

Council Meeting

Minutes

Tuesday, 9 December 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 OAM

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>

LIVE STREAMING AND RECORDING OF MEETINGS

Council and Delegated Committee meetings will be live streamed and recorded with the video recording being published on Council's website. Council will cease live streaming at the direction of the Chair or prior to any confidential items being considered.

Opinions or statements made during the course of a meeting are those of the particular individuals. Council does not necessarily endorse or support the views, opinions, standards or information contained in the live streaming or recording of meetings. While Council will use its best endeavours to ensure the live stream and Council's website are functioning, technical issues may arise which may result in Council temporarily adjourning the meeting or, if the issue cannot be resolved, adjourning the meeting to another date and time to be determined.

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.

EVACUATION PROCEDURES

In the case of an emergency during a meeting held at the Civic Centre, 15 Anderson Street, Lilydale, you should follow the directions given by staff and evacuate the building using the nearest available exit. You should congregate at the assembly point at Hardy Street car park.

CONTACT US

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

Index to Minutes

ITEM	PAGE NO
1. COUNCIL MEETING OPENED	5
2. ACKNOWLEDGEMENT OF COUNTRY	5
3. INTRODUCTION OF MEMBERS PRESENT	5
4. APOLOGIES AND LEAVE OF ABSENCE	5
5. DISCLOSURE OF CONFLICTS OF INTEREST	5
6. MAYORAL ANNOUNCEMENTS.....	6
7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	6
8. QUESTIONS AND SUBMISSIONS FROM THE PUBLIC.....	6
9. PETITIONS.....	6
10. BUSINESS PAPER	7
10.1 Amendment C225 Erosion Management Overlay - Consideration of Submission and referral to Planning Panel	7
10.2 Mandatory Glass Bin Service - Impacts, Advocacy and Options	9
10.3 Labour Hire Contractor Panel Provider	11
10.4 Footpath Trading Policy & Roadside and Public Place Trading Policy	12
10.5 Declaration of Special Charge Arthurs Road Chum Creek.....	13
11. COUNCILLOR MOTIONS	13
12. ITEMS THROUGH THE CHAIR.....	14
13. REPORTS FROM DELEGATES	15
14. DOCUMENTS FOR SIGNING AND SEALING	15
15. INFORMAL MEETING OF COUNCILLORS.....	16
16. URGENT BUSINESS	16
17. CONFIDENTIAL ITEMS	16
18. DATE OF NEXT MEETING	16

YARRA RANGES COUNCIL

MINUTES FOR THE 636TH COUNCIL MEETING HELD ON TUESDAY, 9 DECEMBER 2025 COMMENCING AT 7.00 PM COUNCIL CHAMBER - CIVIC CENTRE

1 COUNCIL MEETING OPENED

Councillor Richard Higgins (Mayor) declared the meeting open.

2 ACKNOWLEDGEMENT OF COUNTRY

Cr Cox then read the Acknowledgement of Country.

3 INTRODUCTION OF MEMBERS PRESENT

Councillors

Councillor Richard Higgins (Mayor)
Councillor Gareth Ward (Deputy Mayor)
Councillor Jim Child
Councillor Jeff Marriott
Councillor Peter McIlwain
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 for 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

16 Days of Activation

The Chief Executive Officer, Tammi Rose, noted the Director Planning and Sustainable Futures, Kath McClusky, wearing an orange shirt which represents support to eliminate gender-based violence.

The Chief Executive Officer noted 25 November each year marks the International Day for the Elimination of Violence Against Women and Girls, and it marks day one of the 16 Days of Activism, which runs from the 25 November through to the 10 December each year.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved: Cr McAllister

Seconded: Cr Marriott

That the Minutes of the Council Meeting held Tuesday 25 November 2025, as circulated, be confirmed.

The motion was Carried unanimously.

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

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

There were no Questions from the Public listed on the agenda for this meeting.

SUBMISSIONS TO COUNCIL

Aquatic Facility on the Kilsyth Centenary Pool site

Janis Floyd made a Submission to Council regarding the building of an upgraded, modern, aquatic facility on the Kilsyth Centenary Pool site.

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.

10.1 Amendment C225 Erosion Management Overlay - Consideration of Submission and referral to Planning Panel

SUMMARY

Amendment C225 proposes to update the Erosion Management Overlay (EMO) in the Yarra Ranges Planning Scheme following a municipal-wide landslide risk assessment review. This includes updated mapping, replacing the schedule to the EMO with a new Schedule 1 to the EMO to manage landslip susceptibility and introducing a new Schedule 2 to the EMO to manage debris flow susceptibility.

The amendment also updates the Incorporated Document *“Requirements for a Geotechnical Assessment, Landslide Risk Assessment or Landslide Hazard Assessment prepared in support of a planning permit application under the Erosion Management Overlay (Yarra Ranges Shire Council, June 2025)”* to include references to Schedules 1 and 2 of the EMO and updates the application requirements.

The amendment was placed on public exhibition from 21 August 2025 to 26 October 2025 with a total of 84 submissions received (at the time of preparing this report). Of those, one submission supported the amendment, one supported and requested a change, four submissions stated no objection to the amendment, two submissions critiqued the methodology used, eight submissions had no position and 68 opposed the amendment and/or have sought changes or review of the mapped extent.

The key themes arising from submissions relate to mapping extent and methodology, insurance, impact on property values and future development potential, costs and time, property rates, stormwater and drainage and consultation. As officers are unable to resolve all submissions the amendment must be referred to an independent Planning Panel appointed by the Minister for Planning.

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

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

Moved: Cr Child

Seconded: Cr McAllister

That Council

1. *Note the matters raised in submissions to Amendment C225.*
2. *Note the responses, recommendations and changes proposed to be made to the Amendment in response to submissions (Attachments 1, 2 and 3).*
3. *Request the Minister for Planning to appoint an independent Planning Panel under section 23 of the Planning and Environment Act 1987, to consider submissions to Amendment C225, including any late submissions received.*
4. *Receive a further report considering the recommendations of the independent Panel.*

The motion was Carried unanimously.

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

Against: Nil

10.2 Mandatory Glass Bin Service - Impacts, Advocacy and Options

SUMMARY

This report provides an update on:

- Council's position regarding the State Government's mandate for a standalone kerbside glass recycling service.
- The cross-council collaborative advocacy efforts.
- The anticipated impacts of the glass service rollout on Yarra Ranges, including an analysis of available service options for Council consideration.

The report recommends maintaining both collaborative and individual advocacy to seek removal or deferral of the mandatory glass bin collection requirement, citing insufficient cost-benefit justification. It further supports advocacy for the expansion of the Container Deposit Scheme (CDS) to include wine and spirit glass bottles to enhance resource recovery outcomes.

Cr McAllister left the meeting at 7:52pm returned at 7:53pm prior to debate and a vote being taken.

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

Moved: Cr Mazzaella

Seconded: Cr Heenan

That Council

1. *Does not support the State Government imposed mandatory glass service in its current form, including the imposition on, and cost to, community.*
2. *Calls upon the State Government to permit alternative glass service options.*
3. *Defer the implementation of a glass service, in light of the State Government Service Standards not being release.*
4. *Continue to support the collaborative advocacy effort between councils including being named in multi council media campaigns.*
5. *Undertake advocacy as an individual council:*
 - (a) *For the removal of the requirement to implement a mandatory glass bin collection service, or to delay its implementation to future years.*
 - (b) *Support the expansion of the Container Deposit Scheme (CDS) to include wine and spirit bottles.*
5. *Note the risk of non-compliance if deferral of glass puts Council outside the legislated requirements.*

The motion was Carried.

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

Against: Cr Cox

10.3 Labour Hire Contractor Panel Provider

SUMMARY

The recommendation of this report is for Council to enter a new Procurement Australia (PA) sourced contract with our existing temporary labour hire panel provider, Comensura.

Comensura provides a financially advantageous business process access temporary labour via agreed employment agencies.

The Contract will be for an initial period of one year period, Council having the option to extend the Contract for an additional three periods of one year each.

In accordance with Governance Rule 29.1, Cr Ward spoke to the Motion.

Moved: Cr Ward

Seconded: Cr Mazzarella

That Council

1. *Accepts the Procurement Australia tender Managed Services Provider for Contingent Labour 2612/0653 for an initial period from 1 January - 31 December 2026 with three one-year options to extend.*
2. *The Director of Corporate Services be authorised to execute the contract and subsequent extensions.*
3. *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 Cox, Cr Heenan, Cr Higgins, Cr Marriott, Cr Mazzarella, Cr McAllister, Cr Mcilwain and Cr Ward

Against: Nil

10.4 Footpath Trading Policy & Roadside and Public Place Trading Policy

SUMMARY

Since establishing the Streets and Roadside Trading Policy in 2010, both legislative requirements and community expectations have changed, directly impacting Council's ability to regulate and manage trading on footpaths and in public places where Council has authority. The existing policy was reviewed and has identified significant updates including but not limited to:

- The need to split the existing policy into two distinct policies
- Supporting the compliance and enforcement of permit conditions
- Introduction of prescribed (fixed) roadside trading sites at identified locations

The Footpath Trading Policy 2025, Roadside and Public Place Trading Policy 2025, and Prescribed Roadside Trading Sites are presented as attachments to this report.

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

Moved: Cr Child

Seconded: Cr Mcilwain

That Council

1. *Adopts the Footpath Trading Policy 2025.*
2. *Adopts the Roadside and Public Place Trading Policy 2025 including Prescribed Roadside Trading Sites.*
3. *Repeal the existing Streets and Roadside Trading Policy 2010.*

The motion was Carried unanimously.

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

Against: Nil

10.5 Declaration of Special Charge Arthurs Road Chum Creek

SUMMARY

Following extensive consultation with landowners, Council considered road improvement works for Arthurs Road, Chum Creek and resolved on 14 October 2025 to proceed with a Special Charge Scheme under Section 163 of the Local Government Act 1989.

The statutory public notice and submission period concluded on 19 November 2025. One submission was received, raising concerns about financial hardship and changing circumstances since initial consultation.

The project will be jointly funded by Council and landowners, with an estimated total cost of \$503,903. Council will contribute \$246,600 (via the Federal Government's Roads to Recovery program), and landowners will contribute \$257,304. The scheme covers 20 properties, with 78% of surveyed landowners supporting the proposal.

This report recommends declaring the Special Charge without modification. Landowners experiencing hardship may seek assistance under Council's Rate Recovery and Financial Hardship Policy. Formal notifications will follow, and affected parties may apply to VCAT for review within 30 days.

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

Moved: Cr McAllister

Seconded: Cr Child

That Council

- 1. Having reviewed the proposed Special Charge, and considered submissions, declares the Special Charge for works on Arthurs Road, Chum Creek under Section 163 of the Local Government Act 1989, without modification.*
- 2. Notes the Special Charge applies to the area in Attachment 1, with costs in Attachment 2.*
- 3. Under Section 223 of the Local Government Act 1989, serves written notice of Council's decision to each submitter or nominated representative for group submissions.*
- 4. Serves written notice to all liable persons, advising of Council's decision and their right to seek review by Victorian Civil and Administrative Tribunal (VCAT) within 30 days of notice issue.*

The motion was Carried unanimously.

In Favour: Cr Child, Cr Cox, Cr Heenan, Cr Higgins, Cr Marriott, Cr Mazzearella, 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 Holy Fools Christmas Hamper Packing

Cr Heenan informed Council the Holy Fools Christmas Hamper Packing will be occurring on 13 December 2025 and encouraged community to donate through the purple bins located throughout the Municipality to help reach Holy Fools target of 200 hampers. Cr Heenan thanked everyone who had supported the cause.

12.2 Lilydale Melba Festival and Street Fair

Cr Heenan also congratulated the Lilydale Township Action Group on the successful Lilydale & Melba Festival Street Fair held on 7 December 2025. Cr Heenan also noted two upcoming events including the Community Dinner in Mt. Evelyn on 12 December 2025 at the Mt. Evelyn Community Centre and the Christmas Carols on 13 December 2025 in Melba Park, Lilydale.

12.3 Daniel Sanders 2025 FIM World Rally-Raid Champion medal

Cr Child noted, 31-year-old Victorian, Daniel "Chucky" Sanders winning the 2025 FIM World Rally-Raid Champion medal in Lausanne, Switzerland. Daniel competed in 5 events over 2025 including the Dakar Rally in January, of which he won 3 events.

12.4 Kilsyth Festival

Cr Cox attended the Kilsyth Festival on 23 November 2025 held at the Elizabeth Bridge Reserve, Kilsyth. Cr Cox thanked the volunteers who made the event possible and urged the community to volunteer at future events.

12.5 Yarra Ranges Council Annual Grant Celebration

Cr Higgins, along with Cr Mazzarella and Cr Ward, attended the Yarra Ranges Council Annual Grant Celebration held on 8 December 2025 at the Memo, Healesville. Cr Higgins commended everyone involved in the evening and the grant recipients.

13 REPORTS FROM DELEGATES

Cr McIlwain

- Attended the Sustainable Environment Advisory Committee (SEAC) held on 4 December 2025 at the Yarra Ranges Council Civic Centre. The meeting was also attended by Cr Marriott.

Cr Cox

- Attended the 2025 Advisory Groups Celebration held on 15 December 2025 at the Yarra Ranges Council Civic Centre.

Cr Cox

- Attended the Celebrate International Day of People with Disability event held on 3 December 2025 at the Yarra Ranges Council Civic Centre. The meeting was also attended by Cr Higgins.

Cr Cox

- Attended the proposed Montrose Quarry expansion community meeting held on 3 December 2025 at the Eastwood Golf Club. The meeting was also attended by Cr Marriott.

Cr Marriott

- Attended the Sustainable Environment Advisory Committee (SEAC) held on 4 December 2025 at the Yarra Ranges Council Civic Centre.

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 Mazzarella spoke to the Motion.

Moved: Cr Mazzarella

Seconded: Cr Marriott

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 Cox, Cr Heenan, Cr Higgins, 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: 8.44 pm.

Confirmed this day, Tuesday, 27 January 2026.

.....

Councillor Richard Higgins (Mayor)