise the Yarra Junction community on the outcome of this meeting.*

**The motion was Carried unanimously.**

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

*Against: Nil*

## 10.2 2026 Annual Grant Program

### SUMMARY

Each year Council offers an Annual Grants program to not for profit community groups and artists. These grants provide funds for community-led projects that build stronger communities. The criteria for success for those applying are linked to the goals of Council's strategic plans.

The 2026 Annual Grant round is due to open on 2 June 2025, closing mid-July and is for projects happening in 2026. Applications are assessed by independent panels and the recommendations of the community assessment panels are presented to Council for endorsement in October 2025.

The report recommends minor changes to the Monthly Grants, consolidating two separate budgets into one program that supports vibrant and connected communities, with grants for not-for profit traders incorporated into that program.

This report seeks Council endorsement of the 2026 Annual Grant Guidelines, and the draft budget allocation in the 2025-2026 financial year of \$575,000 for the Annual Grants and \$150,000 for the Monthly Grant program.

*In accordance with Governance Rule 58, Wendy Wright spoke in objection to the recommendation included in the officer report.*

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

**Moved: Cr Mcilwain**

**Seconded: Cr McAllister**

*That Council endorses the Yarra Ranges Grants 2026 Annual Grant Guide.*

**The motion was Carried unanimously.**

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

*Against: Nil*

### 10.3            **Audit and Risk Management Committee - Independent Member Appointment**

#### **SUMMARY**

This report recommends the appointment of Mr Jonathan Kyvelidis as an Independent Member of Yarra Ranges Audit and Risk Management Committee (the Committee) for a three-year period commencing 1 July 2025 with remuneration of \$1,504.93 (excl. GST) per meeting.

This report also reconfirms a previous decision of Council that the remuneration for all existing Independent Audit and Risk Management Committee members is increased in line with the proposed rate cap of 3 per cent, effective 1 July 2025.

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

**Moved: Cr McAllister**

**Seconded: Cr Child**

*That Council endorse*

1. *The appointment of Mr Jonathan Kyvelidis as an Independent Member of the Yarra Ranges Council Audit and Risk Management Committee for a three-year term commencing 1 July 2025 with remuneration of \$1,504.93 (excl. GST) per meeting.*
2. *The remuneration for all Independent Members of the Yarra Ranges Council Audit and Risk Management Committee be increased by 3% effective 1 July 2025.*

**The motion was Carried unanimously.**

*In Favour:    Cr Child, Cr Higgins, Cr Ward, Cr McIlwain, Cr Mazzarella, Cr McAllister, Cr Marriott and Cr Cox.*

*Against:      Nil*

## 10.4 Quarterly Financial Report - March 2025

### SUMMARY

This report outlines Council's financial performance and financial position for the period ended 31 March 2025.

The Income Statement shows an overall favourable year to date (YTD) variance of \$268,000 representing 2.3 per cent of YTD Budget. This reflects the combined result of higher than budgeted operating income of \$6.047 million and higher than budgeted operating expenses of \$5.924 million.

Council's overall financial position at the end of this quarter is sound.

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

**Moved: Cr Higgins**

**Seconded: Cr Marriott**

*That Council receives and notes the Finance Report for the quarter ended 31 March 2025.*

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

*In Favour: Cr Child, Cr Higgins, Cr Ward, Cr McIlwain, Cr Mazzarella, Cr McAllister, Cr Marriott and Cr Cox.*

*Against: Nil*

## 10.5 Special Charge Scheme Policy

### SUMMARY

Yarra Ranges Council manages a large road network which is valued at \$389M in replacement value.

The extent of the unsealed network, along with community expectations of Council's service levels and approach to sealing, requires an overarching management plan.

This report outlines updates to Council's Special Rate and Charge Scheme Policy based on the following amendments:

- Seal roads under a proactive program and petition basis.
- Re - introduction of the landowner ceiling for road construction projects.

The contributions to road construction projects funded by the Special Charge Scheme proactive sealing program initiative are proposed to be considered with a landowner ceiling for projects at \$20,000 per development unit. Petition based programs are proposed to be considered based on landowner's contributing 80% of the funds and the Council contribution a standard 20% of the funding in accordance with the Policy.

The overall funding and approval of the Special Charge Schemes are to be subject to the annual budget process and Capital Funding allocations based on funding sources such as Roads to Recovery (R2R) program.

The policy document has undergone a review by the Council's legal representatives. It has been modernized and rewritten as a formal policy document, now accompanied by separate guidelines.

*In accordance with Governance Rule 58, Jordon Brown spoke in support of the recommendation included in the officer report.*

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

**Moved: Cr McAllister**

**Seconded: Cr Ward**

*That Council*

1. *Endorse the Yarra Ranges Council Special Rate and Charge Scheme Policy 2025.*
2. *Note the proposed approach to funding road sealing based on additional funding received from the Federal Road to Recovery (R2R) Grant 2024 to 2029.*

**The motion was Carried unanimously.**

*In Favour: Cr Child, 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**

There were no Items Through the Chair received for this meeting.

## **13 REPORTS FROM DELEGATES**

Cr McAllister

- Attended the Jack Hort Memorial Community Pool Management Committee meeting held on 9 May 2025 at the Jack Hort Memorial Community Pool.

Cr McIlwain

- Attended the Sustainable Environment Advisory Committee held on 24 April 2025 at the Yarra Ranges Council Civic Centre.

Cr Mazzearella

- Attended the Your Library Board Meeting held on 1 May 2025 at the Your Library Administration Building, Scoresby. The meeting was also attended by Cr Child. Cr Mazzearella noted the one-year anniversary of the passing of Joseph Cullen, Former Chief Executive Officer of Your Library Limited.

Cr Higgins

- Attended the Anzac Day Dawn Service held on 25 April 2025 in Lilydale. Cr Higgins acknowledged all the Councillors who attended local Dawn Services and thanked Officers for their work on the events.

Cr Marriott

- Attended the Dandenong Music Council Showcase held on 11 May 2025 at Burrinja Cultural Centre, Upwey.
- Attended the inaugural Rotary Club of Belgrave Hills Business Connections Breakfast held on 12 May 2025 at the Belgrave Recreational Reserve.

## 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

**Moved: Cr Child**

**Seconded: Cr Mazzarella**

*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, 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: 8.23 pm.

Confirmed this day, Tuesday, 27 May 2025.

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**Councillor Jim Child (Mayor)**