

Council Meeting

Minutes

Tuesday, 12 August 2025
Council Chamber - Civic Centre

Information for Councillors and the community

ACKNOWLEDGEMENT OF COUNTRY



Yarra Ranges Council acknowledges the Wurundjeri and other Kulin Nation peoples 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

Members of the community can participate in Council meetings in any of the following ways:

- 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.

For further information about how to participate in a Council meeting, please visit:
<https://www.yarraranges.vic.gov.au/Council/Council-meetings/Submissions-questions-petitions-to-Council>

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A person in attendance at the meeting must not operate film, photographic, tape-recording or other equipment to reproduce sound and/or images at any meeting without first obtaining the consent of the Chair.

The Minutes produced after each Council Meeting form the official record of the decisions made by Yarra Ranges Council.

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CONTACT US

Post	PO Box 105, Anderson Street
Telephone	1300 368 333
Facsimile	(03) 9735 4249
Email	mail@yarraranges.vic.gov.au

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YARRA RANGES COUNCIL

MINUTES FOR THE 629TH COUNCIL MEETING HELD ON TUESDAY, 12 AUGUST 2025 COMMENCING AT 7.00 PM COUNCIL CHAMBER - CIVIC CENTRE

1 COUNCIL MEETING OPENED

Councillor Jim Child (Mayor) declared the meeting open.

2 ACKNOWLEDGEMENT OF COUNTRY

Cr McAllister read the Acknowledgement of Country.

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 Tim Heenan

Councillor Len Cox OAM

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.

Tiny Homes Questions and Submissions

Over recent months, Council has received numerous Questions to Council and Submission requests regarding Tiny Homes, sometimes referred to as Tiny Homes on Wheels.

We have also received community inquiries outside of the Council meeting process and I'm aware that Council Officers have undertaken significant work on this matter and take these requests seriously. In accordance with our Governance Rules, public questions have been publicly addressed.

However, to ensure our Council meetings remain focused, efficient, and productive across all community matters, I wish to advise that following tonight's Council meeting future Questions to Council and Submissions relating to Tiny Homes will no longer be accepted during public Council meetings.

I fully acknowledge that this is a complex issue, and that many community members feel strongly about it. However, the matter has been comprehensively addressed in previous Council meetings. Furthermore, Council's Governance rules stipulate that Questions to Council and Submission that have previously received answers maybe disallowed in future meetings.

For those seeking further information, updates, or clarification on Tiny Homes, I encourage you to visit Council's newly launched dedicated webpage, which provides detailed guidance and answers to frequently asked questions.

Any future inquiries on this topic will now be treated as general correspondence, in line with Council's Customer Charter.

Moved: Cr Mazzearella

Seconded: Cr Marriott

That the Minutes of the Council Meeting held Tuesday 22 July 2025, as circulated, be confirmed.

The motion was Carried unanimously.

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

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 TO COUNCIL

Cadi-Lee Beach of Warburton asked;

What is it about Yarra Ranges Council green wedge policy that prevents the use of tiny homes & caravans in the current Housing Crisis?

What is required by YRC to enable people to use tiny homes & caravans in this crisis?

Director Planning and Sustainable Futures, Kath McClusky

Thanks for your question, Katie Lee, and in light of the Mayor's announcement earlier, please bear with me, this response is a little bit long but hopefully provides some clarity to Community.

In December 2023, the State Government introduced the definition of Small Second Dwellings, which includes tiny homes, caravans, and mobile homes, into all planning schemes to support alternative housing options.

In rural zones, including the Green Wedge Zone and Rural Conservation Zone, a small second dwelling is allowed, but must have a planning permit. In these zones, an owner can apply for a planning permit, provided it meets specific criteria including being under 60 square metres. Part of Council assessment against the planning scheme will be any environmental risks to an occupant such as fire, flood or landslip. If the land is vacant, a planning permit will be required.

In residential urban areas, the rules are different, and a planning permit may not be required, provided there are no other planning overlays on the property.

Additionally, a separate building permit may be needed, depending on the structure. Our Municipal Building Surveyor has determined that certain types of tiny homes and ancillary structures do require building approval. These decisions are made independently from Council and can only be reviewed through the Building Appeals Board or by providing further technical information. Neither Council or the Executive Team have the authority to override a Municipal Building Surveyor decision, only the State Building Surveyor or the Building Appeals Board can.

The rules that govern the placement and use of Small Second Dwellings are set by the State Government and apply across all Victorian councils. The rules are embedded in the Yarra Ranges Planning Scheme, and the Building Regulations. Yarra Ranges Council cannot change these planning or building requirements nor does Council have flexibility in how they are applied.

We do understand the issues confronting our community and we are actively listening. At our last Council meeting, we committed to reviewing our Local Law, including how it relates to temporary accommodation.

This won't resolve all issues, and it won't remove the need for building and planning controls, but it will bring greater clarification in relation to the length of temporary accommodation.

As previously stated, it is important to note that a Local Law cannot override State planning or building regulations.

We understand the complexity of the housing situation in Yarra Ranges and are committed to advocating for clearer guidance. Council continues to engage with the Minister for Planning and the State Building Surveyors to seek practical solutions that support our community.

SUBMISSIONS TO COUNCIL

New Parking Restrictions - Upwey South Primary School

Robert Shepherd provided Councillors with an update regarding the new parking restrictions around Upwey South Primary School and requested that Council engage with the School Council to improve the parking situation.

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 Petition to Council

SUMMARY

The following general petition be received:

General Petition

1. Wildlife Fatalities along Wellington Road

Request that Council advocate to the Department of Transport and Planning (DTP) to help reduce the incidents of wildlife fatalities along Wellington Road.

103 valid signatures.

In accordance with Governance Rule 58, Leanne Sultana spoke in support of the recommendation included in the officer report.

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

Cr Heenan requested an amendment to the recommendation and sought the agreement of the original mover and seconder. The mover and seconder did agree to the request.

Moved: Cr McAllister

Seconded: Cr Mcilwain

That Council

- 1. Receives and notes the "Wildlife Fatalities along Wellington Road" petition in accordance with the Governance Rule and refers this petition to the appropriate officers for investigation and response.*
- 2. Prepare a report to come to a future Council Forum before the end of October 2025.*

The motion was Carried unanimously.

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

Against: Nil

10.1 Municipal Association of Victoria - State Council Meeting**SUMMARY**

The Municipal Association of Victoria (MAV) will hold the next biannual State Council meeting on Friday 10 October 2025. The MAV has called for councils to submit proposed motions of importance to the local government sector in Victoria, to be considered at the meeting. If supported by the member councils, motions become resolutions, informing advocacy and policy positions of the MAV.

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

Moved: Cr McAllister

Seconded: Cr Ward

That Council endorse the proposed motions to be submitted to the Municipal Association of Victoria for consideration at the State Council Meeting on 10 October 2025.

The motion was Carried unanimously.

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

Against: Nil

10.2 People and Dogs in Parks Plan Seek Endorsement for Public Exhibition

SUMMARY

Yarra Ranges provides a variety of public open spaces, which accommodate numerous functions including dog off-leash areas. Dog off-leash areas offer flexible opportunities for physical activity, social connections and practising of responsible dog ownership. Providing dog off-leash areas can at times present challenges. These include conflicting uses of public open space, issues with dog and owner behaviour, health and amenity concerns such as animal waste, and the financial burden on Council to build, maintain, and renew a network of such facilities. Council has not previously had a plan governing these spaces.

The draft People and Dogs in Parks Plan 2025 responds to these opportunities and issues. It outlines standards for the provision, development, and management of dog off-leash areas across the municipality over the next 10 years. The draft Plan is informed by industry practice and extensive community input, specific to a Yarra Ranges' context.

The draft Plan establishes principles for dog off-leash areas to inform specific locations and a hierarchy (Local or District level) for each dog off-leash area. It also considers where fully enclosed sites may be provided. The Plan includes a preliminary list of where Local, District or District fully enclosed areas are proposed.

Initial community engagement was undertaken between 11 July – 13 August 2024, to understand issues and opportunities concerning dog off-leash areas in the municipality to assist in shaping the draft plan. It is proposed that the community be further consulted on the principles, the level of service outlined in the Plan, and the proposed locations and hierarchy for each dog off-leash area.

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

Moved: Cr Higgins

Seconded: Cr Marriott

That Council

- 1. Approves the release of the draft People and Dogs in Parks Plan for community engagement.*
- 2. Notes that community engagement findings will be presented to a future Council Meeting.*

The motion was Carried unanimously.

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

Against: Nil

10.3 EOI6105 7855 - Victoria Road, (Kingsburgh to Flowerfield) Chirnside Park Road Construction

SUMMARY

This report summarises the evaluation process and seeks Council approval for the award of the contract for the next stage of Victoria Road, Coldstream Road Rehabilitation works.

Victoria Road, Coldstream (Kingsburgh Lane to Flowerfield Drive) is listed under the Roads Rehabilitation & Renewal Program within the Yarra Ranges Council Capital Expenditure Program with an allocated funding from the Federal Roads to Recovery Program of \$2,080,000.00. There are subsequent stages of Victoria Road, Coldstream Road Rehabilitation works still to be funded from this budget allocation later in the financial year.

The evaluation panel recommends the tender from TDM Earthworks Pty Ltd be accepted for a lump sum contract amount of \$877,387.40 GST exclusive and inclusive of provisional items (\$965,126.14 GST inclusive).

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

Moved: Cr Higgins
Seconded: Cr Mazzarella

That Council

1. *Appoints TDM Earthworks Pty Ltd to EOI6105 7855 Victoria Road, Coldstream (Kingsburgh Lane to Flowerfield Drive) Road Rehabilitation works for \$877,387.40 exclusive of GST.*
2. *The Director, Built Environment and Infrastructure be delegated authority to sign the contract documents*
3. *Authorise the Director, Built Environment and Infrastructure to sign off any required contingency not exceeding 20 percent of the total lump sum contract.*
4. *The confidential attachments to this report remain confidential indefinitely as they relate 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 Higgins, Cr Cox. Cr Heenan, Cr Marriott,
Cr Mazzarella, Cr McAllister, Cr McIlwain and Cr Ward*

Against: Nil

10.4 CT7828 - Morrison Reserve Youth Activation & Bike Park - Stage 2

SUMMARY

This report summarises the evaluation process and seeks Council approval for the award of the contract for the Morrison Reserve Youth Activation & Bike Park– Stage 2, located off Mikado Road, Mount Evelyn VIC 3796.

Council received \$2.6 million from the State Government's Growing Suburbs Fund Program 2023/2024 to activate Morrison Reserve by providing new and engaging social areas for people to play, gather, and recreate in a safe and communal environment. Following delivery of the upgraded play space (stage 1), this contract will deliver the final stage of the youth precinct activation project, transforming Morrison Reserve into a dynamic and inclusive open space precinct. Works include a multi-level bike trail network, pump track, snake run, youth activation zone(s), DDA compliant access paths, overpass bridges, and landscaping throughout.

The Evaluation Panel recommends accepting the tender from Warrandale Industries for a lump sum contract amount of \$1,898,942.95 exclusive of GST.

Subject to contract award, works are anticipated to commence in Q4, 2025 with works expected to reach practical completion by Mid-2026.

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

Moved: Cr Heenan

Seconded: Cr Marriott

That Council

- 1. Awards the tender from The Trustee for Burma Family Trust t/as Warrandale Industries Pty Ltd for CT7828 Morrison Reserve Youth Activation & Bike Park - Stage 2 for \$1,898,942.95 exclusive of GST.*
- 2. The Director, Built Environment and Infrastructure be delegated authority to sign the contract documents*
- 3. Authorise the Director, Built Environment and Infrastructure to sign off any required contingency not exceeding 7.5 percent of the total lump sum contract.*
- 4. The confidential attachments to this report remain confidential indefinitely as they relate 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 Higgins, Cr Cox. Cr Heenan, Cr Marriott,
Cr Mazzarella, Cr McAllister, Cr McIlwain and Cr Ward*

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

12.1 Ferny Creek CFA

Cr Marriott acknowledged a letter of thanks received from the Sassafras-Ferny Creek CFA for remedial works carried out by Council.

12.2 1000 Cranes Project

Cr McIlwain provided Council with an update to the 1000 Cranes Project, to mark the 80th anniversary of bombings of Hiroshima and Nagasaki.

12.3 Lyrebird Collage Multipurpose Space

Cr McAllister attended the opening of the Lyrebird Collage Multipurpose Space in Coldstream and encouraged other Councillors to visit the school. Cr McAllister also noted the school is investigating a new site for an Adult Centre.

12.4 Homelessness

Cr McAllister requested that Council make visible to the Community the work that it is being undertaken supporting homelessness, in particular the advocacy to the State Government, funding for emergency relief and Planning advocacy.

12.5 Homelessness

Cr Heenan noted the positive change and greater emphasis on homelessness in his time as a Councillor. Cr Heenan also noted some contributing factors to the higher rates of homelessness including changes in the rental market, covid, change in employment opportunities and the rise in domestic violence.

13 REPORTS FROM DELEGATES

There were no Reports from Delegates received for this meeting.

14 DOCUMENTS FOR SIGNING AND SEALING

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 McAllister spoke to the Motion.

Moved: Cr Heenan

Seconded: Cr McAllister

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 Cox. Cr Heenan, Cr Marriott,
Cr Mazzarella, Cr McAllister, Cr McIlwain and Cr Ward*

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: 8.29 pm.

Confirmed this day, Tuesday, 26 August 2025.

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Councillor Jim Child (Mayor)