

Council Meeting

Minutes

Tuesday, 11 March 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

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

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 622ND COUNCIL MEETING HELD ON TUESDAY, 11 MARCH 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

Councillor McAllister 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 Fiona McAllister

Councillor Tim Heenan

Councillor Len Cox OAM

Councillor Mitch Mazzearella (via Video Conference)

Officers

Tammi Rose, Chief Executive Officer

Hjalmar Philipp, Director Built Environment & Infrastructure

Nathan Islip, Acting 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 Cox

Seconded: Cr Mcilwain

That the Minutes of the Council Meeting held Tuesday 25 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

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

QUESTION 1

Anonymous asked;

Can you please confirm the zoning status of the McDermott Ave Netball courts? If to be used for housing, please confirm what steps are outstanding for the site to be used for housing?

Acting Director Planning & Sustainable Futures, Nathan Islip

The open space at 52 McDermott Avenue, Mooroolbark is currently designated as a Public Park and Recreation Zone. Throughout Covid community use of the site has changed.

Council previously decided to rezone this land. To rezone this land, a Planning Scheme Amendment would be required.

This process needs approval from the Minister for Planning and must follow the public notification and exhibition requirements of the *Planning and Environment Act 1987*, however this process has not yet begun.

Over the coming months Council will continue to engage with the Mooroolbark community to capture their feedback for the site's future, which will inform the development of a masterplan.

QUESTION 2

Michael Riddle of Montrose asked;

Regarding the Yarra Ranges 15-year Housing Strategy, specifically action 15, can I please get a status update on:

- 1) Review the application and subdivision provisions of the Low-Density Residential Zone' (LDRZ).
- 2) Second dwellings are allowable with a permit, however there is policy needed to assist decision making, which would cover issues such as landscape, built form, proximity to activity centres, and connection to reticulated sewer.

Acting Director Planning & Sustainable Futures, Nathan Islip

Thank you for your question, Michael.

Following the formal adoption of Council's Housing strategy, council officers have outlined a scope of work required and a formal review is planned. This will include community consultation to assess existing zone provisions and second dwelling requirements. The review may lead to a Planning Scheme Amendment, which would be publicly exhibited before any changes are implemented in the Yarra Ranges Planning Scheme

For completeness Action 15 of Council's Housing Strategy focuses on reviewing the application and subdivision provisions of the Low-Density Residential Zone (LDRZ) and potentially developing a planning policy to guide decisions on second dwellings. The policy would address key factors such as landscape impact, built form, proximity to activity centres, sewer connection, and environmental risks.

QUESTION 3

Anonymous asked;

Is it a requirement for a Ward Councillor to meet with and represent community groups within their constituency to the Yarra Ranges Council?

Vincenzo Lombardi, Director Corporate Services

Thank you for your question

At Yarra Ranges Council, as in all Victorian local governments, councillors have a responsibility to represent their constituents, including community groups, but there is no legal requirement mandating them to meet with specific groups or individuals.

Under the ***Local Government Act 2020***, councillors are expected to:

- Represent the interests of their ward and the broader municipality.
- Engage with community to understand their needs and concerns.
- Advocate on behalf of residents and community groups to the council.

Community groups can request meetings with Councillors, and it is up to the individual councillor to decide how they manage their engagements and which meetings they are able to attend.

It is common practice for Councillors to seek formal advice or responses from technical experts by deferring inquiries to senior Council officers.

QUESTION 4

Belinda Bernadini of Lilydale asked;

At the last council meeting Cr McAllister mentioned funding from the federal government. How is this possible when local councils aren't recognised in the Australian Constitution. On what legal basis is the federal government handing out taxpayer funds to council? Is the council accepting tax money from the federal government without questioning whether it's legally sound?

Vincenzo Lombardi, Director Corporate Services

Thank you for your question, Belinda.

The *Local Government Act 2020* provides the framework for operations of councils in Victoria, and it recognises local government as a distinct tier of government. Victorian local governments can legally accept funding from the federal and state governments.

A recurring funding stream issued by the Federal Government is the Federal Assistance Grants. This Federal funding is issued to the State Governments across Australia to then be administered to Local Governments. In the case of Victoria this funding is administered by the Victorian Grants Commission to all 79 Local Governments.

Other non-recurrent funding provided by the Federal Government directly to Victorian councils is undertaken through specific funding criteria set by the Federal Government.

Council also delivers approximately 30% of services on behalf of Federal Government with receiving less than 3% of revenue.

QUESTION 5

In accordance with Governance Rule 59.10, Wendy Wright read their Questions to Council

Wendy Wright of Wandin North asked;

Briefing meetings between staff & councillors at Yarra Ranges Council are closed to the public. This is not consistent with the role of councillors to reflect & represent their community.

As part of their election campaigns some Yarra Ranges councillors committed to advocate to open meetings to the public in some form. Is Yarra Ranges council actively working towards opening briefing meetings to the public?

Vincenzo Lombardi, Director Corporate Services

Thank you for your question, Wendy.

To ensure Councillors are fully informed in their decision-making Councillors are regularly briefed on a range of strategic topics and important community issues.

Briefing sessions are not decision-making forums and as such not public forums.

Yarra Ranges Council are not currently working towards open briefing meetings to the public. All decisions of Council are undertaken at Public Council meetings.

QUESTION 6

Wendy Wright of Wandin North asked;

The Emergency Services Volunteer Fund levy being introduced in July will result in an overall increase from what we pay now in the combination of the FSPL and indirect taxes. What steps has Council taken to understand the burden that this increased tax will have on residents and businesses, including the burden, cost and risks to council of implementing the collection of this tax? As a YR resident, I expect my council to advocate against this imposition, both directly to the State Government and indirectly via MAV.

Vincenzo Lombardi, Director Corporate Services

Thank you for your question, Wendy.

Council is aware of the change from the existing Fire Services Levy to the Emergency Services and Volunteers Fund will have a financial impact on local residents. This change to the levy was enacted by the Victorian Government in December 2024, with no consultation to Local Government, and imposes implementation by 1 July 2025.

Upon awareness of this change Council has modelled community and organisational impact. Council's advocacy to date has aimed to work towards outcomes that provide emergency services volunteers and services with the funding and support they need, in a way that avoids placing new burdens on community and Council.

Council's continuing advocacy on the issue, through meetings with our representative Members of Parliament, in addition to collective advocacy through Local Government sector interest groups, including the Municipal Association of Victoria (MAV).

With the upcoming MAV State Council meeting in May, Council will have the opportunity to support motions and actions proposed to the MAV regarding the Fund and will continue to advocate strongly for our community about this issue.

QUESTION 7

Anonymous asked;

Can you please look into parking signs on the side roads opposite the park on Dammans road, particularly in Brisbane Hill Road. Perhaps only one side parking to be permitted on the street. The weekend was busy and the entrance to Brisbane Hill Road was hindered.

If a large vehicle or emergency vehicle needs to come through it would not have fit. There are no parking limits all along Dammans Road.

Hjalmar Philipp, Director Built Environment & Infrastructure

Thanks very much for raising your concerns about traffic access along Dammans Road and its side streets.

Council acknowledges the increased congestion in this area, particularly on busy weekends, and the potential access issues for vehicles.

Following a recent investigation, Council's Traffic Engineers have identified the need to install 'No Stopping' restrictions in designated areas along Dammans Road, as well as at the intersections of Marlino Avenue, Brett Road, and Brisbane Hill Road to improve traffic flow and emergency access.

Letters notifying affected residents of these changes will be sent this week, with sign installation expected to be completed within the next fortnight. Thanks Again

SUBMISSIONS TO COUNCIL

There were no Submissions listed on the Agenda for this meeting.

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 MAV State Council & ALGA National General Assembly Motions

SUMMARY

The Municipal Association of Victoria (MAV) will hold the next State Council meeting on Friday 16 May 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.

The Australian Local Government Association (ALGA) will hold its National General Assembly from 24-27 June 2025. Motions have been invited from member councils, focusing on issues of national significance to the local government sector. If supported by the member councils, motions become resolutions, informing advocacy and policy positions of the ALGA.

Cr McAllister moved, and Cr Heenan seconded an amendment to the motion.

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

Moved: Cr McAllister
Seconded: Cr Heenan

That Council

1. *Endorse the motions to be submitted to the Municipal Association of Victoria for consideration at the State Council Meeting on 16 May 2025.*
2. *Delegate to the CEO the authority to prepare an appropriate MAV state council motion to oppose the recent state government ESVF levy increases to be implemented 1 July 2025.*
3. *Endorse the motion to be submitted to the Australian Local Government Association for consideration at the National General Assembly from 24-27 June 2025.*

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 Pandemic and Storm Recovery Action Plan

SUMMARY

This report provides a final update on the completion of the outstanding components of the Municipal Recovery Plan - Pandemic and Storm Recovery, Version 3 (MRPv3) (Attachment 1). The Municipal Recovery Plan v3 – Actions to June 2024 (Attachment 2) highlights the actions completed and actions that progress beyond the life of the Municipal Recovery Plan – Pandemic and Storm Recovery. It is important to note status updates in the Action Plan summary and highlight the integrated transition of recovery actions into council business-as-usual teams, to ensure there is a sustainable, seamless continuity of community connections and support, along with organisationally embedded recovery lessons.

The MRPv3 covered actions and programs at the local level, to support municipal-wide recovery from the COVID-19 Pandemic and the significant 2021 storm events (June and October). This is an opportunity to acknowledge the investment and work completed and to formally close out the MRPv3.

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

Moved: Cr McAllister
Seconded: Cr Heenan

That Council

1. Formally closes out the Municipal Recovery Plan - Pandemic and Storm
2. Acknowledges the ongoing integration of community support through existing Council programs.

The motion was Carried unanimously.

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

Against: Nil

10.3 Parking Management Framework

SUMMARY

Parking Management is becoming an increasing issue in some areas of the municipality. In the past, the introduction of time limited restrictions has been able to deliver the level of control necessary to meet the needs of the community. However, with growing population, increased tourist visitation and economic development, a comprehensive Parking Management Framework is required to guide the implementation of parking restrictions and supporting technology to better manage the parking across the municipality.

The Parking Management Framework envisions *parking in Yarra Ranges to provide equitable access to community facilities while protecting the natural environment and preserving unique character of its towns and villages.*

The framework consolidates and formalises Council's existing parking management practices into a clear, integrated, and transparent approach, aligning with the strategic objectives outlined in Council's Integrated Transport Strategy and providing a structured decision-making process for parking-related issues

Key Elements of the Framework include:

- **Hierarchy of Controls:** Outlines the types of controls considered for parking management.
- **Hierarchy of Parking Allocation:** Prioritises parking allocation when implementing parking restrictions.
- **Parking Investigations:** Details the process for conducting investigations and making evidence-based decisions.
- **Digital Parking Solutions and Paid Parking Schemes:** Guides the adoption of modern technology to enhance parking efficiency.
- **Parking Zones and Permits:** Defines various zones and permits tailored to land use and user needs.
- **Education and Balanced Enforcement:** Clarifies the role of enforcement and education in supporting parking management to facilitate safety, access and turnover of vehicles.

When the need for parking is balanced effectively with other transport options, residents, workers and tourists will continue to be able to access the various areas of Yarra Ranges Council and enjoy the variety of townships and environmental elements that makes this area so unique.

The Draft Parking Management Framework was released for community consultation from 14 August 2024 to 8 September 2024 with 99 online and 9 email responses received. This feedback has been reviewed, and the framework has been updated to address relevant community input (Attachment 1). Community Engagement Feedback Report can be found within Attachment 2.

In accordance with Governance Rule 29.1, Cr Mazzearella and Cr Higgins spoke to the Motion

Moved: Cr Mazzearella
Seconded: Cr Higgins

That Council:

1. Note the community engagement on the Draft Parking Management Framework.
2. Endorse the Parking Management Framework (Attachment 1).
3. Write to all submitters to thank them for their engagement and submissions and advise them of the outcome of the Council meeting.

The motion was Carried unanimously.

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

Against: Nil

10.4 Warburton Mountain Bike Destination – Stage 1B-1D Bridges (CT7760)

SUMMARY

This report summarises the evaluation process taken and seeks Council approval for the award of the contract to construct 17 mountain bike bridges and boardwalks associated with Stage 1B-1D of the Warburton Mountain Bike Destination (WMBD). An advertisement calling for tenders was placed in *The Age* newspaper on Saturday, 23rd November 2024.

Tenders closed on Wednesday 15th January and five (5) tenders were received. This item has been included in the public agenda to facilitate openness and transparency in Council's decision-making. Confidential attachments have been included with the report which contain commercially sensitive information that is not to be disclosed while the meeting is open to the public.

This tender is part of the larger Warburton Mountain Bike Destination project which commenced construction in July 2024. The tender price is within cost estimates and the committed project budget, which includes approximately \$7.6 million of grant income.

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

In accordance with Governance Rule 29.1, Cr Child and Cr Cox spoke to the Motion

Moved: Cr Child
Seconded: Cr Cox

That

1. Council awards the tender from Brunton Engineering and Construction Pty Ltd for a total lump sum price of \$1,218,761.31 inclusive of provisional items and exclusive of GST (\$1,340,637.44 inclusive of GST and Provisional Items) for contract CT7760.
2. The Director Built Environment and Infrastructure be delegated authority to sign the contract documents.
3. The confidential attachment to this report remains confidential indefinitely as it relates to matters specified under section (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 Mazzearella, 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

12.1 International Women's Day 2025

Cr Child attended two International Women's Day Events on 6 March 2025. The first event at Cire Services had many inspiring women in the business and academia fields speak at the event.

The 2nd event, 'March Forward', was held at the Aunty Dot Peters Auditorium at the Box Hill Tafe campus by Yarra Ranges Council and Inspiro. Cr Child attended the event with CEO Tammi Rose and acknowledged the inspiring legacy of Aunty Dot Peters and her contribution to the Healesville and broader community.

The event recognised the achievements of women in Yarra Ranges and women in sport.

12.2 International Women's Day 2025

Cr McAllister acknowledged a number of women as part of International Women's Day 2025. Cr McAllister shared her understanding of the 1st Female Shire President in Victoria, Gracia Baylor – who became Shire President of Healesville Shire Council in 1977. Gracia was later elected to the Victorian Legislative Council and also as President of the National Council of Women. In 2003, Gracia was added to the Victorian Women's Honour Roll. Cr McAllister thanked both Auntie Dot Peters and Gracia Baylor for the legacy they have left for our community.

Cr McAllister also acknowledged a number of inspiring women who supported and encouraged her to run for Council – Dorothy Barber, Sheryl Treen, Bev Schmolling and Maureen Bond, who are sadly no longer with us.

12.3 CCTV Maintenance

Cr McAllister noted the importance of Council's continued advocacy for the maintenance of CCTV Networks and Infrastructure within the municipality. Cr McAllister urged those running for the Federal Election to support communities with funding to maintain this important service, which is currently falling to traders and community groups to manage.

13 **REPORTS FROM DELEGATES**

Cr Mcilwain

- Attended and chaired first Sustainable Environment Advisory Committee Meeting on 6 March 2025. Cr Marriott also attended the meeting.

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 Heenan

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 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: 8.02 pm.

Confirmed this day, Tuesday, 25 March 2025.

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