



Council Meeting

Minutes

Tuesday, 14 March 2023
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. 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: David Eastham
Chirnside Ward: Richard Higgins
Lyster Ward: Johanna Skelton
Melba Ward: Sophie Todorov

O'Shannassy Ward: Jim Child
Ryrie Ward: Fiona McAllister
Streeton Ward: Andrew Fullagar
Walling Ward: Len Cox

CHIEF EXECUTIVE OFFICER & DIRECTORS

Chief Executive Officer, Tammi Rose
Director Built Environment & Infrastructure, Hjalmar Philipp
Director Communities, Jane Price

Director Corporate Services, Andrew Hilson
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>

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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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YARRA RANGES COUNCIL

MINUTES FOR THE 576TH COUNCIL MEETING HELD ON TUESDAY, 14 MARCH 2023 COMMENCING AT 7.04 PM COUNCIL CHAMBER - CIVIC CENTRE

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 Andrew Fullagar

Councillor Fiona McAllister

Councillor David Eastham

Councillor Tim Heenan

Councillor Johanna Skelton

Councillor Sophie Todorov (Deputy Mayor)

Councillor Len Cox OAM

Officers

Hjalmar Philipp, Director Built Environment & Infrastructure

Tammi Rose, Chief Executive Officer

Andrew Hilson, Director Corporate Services

Kath McClusky, Director Planning & Sustainable Futures

Jane Price, Director Communities

4 APOLOGIES AND LEAVE OF ABSENCE

An apology for this meeting was received from Councillor Richard Higgins.

5 MAYORAL ANNOUNCEMENTS

There were no Mayoral Announcements for this meeting.

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved: Cr Child

Seconded: Cr Heenan

That the Minutes of the Council Meeting held Tuesday 28 February 2023, as circulated, be confirmed.

The motion was Carried unanimously.

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.

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 FROM THE PUBLIC

QUESTION 1

Aaron Graham, a resident of Olinda, asked:

We've experience two dog attacks since moving to this council since last winter. Given that the council has full records of breed, location of residence, desexed status, age etc. what preventative measures has this council put in place to ensure the safety of both its constituents as well as their pets to prevent attacks by other pets, particularly dogs, and which councillor is responsible for the program?

Jane Price, Director Communities:

Thank you for your question, Aaron.

It is a whole of Council responsibility to ensure statutory requirements under the Domestic Animal Management Act 1994 are met. This includes the development and implementation of a Domestic Animal Management Plan (or DAMP) and an updated DAMP was endorsed by Council on 22 November 2022.

The DAMP outlines current programs to assist with the promotion of responsible pet ownership, welfare of dogs and cats, the protection of the community and the environment as well as evaluation of Council's animal management service.

'Minimising Dog Attacks' is a section of the DAMP that outlines details of factors that can influence aggressive behaviour in dogs and actions Council is focusing on to support a reduction in this type of behaviour. Since 2018 Council has seen a reduction in reported dog attacks.

Council Officers also inspect properties where declared dangerous and menacing dogs are required to be appropriately contained.

Further information can be found in the Yarra Ranges Domestic Animal Management Plan 2022 – 2026 available on Council's website.

QUESTION 2

Neil Doyle, a resident of Lilydale, asked:

In regard to Agenda Item 10.4. Could you please confirm or deny that the replacement street lights being rolled out are in fact just lights and do not have the ability to collect images, data or monitor movement from the public passing by?

Can you please confirm or deny these new lights have no 5G connectivity or any other ability to transmit or receive data from any other smart city initiative?

Kath McClusky, Director Planning & Sustainable Futures:

Thank you for your question, Neil the replacement streetlight program is looking to replace the inefficient lighting currently along the road network with energy efficient lighting. The streetlights do not have the ability to collect data, images or monitor movement and have no internet capability or connectivity.

The program is similar to replacing lights in the home, such as when changing over from the less efficient halogen lights to LED lighting.

QUESTION 3

Ian Bergwerf, a resident of Lilydale, asked:

Under the local Government Act 2020 the council is required to be transparent and efficient. Can you please explain why when the councillors have unanimously voted to remove 8 trees in Kookuburra lane, Mt Evelyn the planning system requires a further vote on the planning permit application. This is not efficient planning nor is it in the interest of the community.

Kath McClusky, Director Planning & Sustainable Futures:

Thank you for your question, Ian

The two-step process which has been followed in this case is the same as the one any landowner would need to take if they are seeking consent and permission to remove a tree from a neighbouring property. The first step is to ask for consent from the landowner to remove the vegetation, then if consent is given, there is still the requirement to obtain a planning permit for the removal. In this case, the arboricultural assessment which Councillors relied upon in November to give consent, was then used as documentation in the second step to lodge the planning permit application.

During the independent planning assessment for Kookaburra Lane, the first Council arborist report was reviewed independently by a second planning arborist. There is no double handling, and this process is consistent with any private landowner wanting to remove trees from a neighbouring property. The Yarra Ranges is renowned for its treed environment. Requests to remove significant native canopy trees need to be considered on a case-by-case basis to ensure the right balance between protecting the environment and landscape our community values and ensuring community wellbeing and are assessed against the provisions of the planning scheme.

QUESTION 4

Kathy Ricciuti, a resident of Silvan, asked:

Pg32 of council reports pack 13.12.22 states Monbulk UDF will have weekend engagement, letterbox drop off and a community meeting. Warburton UDF says there will be direct mail of the draft UDF.

Where and when has this happened? How do we trust that council will do the bigger things they promise when these simple agenda items above are not adhered to adequately? Will the suggested renegeing of the tree removal at Kookaburra Lane in tonight's agenda be another example of council's broken promises?

Kath McClusky, Director Planning & Sustainable Futures:

Thank you for your question, Kathy.

An extensive program of community engagement has been delivered for both the draft Warburton and Monbulk Urban Design Frameworks, including drop-in sessions, stakeholder meetings with trader and community groups and an online webinar that was recorded and uploaded to the Council website. These activities were communicated via media releases, local newspaper articles, posters in shopfronts and community noticeboards, dedicated web pages and social media promotions.

In response to community feedback, engagement periods were extended and additional drop-in sessions were held, and a postal mailout to Monbulk residents and businesses was sent in early March.

A direct digital mailout was sent in December 2022 to key stakeholders, community groups and Government agencies seeking submissions for both UDFs. There was no direct postal mailout to all residents in Warburton. It was felt that previous significant participation from local residents in engagement activities for the Warburton Place Plan and Warburton Mountain Bike Destination had captured many community views about issues the urban design framework seeks to address.

Around 3,191 people visited the Warburton UDF information on Council's online engagement platform 'Shaping Yarra Ranges', with 207 surveys completed. To date Council has also received 25 hard copy surveys and 50 emailed submissions. Between 40-60 people attended each of the four drop-in sessions held in Warburton.

As of 4pm today, 7,335 people have viewed information on the Monbulk UDF project page through Shaping Yarra Ranges, with 320 surveys completed to date. The survey closes on 26 March.

During the consultation period Council has experienced disruptions by parts of the community to some of its meetings and have therefore needed to modify some of the consultation approaches to address potential risks to staff and community and ensure an orderly and safe engagement. This included not proceeding with a presence at the Monbulk weekend market.

Any actions included in a final adopted UDF will be planned for delivery as with all previous actions in other UDFs, Structure Plans and Masterplans.

With regard to the vegetation removal application, as indicated by the CEO at the commencement of the meeting, the matter has been withdrawn from consideration at this evening's meeting, and will be presented at a future Council meeting for a decision by

Councillors. Council will be presented with the opportunity to discuss and debate this application in the public Chamber at a future date and may or may not support the officer recommendation. All trees that were identified as dangerous were removed last year.

The report and recommendation in the agenda prepared by officers follows a comprehensive professional and technical arboricultural assessment, based on arboricultural merit. This assessment has been completed as required against the Yarra Ranges planning scheme. The planning team's role is to present a balanced assessment of the proposal against the planning scheme ensuring assessments respond to both individual community member requests as well as broader community interest in protecting and managing our trees. This assessment is independent of the Council resolution of last year.

QUESTION 5

Anonymous asked:

For what projects or developments does the Yarra Ranges Council seek funding or intend to seek funding through the State Government-led 20-Minute Neighbourhood Initiative?

Include projects or developments seeking partial or full funding.

Include any current or intended projects, developments, initiatives, committees or advisory bodies.

Include possible funding for any current or new projects, developments, Initiatives, committees or advisory bodies.

Thank you

Kath McClusky, Director Planning & Sustainable Futures:

Thank you for your question.

The State Government's Municipal Strategic Planning Project (MSPP) seeks to deliver "better planning for Neighbourhood Activity Centres" to support the outcomes of its 20 Minute Neighbourhood initiative. Council has previously applied in 2022 for funding to develop overviews for each of the key activity centres to support housing, transport and business outcomes. Council was not successful in this funding application.

Council does not currently have a forward schedule of projects that are intended to seek funding through the Victorian Government's 20 Minute Neighbourhood, however it would be considered if any future projects align with the objectives and outcomes, including a small selection of relevant actions in adopted Structure Plans which are all available on Council's website and the final versions of the current Urban Design Frameworks.

QUESTION 6

Anonymous asked:

Yarra Ranges Council development process seems to assume ownership of 'Council land' and seems to assume the right to sell the land to developers.

In terms of Council selling 'Council land', who actually owns the land?

Who owned the land originally?

Is it the present day community member's land or does it belong to the first nations people?

Hjalmar Philipp, Director Built Environment & Infrastructure:

Thank you for your question, Megan.

Firstly, it's important to mention that Council acknowledges the continuous connection to country of Wurundjeri and other Kulin Nations as the traditional owners and custodians of the land in Yarra Ranges.

As bureaucratic as it sounds on matters regarding land tenure and sale, including native title and traditional ownership, Council is obliged to act in accordance with relevant federal and state government legislation, including the land tenure system that has been established in Australia.

The Local Government Act 2020, in particular Part 5, is one of the key pieces of legislation outlining Council's role, powers and obligations, including in relation to community feedback when selling any land.

Ultimately any sale needs to be in the best interests of the community.

The Act can be viewed online at legislation.vic.gov.au.

SUBMISSIONS FROM THE PUBLIC

Community Health

Brian Mier provided Councillors with an update on the work that has been undertaken regarding community health and the need for ongoing support from Yarra Ranges Council. The Mayor referred the matter to the Director Communities for further investigation.

Candlebark Community Nursery

Bernard Heinze provided Councillors with an update on the Candlebark Community Nursery and the current financial situation.

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

The Mayor requested a letter be sent to the Department of Transport, on behalf of Council, encouraging them to re-consider the lease terms for Candlebark Nursery.

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 petitions have been received:

General Petitions

1. *Residents request that Council construct a walking trail from Hazelvale Road, Tecoma to Birdsland Reserve. 235 valid signatures. (102 from Yarra Ranges).*

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

Moved: Cr Skelton

Seconded: Cr Fullagar

That the following General Petitions be received and noted. 1. Request that Council construct a walking trail from Hazelvale Road, Tecoma to Birdsland Reserve. The request is to be referred to the appropriate officer.

The motion was Carried unanimously.

10 BUSINESS PAPER

10.1 YR-2022/1106 - Hereford Road, Mount Evelyn - Planning Report (Withdrawn)

SUMMARY

The application proposes to remove eight native trees from the site, four of which are exempt from requiring a permit, and four require a planning permit. All trees proposed for removal are assessed as having a low risk of failure. The proposed tree removal has been lodged following safety concerns raised by an adjoining property owner whose dwelling was impacted by a falling tree from the subject land during the June 2021 storm event.

Prior to the lodgement of the application, Council's Arborist inspected 25 trees within proximity of the affected property and consented to the removal of seven trees deemed to be dangerous and posed an immediate risk but recommended the retention of further eight trees that form this application. Those seven immediate risk trees have been removed.

On 22 November 2022, consideration of whether consent should be given by Council for the removal of eight trees was brought to a Council meeting whereby a motion was passed allowing their removal subject to a planning permit application being lodged and issued.

Of the eight trees to be removed, four trees (Trees 3, 4, 8 and 22) require a planning permit under Clause 42.01 - Environmental Significance Overlay Schedule 1, Clause 42.03 - Significant Landscape Overlay Schedule 6 and Clause 52.17, Native Vegetation, while the remaining four (Trees 16, 17, 19 and 21) are exempt under Clause 52.12 as they are within 10 metres of the dwelling on the adjacent property.

The application was advertised, and one letter of support was received.

As required by the Yarra Ranges Planning Scheme, the proposal has been assessed on arboricultural merit. The vegetation has been assessed by two arborists, the first being on behalf of Council as the applicant, and the second who undertook a review of the submitted assessment on behalf of the planning department. Each Arborist conducted an independent review, and both have determined that, with the exception of Tree 8, there is no arboricultural reason for the vegetation to be removed. The vegetation is deemed to be of high retention value, is at low risk of failure and has a long useful life expectancy.

The proposal is deemed to be inconsistent with the relevant provisions of the Yarra Ranges Planning Scheme, in particular both State and Local Planning Policy which seek to protect and retain ecologically significant, high retention value vegetation.

It is therefore recommended that Council resolve to refuse the application, and a Notice of Refusal be issued.

ITEM WITHDRAWN

At the request of the Chief Executive Officer, Item 10.1 YR-2022/1106 - Hereford Road, Mount Evelyn – Planning Report, was withdrawn from the agenda as it was identified that the landowner had not been notified of the application in accordance with Section 48(1)(b) of the Planning and Environment Act 1987.

There was no consideration of the planning application at this meeting.

SUMMARY

This application seeks to use and develop the land for a service station including a convenience shop with drive through, six (6) fuel pumps, three (3) hand car wash bays, a machine carwash, dog wash and four (4) vacuum stations operating 24 hours a day, seven days a week. The car wash bays, and vacuum bays will operate at specific times. The proposal includes the display of pole signs, promotion signs, illuminated business identification signs, and alteration of access to a road in a Transport Zone 2.

The key issues with the proposed use are traffic, car parking and amenity impacts on adjoining and nearby Mount Evelyn Primary School and dwellings.

The proposal is consistent with the purpose of the Industrial 3 Zone, noting that service station use is an as of right use except where within 30 metres of a residential land zone or education facility.

The proposal meets the objectives and strategies of the relevant planning policies, including clause 02 and clause 17.03.

The layout responds to the adjoining school, placing noise and odour producing components such as the bowsers, tank refilling point, control building, drive through, vacuums and car wash to the west of the site where the school's car park and the adjoining panel beater provide an appropriate buffer to the school.

The 24-hour sale of petrol is supported however, due to amenity impact concerns upon the adjoining dwellings, the drive through is recommended to be limited to 6am to 10pm operation and vacuum operation is recommended to be limited to 7am to 6pm.

The proposal seeks to undertake significant works within Monbulk Road including slip lanes and turning lanes. Through negotiation and amendment of plans the Department of Transport have reviewed and support the proposed access arrangements. These alterations to Monbulk Road, in addition to conditions requiring plans to show access to Renouf Court and other adjoining properties, address existing traffic issues in the immediate vicinity of the site and provide a net community benefit.

The recommendation includes conditions to address both existing and potential traffic concerns, with particular focus on pedestrian safety.

Overall, it is considered that the proposal demonstrates a strong alignment with the relevant policies and provisions of the Yarra Ranges Planning Scheme and provides an opportunity to improve local pedestrian and vehicle traffic issues and should be supported, subject to conditions.

It is recommended that a Notice of Decision to Grant a Permit be issued subject to the conditions in Attachment 1 to the report.

In accordance with Governance Rule 58, Nicholas Sanders spoke in objection of the recommendation included in the officer report.

In accordance with Governance Rule 58, Andrew Caspar, on behalf of the Applicant, spoke in support of the recommendation included in the officer report.

Cr Heenan moved a motion alternate to that printed in the agenda.

Moved: Cr Heenan
Seconded: Cr Cox

That Council resolve to refuse Planning Application YR-2020/807 for the use and development of the land for a service station (including car wash and convenience shop with drive through), display of pole signs, promotion signs, illuminated business identification signs, construct a fence, and alter access to a road in a Transport Zone 2 at 41 Monbulk Road Mount Evelyn and issue a Notice of Refusal subject to the following grounds:

- a) The proposed use and development will impact detrimentally upon the amenity of the adjoining school, parkland and dwellings by way of noise, light spill, odours and fumes, which is incompatible with these adjoining land uses and contrary to the purpose of the Industrial 3 Zone.*
- b) The proposed use will generate traffic that will impact detrimentally upon the pedestrian environment, which is contrary to the purpose of the Industrial 3 Zone.*
- c) The proposed use will result in a detrimental impact on the efficient and safe operation of traffic movements in Monbulk Road, Aqueduct Avenue, Renouf Court and the access and egress from adjoining and nearby properties which is contrary to the purpose of the Industrial 3 Zone.*
- d) The proposed signage will result in visual clutter and is contrary to Clause 52.05 Signage.*
- e) The proposal hours of operation are detrimental to the amenity of adjoining dwellings to the south, which is contrary to the purpose of the Industrial 3 Zone.*
- f) The operation of the proposed drive through will result in an unreasonable detrimental impact on the amenity of the adjoining dwelling at 43 Monbulk Road Mount Evelyn as a result of its proximity to the dwelling, and as a result of the associated noise and light emissions, which is contrary to the purpose of the Industrial 3 Zone.*

The proposed landscaping plan, including canopy tree planting is contrary to the Bushfire Management Overlay.

The motion was Carried.

10.3 Amendment C210 - 1 Montrose Road, Montrose - Consideration of Panel Report and Adoption of Amendment

SUMMARY

Amendment C210 proposes to apply the Heritage Overlay (HO430) to 1 Montrose Road, Montrose.

The amendment was placed on public exhibition from 7 July 2022 to 8 August 2022 and six submissions were received. Two submissions supported the amendment but requested changes and one submission opposed the amendment.

At the Ordinary Meeting of 11 October 2022, Council resolved to seek the appointment of an independent Panel to consider submissions to the amendment.

The Panel hearing was held on 14 and 15 December 2022. The Panel has now provided its report and recommendations to Council.

The Panel has recommended that Amendment C210 be adopted with some modifications, the most significant of which is the deletion of individual protection of five identified trees. A copy of the panel report is at Attachment 1.

It is recommended that Council adopt Amendment C210 consistent with the Panel's findings.

Cr Cox moved a motion alternate to that printed in the agenda.

Moved: Cr Cox

Seconded: Cr Todorov

That Council

- 1. Having considered the recommendations of the Panel Report, adopt Amendment C210 to the Yarra Ranges Planning Scheme to include individual protection of five identified trees and amend the amendment documents accordingly to reflect this.*
- 2. Submit Amendment C210 to the Minister for Planning for approval with the reasons why it has not accepted all of the Panel's recommendations.*
- 3. Write to submitters advising of the outcome of Council's decision.*

The motion was Carried.

10.4 CT7221 Sustainable Street Lighting Stage 3: Standard Lighting Installation and Light Supply

SUMMARY

The Sustainable Streetlighting Program which commenced in 2013 has replaced of over 7000 Council streetlights with cumulative savings of \$2.5 million and an average annual abatement of 3,000 tonnes of carbon emissions. This third stage will see the remaining unmetered streetlights replaced with energy efficient lighting.

This report seeks support for the upgrade of standard streetlighting on Category P (pedestrian) and Category V (vehicle) roads. Quotes were sought December 2022 through the MAV contract: SL3911-2022 Street Lighting Hardware & Installation.

This report recommends accepting lighting supply from Schreder Australia Pty Ltd and installation from Electrix Pty Ltd for the estimated prices in the Confidential Attachments to this report. The recommended price is reflective of current streetlighting market rates and represents the best value outcome for Council.

This item has been included in the public agenda to facilitate openness and transparency in Council's decision making. Confidential attachments are included with the report which contains commercially sensitive information.

Moved: Cr Skelton
Seconded: Cr Fullagar

That

- 1. Council approves the quote from Schreder Australia Pty Ltd for lighting hardware under the MAV 'Contract No: SL3911-2022 Street Lighting Hardware & Installation' for the total estimated price of \$541,740 exclusive of GST (\$595,914 inclusive of GST) for the contract period anticipated as 16 March 2023 to 30 June 2023.*
- 2. Council approves the quote from Electrix Pty Ltd trading as Omexon Australia for lighting installation under the MAV 'Contract No: SL3911-2022 Street Lighting Hardware & Installation' for the total estimated price of \$652,808.16 exclusive of GST (\$718,088.97 inclusive of GST) for the contract period anticipated as 16 March 2023 to 30 June 2023.*
- 3. Council delegate authority to the Director Planning & Sustainable Futures to sign contract documents.*
- 4. The confidential attachments to this report remain confidential indefinitely as it relates to matters specified under Section 3(1) (g)(i), (g)(ii) of the Local Government Act 2020.*

The motion was Carried unanimously.

10.5 CT6729 Civil Design & Associated Services Council Evaluation report

SUMMARY

Council has an ongoing requirement for Civil Design and Associated Services in support of delivering its annual infrastructure capital works program. A panel arrangement is required for the development of civil design documentation, undertaking water and stormwater related design and analysis, and completing project management services.

An advertisement calling for tenders was placed in The Age newspaper on Saturday 17 September, 2022. Tenders closed on Monday 17 October 2022, and twenty-six submissions were received.

The evaluation panel recommends the following tenders:

1. Afflux Consulting Pty Ltd
2. AME Consultants Pty Ltd
3. Civil Road Solutions Pty. Ltd.
4. CRE Consulting Engineers Pty Ltd
5. C.T. Management Group Pty. Ltd.
6. Engeny Australia Pty Ltd
7. GHD Pty Ltd
8. HDS Australia Pty Ltd
9. JCA Land Consultants Pty Ltd
10. JJ Ryan Consulting Pty Ltd
11. Morphum Environmental Limited
12. Procivil Consulting Pty Ltd as The Trustee for Procivil Unit Trust
13. RMG (AUS) Pty Ltd
14. Tony McGann Consulting Pty Ltd as The Trustee for McGann Discretionary Trust

The maximum estimated total value of this schedule of rates contract for the full contract term of 7 years is \$7,000,000 (ex. GST) (\$7,700,000 inc. GST) (which includes all extension options). Rates are fixed for the first year of the contract and subject to annual CPI adjustment or capped at Council's rate cap, whichever is lower.

Moved: Cr Eastham
Seconded: Cr Skelton

That

1. *Council awards the following tenders for CT6729 Civil Design and Associated Services Panel for an initial 3-year contract term, with a total estimated price for the full contract term of 7 years of \$7,000,000 (ex. GST) (\$7,700,000 inc. GST);*
 - (a) *Afflux Consulting Pty Ltd*
 - (b) *AME Consultants Pty Ltd*
 - (c) *Civil Road Solutions Pty. Ltd.*
 - (d) *CRE Consulting Engineers Pty Ltd*
 - (e) *C.T. Management Group Pty Ltd*
 - (f) *Engeny Australia Pty Ltd*
 - (g) *GHD Pty Ltd*
 - (h) *HDS Australia Pty Ltd*
 - (i) *JCA Land Consultants Pty Ltd*
 - (j) *JJ Ryan Consulting Pty Ltd*
 - (k) *Morphum Environmental Limited*
 - (l) *Procivil Consulting Pty Ltd as The Trustee for Procivil Unit Trust*
 - (m) *RMG (AUS) Pty Ltd*
 - (n) *Tony McGann Consulting Pty Ltd as The Trustee for McGann Discretionary Trust*
2. *Council approves the Director of Built Environment and Infrastructure be delegated the authority to sign the contract documents.*
3. *The Director of Built Environment and Infrastructure be delegated authority to extend the contract term by up to two (2) periods of two (2) years each for each contract on the terms set out in the original contract.*
4. *The confidential attachment to this report remains confidential indefinitely as it relates to matters specified under section 3(1) (g)(i), (g) (ii) of the Local Government Act 2020.*

The motion was Carried unanimously.

10.6 Municipal Association of Victoria - State Council Meeting

SUMMARY

Review the statutory timeframes outlined in the Planning and Environment Act 1987 to better differentiate between simple, moderate and complex planning matters.

The Municipal Association of Victoria (MAV) will be holding its State Council Meeting on Friday 19 May 2023. State Council is the MAV's governing body and comprises representatives from each member council, with one of its roles being to determine the strategic direction for the MAV.

Member councils are invited to put forward motions for consideration at the State Council Meeting in accordance with the criteria set by the MAV.

Council is asked to endorse the motions to be submitted for consideration.

Moved: Cr McAllister
Seconded: Cr Skelton

That Council endorse the following motions to be submitted for consideration at the MAV State Council Meeting on 19 May 2023:

1. *That the MAV call on the Victorian Government to:*
 - (a) *Provide support and funding to Councils to ensure that changes to legislation and regulation can be adequately implemented, as well as funding administrative overheads incurred in the management of State Government systems.*
 - (b) *Subsidise the cost to implement and administer state-wide technology platforms including FoodTrader.*
 - (c) *Engage with and provide training to Local Government prior to the implementation of amendments or new legislation impacting the Environmental Health sector.*
 - (d) *Commit to an education recruitment program and support universities to undertake Industry Based Learning (IBL) to attract further education seekers to the fields of Health Sciences and Environmental Health.*
 - (e) *Encourage and support universities to implement IBL and workforce placements with Council to combat the current skills shortage.*
2. *That the MAV call on the Victorian State Government to:*
 - (a) *Increase support and funding for university placements for Urban and Regional Town Planners and introduce traineeships and short course certificates for entry-level planners / candidates with existing tertiary qualifications to commence working in the sector.*
 - (b) *Release qualified planners from State Government roles to enable recruitment of qualified planners into Local Government positions.*
 - (c) *Finalise and release the various planning reforms currently being developed to improve the operational efficiency of the Local Government sector to deliver more efficient planning decisions in a timely manner.*

The motion was Carried unanimously.

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 Kallista Flood Watch Group

Cr Skelton attended the Kallista Flood Watch Group Community Briefing on Thursday 2 March 2023 at the Kallista Tea Rooms. Aaron Violi, Federal Member for Casey and Daniela De Martino, State Member for Monbulk, were also in attendance. The Mayor also attended the meeting.

12.2 Kallista Village Incorporated

Cr Skelton attended the inaugural meeting of the Kallista Village Incorporated on Thursday 2 March 2023 and informed Councillors that the group will be holding their next meeting on the 23 March 2023.

13 REPORTS FROM DELEGATES

There were no Reports from Delegates received for this 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 Child

Seconded: Cr Heenan

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.

16 URGENT BUSINESS

There was no Urgent Business received 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: 9.37 pm.

Confirmed this day, Tuesday, 28 March 2023.

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Councillor Jim Child (Mayor)

