

# Council Meeting

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## Agenda

**Tuesday, 9 May 2023**

Council Chamber - Civic Centre and via  
Videoconference

## Information for Councillors and the community

### ACKNOWLEDGEMENT OF COUNTRY

Yarra Ranges Council acknowledges the Wurundjeri and other Kulin Nations as the Traditional Owners and Custodians of these lands. 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>

### 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

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## 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

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## Agenda

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*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.*

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**Agenda**

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## **YARRA RANGES COUNCIL**

**AGENDA FOR THE 580<sup>TH</sup> COUNCIL MEETING TO BE HELD ON TUESDAY  
9 MAY 2023 COMMENCING AT 7.00PM VIA VIDEOCONFERENCE.**

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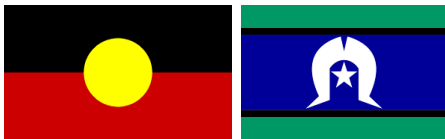
### **1. MEETING OPENED**

## 2. 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.



### **3. INTRODUCTION OF MEMBERS PRESENT**

#### **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  
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Streeton Ward: Andrew Fullagar  
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Chief Executive Officer, Tammi Rose  
Director Built Environment & Infrastructure, Hjalmar Philipp  
Director Communities, Jane Price  
Director Corporate Services, Andrew Hilson  
Director Planning & Sustainable Futures, Kath McClusky

**4. APOLOGIES AND LEAVE OF ABSENCE**

An apology for this meeting was received from Councillor Joanna Skelton.

**5. MAYORAL ANNOUNCEMENTS**

**6. CONFIRMATION OF MINUTES**

**RECOMMENDATION**

*That the Minutes of the Council Meeting held Wednesday 26 April 2023, as circulated, be confirmed.*



## 7. 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.*

*The Local Government Act 2020 defines two categories of conflict of interest:*

- *a general conflict of interest, which is defined as "...a relevant person has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty", and*
- *a material conflict of interest, which is defined as "...a relevant person has a material conflict of interest in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter. The benefit may arise or the loss incurred (a) directly or indirectly; or (b) in a pecuniary or non-pecuniary form."*

*In accordance with section 130 of the Local Government Act 2020, a conflict of interest must be disclosed in the manner required by the Governance Rules and the relevant person must exclude themselves from the decision-making process.*

No Conflicts of Interest have been received prior to the Agenda being printed.

**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.*

A person may make a submission to Council on matters that are not listed on the Agenda. A submission may be on any matter except if it:

- (a) is considered malicious, defamatory, indecent, abusive, offensive, irrelevant, trivial, or objectionable in language or substance;
- (b) is substantially the same as a submission made to a Council meeting in the preceding 12 months;
- (c) relates to confidential information as defined under the Act;
- (d) relates to the personal hardship of any resident or ratepayer; or
- (e) relates to any other matter which the Council considers would prejudice the Council or any person.

*There were no Questions to Council or Submissions from the Public received prior to the Agenda being printed.*

## 9. PETITIONS

*In accordance with Chapter 3, Rules 60, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

A person may submit a petition to Council on matters that are not listed on the Agenda. Every petition or joint letter submitted to Council must:

- a) identify a 'Lead Petitioner' who Council can correspond with;
- b) be legible and in permanent writing;
- c) be clear and state on each page the matter and action sought from Council. Every page of a petition or joint letter must be a single page of paper and not be posted, stapled, pinned or otherwise affixed or attached to any piece of paper other than another page of the petition or joint letter;
- d) not be derogatory, defamatory or objectionable in language or nature;
- e) not relate to matters outside the powers of Council; and
- f) clearly state the names and addresses of at least seven (7) people who live, work, study or do business in the Municipal district.

There were no Petitions received prior to the Agenda being printed.

**MUNICIPAL ASSOCIATION OF VICTORIA - STATE COUNCIL MOTION**

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Report Author: Manager - Strategy & Transformation

Responsible Officer: Chief Executive Officer

Ward(s) affected: (All Wards);

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*The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.*

**CONFIDENTIALITY**

This item is to be considered at a Council meeting that is open to the public.

**SUMMARY**

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 consider the motion included in the recommendation of this report and, if supportive of it, endorse the motion for submission.

**RECOMMENDATION**

***That Council endorse the following motion 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 actively work with the local government sector and other relevant stakeholders to:***
  - (a) develop state-wide measures that support councils to manage and prevent disruptive and unsafe behaviour, particularly at council meetings.***
  - (b) coordinate a response to the expanding and increasingly aggressive cohort in the community that have been targeting local councils in recent months.***

## RELATED COUNCIL DECISIONS

[Council Meeting, 14 March 2023: Municipal Association of Victoria – State Council Meeting](#) – endorsement of two motions to be submitted to MAV ahead of the State Council meeting to be held on May 19 2023.

## DISCUSSION

### *Purpose and Background*

MAV State Council meets twice a year, or more if needed, and is the MAV's governing body. It is made up of representatives from each member council and its powers include:

- determining the Rules of the Association;
- electing the president and other members of the Board;
- determining the strategic direction; and
- appointing the auditor.

When submitting a motion, Council is required to identify whether the motion is supported by a council resolution and whether the subject matter of the motion:

- has state-wide significance to the sector;
- relates to one of the sector's priority issues in the MAV's Strategic Plan; and
- not be identical or substantially similar to a motion submitted to State Council at any of the previous four State Council meetings

The MAV Strategy 2021-25 identifies six strategic outcomes:

1. Economically sound councils
2. Healthy, diverse and thriving communities
3. Well-planned, connected and resilient built environment
4. Changing climate and a circular economy
5. Sector capability and good governance
6. Effective and responsive MAV

As decisions of State Council constitute policy directions of the MAV and remain active until the issue is resolved, motions should relate to either new, or variations to, existing policy directions.

Council has submitted two motions for consideration at the State Council meeting to be held on May 19. This additional motion has been prepared following the recent disruptive behaviour from the public gallery at Yarra Ranges Council and at other Council meetings across Victoria.

The rationale for the motion is set out below.

<p>Motion:</p>	<p>That the MAV call on the Victorian Government to actively work with the local government sector and other relevant stakeholders to:</p> <ul style="list-style-type: none"> <li>• develop state-wide measures that support councils to manage and prevent disruptive and unsafe behaviour, particularly at council meetings.</li> <li>• coordinate a response to the expanding and increasingly aggressive cohort in the community that have been targeting local councils in recent months.</li> </ul>
<p>Rationale:</p>	<p>Historically, the inclusion of public galleries at Council meetings have provided a valuable opportunity for community members to engage with Council in a face-to-face setting. It has been a key tenet of Councils' commitment to facilitating a transparent, accountable and democratic environment.</p> <p>However, in recent months, there has been a consistent and escalating pattern of verbal abuse, intimidation, anti-social and obstructionist behaviour demonstrated by some members of the public gallery during council meetings in Yarra Ranges and at a growing number of other councils. This behaviour has also been evident at public consultations on matters such as Urban Design Frameworks.</p> <p>In recognising the legal obligation to provide a safe workplace, and to ensure that Council meetings are a safe place for all in attendance, Yarra Ranges Council has explored a range of options to manage this risk. Recently, Yarra Ranges made the difficult decision to close its public gallery until further notice.</p> <p>This change has been necessary to uphold health and safety, and to maintain the integrity of Council business transacted during those meetings. Yarra Ranges Council continues to livestream its meetings and invite community participation via a digital format.</p> <p>Yarra Ranges Council recognises that it is not alone in facing these challenges. Even if an effective response is achieved locally, the disruptive and aggressive cohorts are likely to redirect their focus to another council. In effect, this would only shift the problem across municipal boundaries.</p>

	<p>Yarra Ranges Council is committed to reopening the doors to the public gallery once again but can only do so with increased support and/or a coordinated sector-wide response to ensure the safety of staff, Councillors and the broader community in Yarra Ranges and all Victorian municipalities.</p> <p>As such, we seek to work with the local government sector, the MAV and State Government to develop a state-wide response to the growing concerns around an expanding and escalating pattern of disruptive and unsafe behaviours being directed at councils, particularly at public council meetings.</p>
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## **FINANCIAL ANALYSIS**

There are no financial implications associated with submitting a Motion to the State Council.

## **APPLICABLE PLANS AND POLICIES**

This report contributes to the following strategic objective(s) in the Council Plan: Connected and Healthy Communities; Quality Infrastructure and Liveable Places; Protected and Enhanced Natural Environment; Vibrant Economy, Agriculture and Tourism; High Performing Organisation.

## **RELEVANT LAW**

Not applicable.

## **SUSTAINABILITY IMPLICATIONS**

### ***Economic Implications***

There are no direct economic impacts arising from the recommendations in this report.

### ***Social Implications***

There are no direct social impacts arising from the recommendations in this report.

### ***Environmental Implications***

There are no direct environmental impacts arising from the recommendations in this report.

## **COMMUNITY ENGAGEMENT**

As the submission of motions to State Council is operational in nature and presents to change to Council's strategic direction, community engagement was not undertaken on this matter.

An internal process has been undertaken with Officers and Councillors to identify potential motion for submission that support Council's existing strategies, which have been developed through community consultation and deliberative engagement processes.

## **COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT**

Council officers have liaised with the MAV to confirm that a late submission would be accepted for consideration at State Council.

Council officers have also liaised with governance officers at other Councils that have experienced similar issues of disruptive and aggressive behaviour at Council meetings and are confident that the motion will be supported by those Councils.

## **RISK ASSESSMENT**

There are no significant environmental, social or economic risks arising from the recommendations in this report.

## **CONFLICTS OF INTEREST**

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

## **ATTACHMENTS TO THE REPORT**

Nil



**AMENDMENT C217- CHANGES TO THE EROSION MANAGEMENT OVERLAY  
SEEKING AUTHORISATION FROM THE MINISTER FOR PLANNING TO EXHIBIT**

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Report Author: Executive Officer Strategic Planning  
Responsible Officer: Director Planning & Sustainable Futures  
Ward(s) affected: (All Wards);

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*The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.*

**CONFIDENTIALITY**

This item is to be considered at a Council meeting that is open to the public.

**SUMMARY**

The storm event of June 2021 resulted in the damage and destruction of many dwellings in Yarra Ranges. Many of the affected properties are in the Dandenong Ranges and hills areas of the Shire, which are also susceptible to other natural hazards including bushfire and landslip.

Following the storm event, Council received grant funding of \$300,000 under the National Recovery and Resilience Agency's Preparing Australian Communities Program – Local, to undertake a review of the current Erosion Management Overlay (EMO) planning scheme provisions in the Yarra Ranges Planning Scheme. In response Council engaged an expert geotechnical consultant to undertake the review.

As a result of the review and in line with other Council's, it is proposed to amend the current EMO schedule to make it more streamlined and user friendly. The amendments will also ensure the risk provisions in the schedule are consistent with the guidance provided in the AGS 2007 (Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management). In addition, amending the existing EMO schedule will simplify its structure, include new exemptions, and accept 'moderate' property risks in particular circumstances.

To commence the amendment process, Council must seek authorisation from the Minister for Planning to prepare and exhibit an amendment (Amendment C217).

## RECOMMENDATION

### *That Council*

1. ***Request the Minister for Planning to authorise the preparation and exhibition of Amendment C217 to update the schedule to the Erosion Management Overlay and include 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 (EMO1)” in the Planning Scheme, generally in accordance with the attachments to this report.***
2. ***Subject to the Minister’s authorisation, exhibit Amendment C217 to the Yarra Ranges Planning Scheme.***
3. ***That Council received a further report considering submissions post the exhibition of the amendment.***

## RELATED COUNCIL DECISIONS

There are no related Council decisions relevant to this item.

## DISCUSSION

### *Purpose and Background*

#### *Purpose*

The purpose of this report is to discuss a request to the Minister for Planning to authorise the preparation and exhibition of Amendment C217 to the Yarra Ranges Planning Scheme.

#### *Background*

##### Erosion Management Overlay

Landslide management was first implemented by the former Shire of Lillydale in the early 1990’s through changes to the planning scheme in response to property destruction caused by landslides through the 1980’s and early 1990’s. The forerunner to the current Yarra Ranges EMO was implemented in 2001 and was based on historic mapping undertaken using topographic information available at the time, mostly 1960’s Melbourne Metropolitan Board of Works (MMBW) contour plans and through viewing aerial photography.

In December 2009, Amendment C40 to the Yarra Ranges Planning Scheme replaced the schedule to the EMO introduced in 2000, by including an updated landslip risk assessment process which enabled the consideration of development on land with serious risk characteristics. The objectives, decision guidelines,

exemptions and information requirements were also updated to include more detail. One of the key changes was that geotechnical assessments submitted with a planning application had to be prepared by practitioners with a specified level of experience and expertise.

Since the EMO Schedule was introduced in 1999, and further updated in 2009, there have been advances in the accuracy and methodology of landslide risk assessment in Australia. Notably the development of the Australian Geomechanics Society guidelines (AGS 2007), recent precedents of other Council EMO schedules being updated to reflect the AGS 2007 criteria, and technology developments, particularly high-resolution 3D scanning of topography (LIDAR). It is imperative that Yarra Ranges, as one of the most significant EMO areas in Victoria, now review and update the overlay and schedule to align with these improvements. There is also an obligation under the *Planning and Environment Act 1987* to keep controls up to date, which is currently not based on the latest information.

### Storm Event June 2021

The storm event of June 2021 damaged and destroyed many dwellings in Yarra Ranges, some because of landslip associated with the storm. It was identified at that time that there was a need to review and update landslip and debris flow risks in Yarra Ranges, especially considering the increased landslip risks arising from significant loss of trees which offer a degree of stabilisation to the soil. According to information collated by Council's Rebuilding Support Service (RSS), the storms were destructive and caused 71 properties to be uninhabitable and a further 51 properties were damaged but still habitable.

Council requested financial assistance to assist with several matters arising from the storm event including the need to bring forward a review the EMO due to changed land conditions. Council received \$300,000 in grant funding under the National Recovery and Resilience Agency's Preparing Australian Communities Program – Local to prepare the review of the EMO in Yarra Ranges.

Council engaged an expert Geotechnical consultant to review and advise on changes required to the EMO in the Yarra Ranges Planning Scheme. The report also considers the potential impacts of climate change on landslip susceptibility and how this can be factored into decision-making.

The report has been provided to Council and recommends that changes to the current EMO schedule are required to make it more streamlined and user friendly and that the risk provisions in the schedule are consistent with the guidance provided in the *AGS 2007 (Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management)*. The proposed changes are discussed further below.

### **Key Issues**

#### Current Erosion Management Overlay Provisions

The purpose of the Erosion Management Overlay (Clause 44.01) and schedule in the Yarra Ranges Planning Scheme is to protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbance and

inappropriate development. The current EMO and accompanying schedule are at Attachments 1 and 2.

The EMO currently applies to 111.95 km<sup>2</sup> of the total 2468.16 km<sup>2</sup> of land in Yarra Ranges. There are more properties in the Dandenong Ranges affected than elsewhere in the Shire.

Planning permission is required for buildings and works, including vegetation removal and the subdivision of land, unless a particular exemption can be met. Planning application requirements are listed in the schedule to the overlay and are to be provided to Council's satisfaction. The required items include:

- Development plans;
- A geotechnical assessment which is prepared or technically verified by a qualified Geotechnical practitioner; and
- A written landslip risk assessment.

Under the existing schedule to the Erosion Management Overlay, the objectives listed require that "development is not carried out unless the risk associated with the development is a tolerable risk". In Yarra Ranges the risk level must be assessed as low or very low for it to be considered tolerable. This is more conservative than the AGS 2007 guidelines and EMO schedules in other municipalities which are accepting of moderate risk as being tolerable.

#### Amendment C217 Provisions

The amendment proposes to amend the current EMO schedule to make it more streamlined and user friendly and that the risk provisions in the schedule are consistent with the guidance provided in the *AGS 2007 (Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management)*.

The recommended changes proposed to the EMO planning scheme provisions in the Planning Scheme are (in summary):

**Table 1: Proposed Provisions**

Provision	Change	Benefit
EMO Schedule 1: Permit Exemptions	An expansion of the planning permit exemptions for minor buildings and works and vegetation removal in the schedule.	Revise exemptions for minor or essential development for which landslide risks are typically, low or where society benefit clearly outweighs landslide risk.
	Introduction of discretionary clauses in the schedule to enable Council to exempt applications for cases where the community benefit outweighs landslide risk or where delaying works could be detrimental to slope stability.	Avoid delaying essential, beneficial work.

Provision	Change	Benefit
EMO Schedule 1: Subdivision Provisions	Developing separate requirements in the schedule for subdivision applications compared to new buildings and works.	Allows appropriate information to be provided and better informs assessment of applications within the EMO.
EMO Schedule 1: Tolerable Risk Criteria	Amending the tolerable risk criteria from Low to Medium for some structures such as houses and sheds. Further explanation is provided below.	Consistency with AGS 2007 Guidelines to provide a clear decision basis. Allows risk threshold requirements to be consistent with importance of structure.
Incorporated Document	Simplification of the EMO schedule by relocating technical content intended for use by geotechnical practitioners to an Incorporated Document.	Simplify the EMO by removing technical jargon.

Further details on the proposed amendment are included in the draft Explanatory Report at Attachment 3 and draft EMO1 Schedule and draft Incorporated Document at Attachments 4 and 5.

#### Reconsideration of risk to property criteria

The most significant change proposed is to amend the risk to property criteria in the current EMO schedule, which currently requires an applicant to demonstrate low or very low risk to property to any development whether it be a garden shed or a hospital.

The report recommends that the criteria be amended from low to medium to bring the risk criteria into alignment with the industry standard AGS Guidelines (2007) which has also been adopted and included in other Planning Schemes (like Colac-Otway).

Changing the risk criteria means that greater risk would be tolerated for lower impact structures. For example, a greater level of risk to a residential dwelling or farm shed could be tolerated compared to critical infrastructure such as a school or hospital.

Adoption of the criteria set out in the AGS 2007 Guidelines would require typical residential development to demonstrate at most a Moderate risk to property, which would also mean that there would be increased opportunities for development including the building of dwellings or dwelling extensions (subject to a planning permit) which is not currently possible.

The acceptance of a different risk criteria is discussed further below under Risk Assessment.

## Community Information

The review of the EMO provisions also considered strategies to help build community resilience to landslide hazards including the following measures (in summary):

**Table 2: Strategies for Building Community Resilience to Landslide Hazards**

Measure	Outcome
Manage information relating to landslide susceptibility and records of relevant infrastructure	Good information management is critical for emergency preparedness, response, and recovery.
Improve materials and practices	Putting in place durable and bushfire resilient drainage, ground retention, wastewater, and transport infrastructure in areas susceptible to landslide.
Balancing tree and vegetation removal	Balancing vegetation removal and considering the importance of retention of vegetation to promote slope stability.
Improve planning and building application measures	Improving measures and enforcing compliance with good engineering practices for development.
Improve communication about landslip	Clear communication to the community about landslip changes and the reasons for change. More information about hazards and equipping the community with more knowledge about practices to avoid and encourage.

## Future Review

A further review of the mapping on which the EMO is based, considering the LiDAR mapping information that was not available at the time the current EMO was prepared in 1999, will be undertaken in the future.

## ***Options considered***

### Option 1 – amend the EMO provisions

Council has an obligation under the *Planning and Environment Act 1987* to secure a pleasant, efficient, and safe working, living and recreational environment for all Victorians and visitors to Victoria. The review from Council's geotechnical expert is that the planning scheme provisions, and mapping related to the EMO in the Yarra Ranges Planning Scheme should be amended and updated.

The amendment proposes changes that will have a positive outcome for landowners with the EMO already applying to their land and ensures a rapid respond for landowners affected by the June 2021 storms.

### Option 2 – not proceed with an amendment

If the proposed changes were not pursued, Council would be failing in its obligations under the *Planning and Environment Act 1987* and the Yarra Ranges Planning Scheme to ensure its planning scheme is reviewed and kept up to date.

### ***Recommended option and justification***

It is recommended Option 1 be pursued to enable positive changes to be made more quickly for properties already affected by the EMO. Landowners will be notified and provided with an opportunity to make a submission.

### **FINANCIAL ANALYSIS**

Council has received \$300,000 in grant funding under the National Recovery and Resilience Agency's Preparing Australian Communities Program – Local (PAC) which has been partly used to fund a review of the EMO by a geotechnical consultant, obtain the relevant LiDAR data, and the cost of a strategic planner to project manage the review and planning scheme amendment preparation.

The costs associated with a Planning Scheme Amendment would also be funded through the PAC funding.

### **APPLICABLE PLANS AND POLICIES**

This report contributes to the following Council strategies and plans:

- Council Plan (2021-25): Quality Infrastructure and Liveable Places;
- Municipal Recovery Plan Pandemic and Storm Recovery, 2022;
- Yarra Ranges Planning Scheme;
- Clause 44.01 Erosion Management Overlay the purpose of which is to protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbance and inappropriate development; and
- Clause 52.10 Reconstruction After an Emergency the purpose of which is to:
  - To facilitate the reconstruction of buildings and works damaged or destroyed as a result of an emergency;
  - To facilitate the re-establishment of businesses and services after an emergency; and
  - To facilitate the continued use of land for dwellings after an emergency.

### **RELEVANT LAW**

The proposed planning scheme amendments will be prepared in accordance with the legislative requirements of the *Planning and Environment Act 1987*.

## **SUSTAINABILITY IMPLICATIONS**

### ***Economic Implications***

The amendment is not expected to have significant adverse economic effects. Inclusion of a site within the EMO generally does not prohibit changes to that site or buildings, but rather requires an application process whereby landslip can be considered and responded to appropriately.

### ***Social Implications***

The proposed changes to the planning scheme will make it clear to residents and the community what the intended outcomes are for properties impacted by an EMO.

### ***Environmental Implications***

The primary environmental implication of the proposed changes will be to manage the risk of landslip in the affected areas of Yarra Ranges.

## **COMMUNITY ENGAGEMENT**

If Council supports the amendment proposal and resolves to seek authorisation from the Minister for Planning to prepare and exhibit the amendment, and the Minister grants authorisation, the amendment will be subject to the standard notification requirements for planning scheme amendments as required under the *Planning and Environment Act 1987*, including:

- Notification in a local newspaper;
- Letters to affected land owners and occupiers and other key stakeholders in the community;
- Information available on Council's website and Council offices; and
- Direct notification to relevant government agencies and departments.

It is also proposed that additional consultation be undertaken. This includes:

- A fact sheet included with the notification letters;
- Online meeting opportunities with affected land owners and key stakeholders;
- Updated information on Council's Rebuild Support Service website portal that already contains useful links, videos, and factsheets on landslip, and
- Social media and other media releases.

A further report would be prepared for Council to consider all submissions received through the exhibition of the amendment.



## **COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT**

Amendments to the EMO planning scheme controls will contribute towards continuous improvement of the Yarra Ranges Planning Scheme by accurately reflecting landslip risks to appropriately guide land use and development.

### **RISK ASSESSMENT**

One of the primary intentions of an EMO is to identify land that is susceptible to landslip and debris flow to reduce the associated risk to property and human life as a direct consequence.

The proposed changes to the EMO seek to bring Council's EMO schedule into line with the Australian Geomechanics Society Guidelines for Landslide Risk Management, AGS 2007 which recommends that greater risk can be tolerated for less 'important' structures (i.e.: a greater level of risk to a dwelling could be tolerated compared to a school or hospital).

To date there has been one measure of risk for all developments, with the current EMO requiring risk be low in all circumstances, which is more conservative than what other councils with an EMO control have adopted in their planning scheme (Colac-Otway for example). Some Councils with limited EMO areas do not specify tolerable risk levels at all.

The review of the EMO provides an opportunity for Council to consider applying a moderate risk in appropriate circumstances and including more exemptions for planning applications. It is important to advise that the consideration of changing the risk tolerability to moderate for certain types of development/buildings like dwellings and other domestic buildings does not mean that Council changes their stance towards accepting risk. If a moderate risk to property for certain types of buildings was unacceptable Council would not be considering any change to its current tolerability criteria. Previously Council has generally opted for a low-risk approach – the updated information coming from the review allows increased flexibility and aligns with industry standards.

The benefit would mean that by accepting a moderate risk to property, Council will be able to provide improved opportunities for some properties that cannot achieve a rebuild under the current requirements, particularly after a major storm event.

Council must act in accordance with its adopted policies to be fully protected with insurance. Updating Council's position to align with industry standard guidance and updating the associated Planning Controls will enable Council to consider appropriate development in areas classified as having Moderate risk and still be consistent and not compromising Council's insurance protection. Formal advice has been sought from Council's insurance provider and will be considered as part of the Amendment process.

## **CONFLICTS OF INTEREST**

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

## **ATTACHMENTS TO THE REPORT**

1. Current Clause 44.01 Erosion Management Overlay
2. Current Schedule to Clause 44.01 Erosion Management Overlay
3. Draft Explanatory Report Amendment C217
4. Draft Schedule 1 to the EMO (showing proposed EMO1)
5. Proposed Incorporated Document to the EMO

**44.01 EROSION MANAGEMENT OVERLAY**

06/09/2021  
VC171

Shown on the planning scheme map as **EMO** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbance and inappropriate development.

**44.01-1 Erosion management objectives and statement of risk**

31/07/2018  
VC148

A schedule to this overlay may contain:

- Erosion management objectives to be achieved.
- A statement of risk.

**44.01-2 Buildings and works**

17/02/2022  
VC200

A permit is required to construct a building or construct or carry out works, including:

- Roadworks (other than roadworks constructed or carried out by or on behalf of the Head, Transport for Victoria).
- Buildings and works associated with a dependent person’s unit.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Any other matter specified in Clause 62.02-2 if specified in a schedule to this overlay.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Construct a building or construct or carry out works for:	Clause 59.05
<ul style="list-style-type: none"> <li>▪ A carport, garage, pergola, verandah, deck, shed or similar structure.</li> <li>▪ A rainwater tank.</li> </ul>	
The buildings and works must be associated with a dwelling.	

**44.01-3 Vegetation removal**

31/07/2018  
VC148

A permit is required to remove, destroy or lop any vegetation. This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.

- If the table to Clause 44.01-4 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

**44.01-4 Table of exemptions**

17/02/2022  
VC200

The requirement to obtain a permit does not apply to:	
<b>Emergency works</b>	<p>Vegetation that is to be removed, destroyed or lopped:</p> <ul style="list-style-type: none"> <li>▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</li> <li>▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</li> </ul>
<b>Extractive industry</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.</p>
<b>Fire protection</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</p> <ul style="list-style-type: none"> <li>▪ fire fighting;</li> <li>▪ planned burning;</li> <li>▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</li> <li>▪ making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>);</li> <li>▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</li> <li>▪ in accordance with a fire prevention notice issued under either: <ul style="list-style-type: none"> <li>▪ Section 65 of the <i>Forests Act 1958</i> ; or</li> <li>▪ Section 41 of the <i>Country Fire Authority Act 1958</i> .</li> </ul> </li> <li>▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i> ;</li> <li>▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i> ). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i> .</li> </ul> <p><i>Note: Additional permit exemptions for bushfire protection are provided at Clause</i></p>

**The requirement to obtain a permit does not apply to:**

	52.12.
<b>Geothermal energy exploration and extraction</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i> .
<b>Greenhouse gas sequestration and exploration</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
<b>Land management or directions notice</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
<b>Land use conditions</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
<b>Mineral exploration and extraction</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i> :</p> <ul style="list-style-type: none"> <li>• that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i> ; or</li> <li>• in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i> .</li> </ul> <p><i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i></p>
<b>Noxious weeds</b>	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder ( <i>Cuscuta australis</i> ).
<b>Pest animal burrows</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.</p> <p>In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.</p>
<b>Planted vegetation</b>	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
<b>Railways</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to

**The requirement to obtain a permit does not apply to:**

	the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i> ).
<b>Regrowth</b>	<p>Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:</p> <ul style="list-style-type: none"> <li>• bracken (<i>Pteridium esculentum</i>) ; or</li> <li>• within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.</li> </ul> <p>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</p>
<b>Road safety</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i> ).
<b>Stone exploration</b>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.</p> <p>The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</p> <ul style="list-style-type: none"> <li>• 1 hectare of vegetation which does not include a tree.</li> <li>• 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</li> <li>• 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</li> </ul> <p>This exemption does not apply to costeaning and bulk sampling activities.</p>
<b>Surveying</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i> ) using hand-held tools to establish a sightline for the measurement of land.
<b>Traditional owners</b>	<p>Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</p> <ul style="list-style-type: none"> <li>• a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i> ; or</li> <li>• an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).</li> </ul>

**The requirement to obtain a permit does not apply to:**

<b>Tram stops</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
<b>Transport land</b>	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

**44.01-5 Subdivision**

31/07/2018  
VC148

A permit is required to subdivide land.

**44.01-6 Application requirements**

31/07/2018  
VC148

An application must be accompanied by any information specified in a schedule to this overlay and information showing:

- The existing site conditions, including land gradient and the extent of any existing erosion, landslip or other land degradation.
- The extent of any proposed earthworks.
- The means proposed to stabilise disturbed areas.
- Any other application requirements specified in a schedule to this overlay.

**44.01-7 Exemption from notice and review**

15/09/2022  
VC225

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**44.01-8 Decision guidelines**

20/03/2023  
VC229

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Regional Catchment Strategy ( *Catchment and Land Protection Act 1994* ).
- Civil construction, building and demolition guide (Publication 1834, Environment Protection Authority, November 2020).
- Control of Erosion on Construction Sites, Soil Conservation Authority.
- Your Dam, an Asset or a Liability, Department of Conservation and Natural Resources.
- Any proposed measures to manage concentrated runoff and site drainage.
- Any proposed measures to minimise the extent of soil disturbance.
- Whether the removal of vegetation will increase the possibility of erosion, the susceptibility to landslip or other land degradation processes, and whether such removal is consistent with sustainable land management.
- The need to stabilise disturbed areas by engineering works or revegetation.
- Whether the land is capable of providing a building envelope which is not subject to high or severe erosion concern.

- Whether buildings or works are likely to cause erosion or landslip.
- Whether access and servicing of the site or building envelope is likely to result in erosion or landslip.
- Land Capability Report (if prepared) as developed by the Department of Energy, Environment and Climate Action.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any technical information or reports required to be provided by a schedule to this overlay.
- Any other matters specified in a schedule to this overlay.



08/07/2021  
C189yan

## SCHEDULE TO CLAUSE 44.01 EROSION MANAGEMENT OVERLAY

Shown on the planning scheme map as **EMO** .

**1.0**  
03/12/2009  
C40

### Statement of nature and key elements of land susceptible to landslip

The Shire contains areas of land which are susceptible to landslip, including land in the Dandenong Ranges, Silvan, the Don River Valley and Warburton.

A number of geotechnical studies have been undertaken, in various forms, in the former Shires of Lillydale, Upper Yarra, Healesville and Sherbrooke and in the broader region administered by the former Upper Yarra Valley and Dandenong Ranges Authority.

The Shire of Yarra Ranges subsequently adopted a shire wide slope stability classification system and guidelines for the development of land potentially affected by landslip.

All land included in the Erosion Management Overlay has been identified as having a sufficiently high risk of potential instability to warrant specific review of these risks prior to the issue of a planning permit. The control of environmental factors and development such as vegetation cover, drainage, rock and soil disturbance and effluent and stormwater disposal are important in managing the risk of landslip.

**2.0**  
10/03/2016  
C151

### Definitions

**AGS Guidelines 2007** means the article entitled 'Practice Note Guidelines for Landslide Risk Management 2007' published in the Journal of the Australian Geomechanics Society, Vol. 42 No 1 March 2007.

**Geotechnical Practitioner** means a specialist Geotechnical Engineer or Engineering Geologist who is degree qualified, is a member of a professional institute, and who has achieved professional status as a:

- Chartered Professional Engineer (CPEng); or
- Chartered Professional Geologist (CPGeo); or
- Registered Professional Geologist (RPGeo);

with experience in the management of slope stability problems and landslip risk management as a core competence to the satisfaction of the Responsible Authority.

**Landslip** means the movement of a mass of rock, debris or earth down a slope. This includes debris flow, which is the rapid flow of water saturated soil or rock debris.

**Tolerable Risk** means for new development or changes to existing development a risk to life and/or a risk to property which:

- For loss of life for the person(s) most at risk, is taken as having a probability of no greater than  $10^{-5}$  (1:100,000) per annum calculated in accordance with AGS Guidelines 2007;
- For property loss is 'Low' or 'Very Low' assessed qualitatively using AGS Guidelines 2007 and specifically Appendix C to that document.

**3.0**  
03/12/2009  
C40

### Objectives

- To manage the risk of landslip.
- To ensure that development can be carried out in a manner which will not adversely increase the landslip risk to life or property affecting the subject land or adjoining or nearby land.
- To ensure that on land where a Landslip Risk Assessment is required development is not carried out unless the risk associated with the development is a Tolerable Risk.
- To ensure that applications for development are supported by adequate investigation and documentation of geotechnical and related structural matters.
- To ensure that development is only carried out if identified geotechnical and related structural engineering risks to

life and property are effectively addressed.

- To ensure that development is appropriate to be carried out either conditionally or unconditionally, having regard to the results of those geotechnical and related structural investigations.
- To ensure that approved development is thereafter appropriately maintained.

## 4.0

10/03/2016  
C151

### Exemptions from permit requirements

No permit is required to construct or carry out any of the following buildings or works.

- Earthworks, either separately or as part of a buildings or works proposal, provided:
  - No cut or fill greater than 0.6 metres in height or depth is required;
  - No change is made to constructed drainage or fixed irrigation systems.
- Removal or destruction of any vegetation, either separately or as part of a buildings or works proposal, provided it is:
  - Having a trunk circumference less than 0.5 metres at one metre above the ground; or
  - Within 2 metres of a building; or
  - Dead and the roots below ground level are retained.
- Pruning provided it is for the purpose of improving a tree or shrub's health or structural stability in accordance with normal horticultural practice for the species involved.
- A fence of:
  - Post and wire construction; or
  - Paling construction, supported by posts and rails, where the base of the fence is at least 75 mm above the ground surface.
- Extensions or internal alterations to an existing building provided:
  - If the land is unsewered, approval to alter or install a wastewater system is required under the Environment Protection Act 1970.
  - There is no increase in the ground surface area covered by roofed buildings or structures greater than 20 square metres;
  - Stormwater from the roof is drained to the legal point of discharge.
- Non-habitable structures ancillary to a dwelling, including carports and garden sheds, provided:
  - The structure is constructed of lightweight, flexible materials (not bricks, concrete blocks or similar);
  - The ground surface area occupied by all such structures on the property does not exceed 40 square metres;
  - The slope of the land within 20 metres of the shed is 20 percent or less;
  - Stormwater from the roof is drained to the legal point of discharge.
- A permeable, uncovered deck provided:
  - The slope of the land within 20 metres of the deck is 20 percent or less;
  - There is no increase in the ground surface area covered by the deck greater than 20 square metres.
- A building associated with agricultural activities provided:
  - The building is constructed of lightweight, flexible materials (not bricks, concrete blocks or similar);
  - The ground surface area occupied by the structure does not exceed 40 square metres;
  - The development would result in not more than two such structures existing on the subject property;
  - The slope of the land within 20 metres of the shed is 20 percent or less;

- Stormwater from the roof is to the legal point of discharge.
- A domestic rainwater tank with a capacity of not more than 4500 litres provided it is constructed at ground level or above.
- A building:
  - Used for the storage of building materials and equipment; and
  - Not exceeding 10 square metres in floor area;
  - temporarily located on the subject property for the duration of building construction works allowed or approved under this scheme.
- A retaining wall that:
  - Does not exceed one metre in height,
  - Is not associated with other building construction work; and
  - Does not provide landslip protection for any adjoining land.
- Landscaping water features provided it does not entail ponding of more than 500 litres of water.

## 5.0

08/07/2021  
C189yan

### Application requirements

The following application requirements apply to an application for a permit under Clause 44.01, in addition to those specified in Clause 44.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Development Plans;
- A written Geotechnical Assessment of the proposed development in relation to existing conditions.
- A written Landslip Risk Assessment of the proposed development in relation to existing conditions, if the Geotechnical Assessment or other landform data, indicates natural slopes on or immediately adjacent to the subject lot which:
  - are steeper than 20 percent in Tertiary Basalt areas; or
  - are steeper than 30 percent in all other areas; or
  - exhibit evidence of possible or past landsliding on or immediately adjacent to the site;
  - or where, in the opinion of the Responsible Authority, the Geotechnical Assessment is not sufficient to determine that the development can be carried out in a manner which will not adversely increase the landslip risk to life or property affecting the subject lot or adjoining or nearby land.
- A Geotechnical Declaration and Verification Form.

### Development Plans

Development plans, must be drawn to scale, dimensioned and based on survey, and show:

- The proposed development, including a site plan and building elevations, and any proposed cut and fill, retaining wall or effluent disposal system;
- Any existing development, including buildings, water tanks and dams on both the subject lot and adjacent land, cut and fill, stormwater drainage, subsurface drainage, water supply pipelines, sewerage pipelines or effluent disposal installations and pipelines and any otherwise identified geotechnical hazard;
- Details and location of existing vegetation, including any vegetation to be removed.

### Geotechnical Assessment

A written Geotechnical Assessment must be prepared or technically verified by a Geotechnical Practitioner and must include, to the satisfaction of the Responsible Authority:

- Details of the Geotechnical Practitioner and his or her qualifications and experience, including without limitation experience in the management of slope stability problems and landslip risk management.
- A statement that the assessment is based on field survey measurements which have been undertaken not more than 12 months prior to the application for planning permit or if field survey measurements are older than a signed statement from the geotechnical practitioner that the measurements remain valid.
- A detailed site description.
- Site assessment plans and cross-sections of the subject lot and related land form survey and field measurements with contours and ground slopes, as measured, shown and drawn to scale and dimensioned.
- A detailed assessment of subsurface conditions, including the underlying geology.
- A statement indicating whether there are natural slopes on or immediately adjacent to the subject lot which:
  - are steeper than 20 percent in Tertiary Basalt areas; or
  - are steeper than 30 percent in all other areas; or
  - exhibit evidence of possible or past landsliding on or immediately adjacent to the site.
- A detailed description of any evidence of slope instability.
- Details of all site investigations and any other information used in preparation of the geotechnical report.
- Whether site investigation requires subsurface investigation that may involve boreholes and/or test pit excavations or other methods necessary to adequately assess the geotechnical/geological model for the subject lot and details of all such investigations, boreholes, test pits or other methods.
- A conclusion which:
  - Is supported by the data and all stated assumptions contained in the assessment and is capable of being verified by a peer review.
  - States whether or not a Landslip Risk Assessment is required.
  - Where it is considered that a Landslip Risk Assessment is not required, states that, in the opinion of the Geotechnical Practitioner, the development can be carried out in a manner which will not adversely increase the landslip risk to life or property affecting the subject lot or adjoining or nearby land.
  - Provides justification, including any necessary calculations, for the conclusion.
- States whether or not the development should only be approved subject to conditions and, if so, states recommendations of what conditions should be required, including but without limitation conditions relating to:
  - The determination of appropriate footing levels and foundation materials and in any structural works, including all footings and retaining walls;
  - The location of and depth of earth and rock cut and fill;
  - The construction of any excavations and fill and the method of retention of such works;
  - Any details of surface and sub-surface drainage;
  - The selection and design of a building structure system to minimize the effects of all identified geotechnical hazards;
  - Retention, replanting and new planting of vegetation;
  - Any drainage and effluent discharge;
  - Any necessary ongoing mitigation and maintenance measures and any recommended periodic inspections, including performance measures;
  - The time within which works must be completed after commencement and the location/s and period in which materials associated with the development can be stockpiled;
  - Any requirements for geotechnical inspections and approvals that may need to be incorporated into a construction work plan for building approval purposes.

## Landslip Risk Assessment

A written Landslip Risk Assessment must, to the satisfaction of the Responsible Authority:

- Be completed by a Geotechnical Practitioner.
- Contain a copy of or include the Geotechnical Assessment prepared for the subject land and proposal and, if not prepared by the Geotechnical Practitioner preparing the Landslip Risk Assessment, contain a response by the Geotechnical Practitioner preparing the Landslip Risk Assessment that the findings and conclusions of the Geotechnical Assessment are agreed with.
- If the geotechnical practitioner preparing the Landslip Risk Assessment does not agree with the findings and conclusions of the Geotechnical Assessment for the subject land and proposal, another Geotechnical Assessment must be prepared by that Geotechnical Practitioner.
- Be based on field survey and measurements which have been undertaken not more than 12 months prior to lodgement of the application for planning permit or if field survey measurements are older than 12 months a signed statement from the geotechnical practitioner that the measurements remain valid.
- Include a full assessment of the risk posed by all reasonably identified geotechnical hazards which have the potential to, either individually or cumulatively impact, upon people or property on the subject lot or related land. This assessment must be in accordance with AGS Guidelines 2007.
- Contain a conclusion as to whether the subject lot is suitable for the proposed development. This must be in the form of a specific statement that the subject lot is suitable, or can be made suitable, for the proposed development and that the subject lot and/or the proposed development can meet the tolerable risk criteria, as defined in this schedule. The report must specify all conditions required to achieve this outcome.

At all times, any decision regarding the degree of investigations and assessment required must be dictated by the consideration of risk to life and property.

### 6.0

03/12/2009  
C40

## Independent Review

The responsible authority may require a Geotechnical Assessment and/or a Landslip Risk Assessment that has been submitted with an application, to be reviewed by an independent geotechnical practitioner at the applicant's cost.

### 7.0

08/07/2021  
C189yan

## Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 44.01, in addition to those specified in Clause 44.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The recommendations of the Geotechnical Assessment, any Landslip Risk Assessment and any other information accompanying the application;
- The advice of any Geotechnical Practitioner who has reviewed the application;
- The risks associated with the development requiring ongoing monitoring and maintenance of all mitigation measures;
- The risks associated with non-compliance with any conditions of any permit which may be subsequently issued.

### 8.0

03/12/2009  
C40

## Permit Conditions

The responsible authority must ensure that any permit issued for the construction of a building, works or the removal of vegetation contains those conditions recommended by the Geotechnical Assessment or, where applicable, the Landslip Risk Assessment or any Geotechnical Practitioner engaged to review those assessments.

Prior to the occupation of any building or structure or the commencement of any use authorised by the permit, the applicant must submit to the responsible authority a statement made by the Geotechnical Practitioner, who prepared the Geotechnical Assessment or Landslip Risk Assessment, stating that the conditions have been complied with and the permitted development is suitable to be used or occupied for the purpose for which permission has been granted.

## References

Journal of the Australian Geomechanics Society, Vol. 42 No 1, March 2007.

'Landslip Zoning of the Shire of Yarra Ranges' Coffey Partners International Pty Ltd Report No M2964/1-CF, Sept 1999

'Study of the Risk of Debris Flows and Other Landslips, Montrose, Victoria' Coffey Partners International Pty Ltd Report No M2120/1-AJ Volumes 1, 2 & 3 dated August 1991 and Volume 4 M2120/1-AL, April 1992.

# YARRA RANGES PLANNING SCHEME

## AMENDMENT C217yan

### EXPLANATORY REPORT

#### Who is the planning authority?

This amendment has been prepared by Yarra Ranges Council, which is the planning authority for this amendment.

#### Land affected by the amendment

The amendment applies to the land in Yarra Ranges covered by the Erosion Management Overlay Schedule 1 (EMO1).

#### What the amendment does

The amendment proposes to amend the Erosion Management Overlay Schedule 1 (EMO1) to simplify its structure, include new exemptions for minor buildings and works and vegetation removal, include separate requirements for subdivision applications and amend the tolerable risk criteria from Low to Medium in particular circumstances.

Specifically the amendment:

- Amends Schedule 1 to Clause 44.01 Erosion Management Overlay.
- Amends the Schedule to Clause 72.04 Documents Incorporated in the Planning Scheme to insert the *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 (EMO) March 2023* as an Incorporated Document in the Planning Scheme.

#### Strategic assessment of the amendment

##### Why is the amendment required?

The storm event of June 2021 damaged and destroyed many dwellings in Yarra Ranges, some because of landslip associated with the storm.

According to information collated by Council's Rebuilding Support Service (RSS), the storms were destructive and caused 71 properties to be uninhabitable and a further 51 properties were damaged but still habitable.

Council requested financial assistance to assist with a number of matters arising from the storms including the need to bring forward a review the EMO due to changed land conditions. Council received \$300,000 in grant funding under the National Recovery and Resilience Agency's Preparing Australian Communities Program – Local to prepare the review of the EMO in Yarra Ranges.

Council engaged an expert Geotechnical engineering consultant to review and advise on changes required to the Erosion Management Overlay (EMO) in the Yarra Ranges Planning Scheme. The report also considers the potential impacts of climate change on landslip susceptibility and how this can be factored into decision-making.

A review report has now been provided to Council. The review recommends that changes to the current EMO schedule are required to make it more streamlined and useable and that the risk provisions in the schedule are amended to make them consistent with the guidance provided in the AGS 2007 (Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management).

The amendment also proposes to update the existing EMO Schedule to increase the number of exemptions from the requirement of obtaining a planning permit and reduces the need for complex and expensive technical reports associated with the submission of a planning permit for applications.

An Incorporated document is also included in the amendment. This document, titled *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 (EMO) March 2023* sets out the requirements for the geotechnical assessment and reporting in support of planning applications required under the provisions of the EMO.

The amendment proposes changes that will result in net community benefit for landowners with the EMO already applying to their land and for landowners affected by the June 2021 storms.

How does the amendment implement the objectives of planning in Victoria?

The amendment is relevant to objectives of planning in Victoria, as contained in Section 4 of the Planning and Environment Act 1987 by applying appropriate planning controls to areas which are at risk of land slip in order to protect life and property and enabling appropriate development where required.

**How does the amendment address any environmental, social and economic effects?**

#### Environmental effects

The primary environmental effect of the proposed changes will be to manage the risk of landslip in the affected areas of Yarra Ranges.

#### Social and Economic Effects

The amendment protects life and property in areas at risk of land slip. The amendment proposes to apply appropriate development controls in areas that are affected by landslip and to effectively mitigate against risk to life and property. The new controls create a safer living and working environment for the occupants of the properties concerned, and allow for appropriate development where the risk is tolerable.

**Does the amendment address relevant bushfire risk?**

The amendment will not result in any significant risk to life, property, community infrastructure or the natural environment from bushfire. There is no additional bushfire risk that will be caused as a result of the amendment.

**Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment complies with the requirements of the Ministerial Direction -The Form and Content of Planning Schemes (section 7(5) of the *Planning and Environment Act 1987*).

The amendment is consistent with the Ministerial Direction No.11 – Strategic Assessment of Amendments pursuant to Section 12(2) (a) of the Planning and Environment Act 1987.

**How does the amendment support or implement the Planning Policy Framework and any adopted State policy?**

The objective of Clause 13.04-2S Erosion and landslip of the Planning Policy Framework is to protect areas prone to erosion, landslip or other land degradation processes. The strategies identified under this objective are to:

- Identify areas subject to erosion or instability in planning schemes and when considering the use and development of land.
- Prevent inappropriate development in unstable areas or areas prone to erosion.
- Promote vegetation retention, planting and rehabilitation in areas prone to erosion and land instability.



The amendment supports the implementation of these objectives and strategies for landslip by providing appropriate controls on areas subject to landslip.

The amendment also supports Clause 52.10 Reconstruction After an Emergency the purpose of which is to:

- Facilitate the reconstruction of buildings and works damaged or destroyed as a result of an emergency.
- To facilitate the continued use of land for dwellings after an emergency.

### **How does the amendment support or implement the Municipal Planning Strategy?**

The amendment is consistent with and supports the Municipal Planning Strategy, particularly Clause 02.03-3 Environmental risks and amenity by updating appropriate erosion management measures in areas of known land slip risk.

The controls are being applied in order to protect life and property from the impact of land slip. Clause 02.03-3 states that by recognising and planning for the risks associated with projected climate changes, the adverse effects of water scarcity, bushfire, flood and landslip events will be minimised.

Council's strategic direction is to locate and design development within areas of landslip risk to minimise the potential risk to life and property. The proposed controls assist Council in appropriately responding to the environmental risk and create a safer living and working environment for the occupants of the properties concerned.

### **Does the amendment make proper use of the Victoria Planning Provisions?**

The Victoria Planning Provisions include the Erosion Management Overlay in its suite of controls. The purpose of this overlay is to protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.

The amendment proposes to refine the current Erosion Management Overlay schedule in the Planning Scheme based on a full review of existing controls. The Amendment will result in planning scheme provisions that better reflect the land tenure and land use planning objectives for the land.

The Amendment makes appropriate use of the Victoria Planning Provisions through the implementation of overlays to appropriately guide use and development of the relevant land.

### **Have the views of any relevant agency been addressed?**

The views of relevant agencies will be sought through the public exhibition of the amendment.

### **Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment does not result in any negative impact on the transport system as defined by Section 3 of the Transport Integration Act 2010. As the amendment reduces the risk of landslip hazards, it is consistent with Section 13 of the TIA which seeks to improve the safety of the transport system.

### **Resource and administrative costs**

### **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment is expected to improve the administration of the Yarra Ranges Planning Scheme by providing greater certainty for Council, landowners, developers and the community.

Council has received \$300,000 in grant funding under the National Recovery and Resilience Agency's Preparing Australian Communities Program – Local (PAC) which has been partly used to fund a review of the EMO by a geotechnical consultant.

## Where you may inspect this amendment

The Amendment is available for public inspection, free of charge, during office hours at the following Yarra Ranges Community Link Centres:

- Lilydale – 15 Anderson Street, Lilydale
- Monbulk – 21 Main Road, Monbulk
- Healesville – 110 River Street, Healesville
- Upwey – 40 Main Street, Upwey
- Yarra Junction – 2442-2444 Warburton Hwy, Yarra Junction

The Monbulk, Healesville, Upwey and Yarra Junction Community Links are open from 9.00am to 5.00pm Monday to Friday.

The Lilydale Community Link is open from 8.30am to 5.00pm Monday to Friday and from 9.00am to 12 midday on Saturday.

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection).

## Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by TBC.

A submission must be sent to Design and Place, Yarra Ranges Council, PO Box 105 Lilydale VIC 3140, or at [mail@yarraranges.vic.gov.au](mailto:mail@yarraranges.vic.gov.au).

## Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: TBC
- panel hearing: TBC

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Proposed C217

**SCHEDULE 1 TO CLAUSE 44.01 EROSION MANAGEMENT OVERLAY**

Shown on the planning scheme map as **EMO1**.

**EROSION MANAGEMENT OVERLAY - SCHEDULE 1**

**1.0**

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Proposed C217

**Erosion management objectives to be achieved**

To ensure that development can be undertaken at a tolerable risk to human life and property from landslip.

**2.0**

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Proposed C217

**Statement of risk**

Landslip refers to the movement of a mass of rock or earth down a slope. There are areas subject to landslip across the Yarra Ranges, including the hillsides along the Yarra River valley, the mountains of the Dandenong Ranges and agricultural areas of Silvan, Monbulk and Seville.

The occurrence of landslips within the Yarra Ranges has historically caused damage to property and the environment and presents an ongoing risk to human life. Geotechnical studies have documented historical landslip occurrences and seek to identify areas susceptible to future landslide occurrence.

All land included in the Erosion Management Overlay has been identified as having a sufficiently high risk of potential landslip to warrant specific review of these risks prior to the issue of a planning permit. The control of environmental factors and development relating to vegetation cover, drainage, rock, earthworks, soil disturbance and effluent and stormwater disposal are all important in managing the risk of landslip.

Risk from landslip needs to achieve a Tolerable Risk level to be considered suitable for new development.

Tolerable Risk is a risk within a range that society can live with so as to secure certain net benefits. It is a range of risk that is regarded as non-negligible and requires ongoing review and reduction if possible. The maximum tolerable risk is defined as:

- For loss of life for the person(s) most at risk, it is taken as having a probability of no greater than 10<sup>-5</sup> (1 in 100,000) per annum calculated in accordance with the *Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management 2007*.
- For property loss it is assessed qualitatively using the *Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management 2007*, specifically Appendix C to that document. and the tolerable risk level is selected depending on the new development type in accordance with Table 1.

**Table 1 - Maximum tolerable risk to property**

New Development Type	Maximum Qualitative Tolerable Risk
Essential facilities, Including hospitals, medical and surgery facilities, emergency services facilities, designated emergency shelters and facilities, buildings and facilities containing toxic or explosive materials in sufficient quantity capable of causing hazardous conditions that extend beyond property boundaries.	Low
All other new development, including residential dwellings.	Moderate

**3.0**

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Proposed C217

**Permit requirement**

**A permit is not required to:**

- Construct or carry out works associated with:
  - A pond or open, impervious water holding structure with a capacity of less than 5,000 litres.
  - Landscaping water features provided it does not entail ponding of more than 500 litres.
  - A domestic rainwater tank with capacity of not more than 4500 litres provided it is constructed at ground level or above.
  - A masonry fence, if the height of the fence does not exceed one metre and the fence does not alter surface water drainage.
  - A fence of lightweight timber or wire construction, where the fence is permeable or the base of the fence is at least 50 mm above the ground surface and does not obstruct surface water flow.
  - A spa and associated mechanical and safety equipment if the spa has a capacity not exceeding 5000 litres and is constructed at or above ground level.
- Construct or carry out earthworks that result in a modified ground surface that is less than 1000 mm above or below the natural ground level and does not allow water ponding.
- Extend a building or carry out works, provided:
  - The gross ground floor area is not increased by more than 20 square metres.
  - Stormwater from the building is drained to a legal point of discharge.
  - There are no existing earthworks (cut or fill) higher than 1 m within 5 m of the proposed extension.
- Construct a building associated with productive agricultural activities provided:
  - The building is constructed of lightweight, flexible materials (not bricks, concrete blocks or similar).
  - The development would result in not more than two such structures existing on the subject property.
  - There are no existing earthworks (cut or fill) higher than 1 m within 5 m of the proposed building.
  - Stormwater from the roof is drained to the legal point of discharge.
- Construct a temporary building used for the storage of building materials and equipment, provided:
  - The building does not exceed 20 square metres in floor area.
  - The building is temporarily located on the subject property for the duration of building construction works allowed or approved under this scheme.
- Construct a retaining wall that:

- Does not exceed 1 m in height.
- Is not associated with other building construction works.
- Does not provide landslip protection for any adjoining land.
- Is constructed to provide support to existing unsafe earthworks.
- Construct a non-habitable structure ancillary to a dwelling, including carports and garden sheds, provided:
  - The structure is constructed of lightweight, flexible materials (not bricks, concrete blocks or similar).
  - The ground surface area occupied by all such structures on the property does not exceed 40 square metres.
  - There are no existing earthworks (cut or fill) higher than 1 m within 5 m of the proposed structure.
  - Stormwater from the roof is drained to the legal point of discharge.
- Construct or carry out repair or maintenance works undertaken by or on behalf of a public authority relating to watercourse management, environmental improvements or infrastructure services.
- Remove, destroy or lop vegetation, either separately or as part of building works if any of the following apply:
  - The trunk circumference measured at 1 metre above ground level does not exceed 1 metre and the natural ground surface is reinstated.
  - The vegetation is within 2 m of a building.
  - The vegetation is dead and the natural ground surface is reinstated.
  - The roots below the ground level are retained, and the vegetation removal is associated with the maintenance of an existing minor utility installation.
  - The lopping is for pruning to improve a tree's health or structural stability in accordance with normal horticultural practice for the species involved.

#### 4.0

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#### Application requirements

Proposed C119c

The following application requirements apply to an application for a permit under Clause 44.01, in addition to those specified elsewhere in Clause 44.01 and elsewhere in the scheme, and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- For an application to construct a building or construct or carry out works, plans drawn to scale and dimensioned, showing as appropriate:
  - The proposed new development, including as appropriate a site plan, land contours, building elevations, access, cut and fill, retaining walls and effluent disposal system.
  - Any existing development, including buildings, water tanks and pools or dams on both the subject lot(s) and adjacent land.

- Any existing earthworks and water infrastructure on the subject lot(s), including cut and fill, stormwater drainage, subsurface drainage, water supply pipelines, sewerage pipelines or effluent disposal installations and pipelines and any otherwise identified geotechnical hazard.
- Details and location of existing vegetation, including any vegetation to be removed.
- For an application to subdivide land, plans drawn to scale and dimensioned, showing as appropriate:
  - The proposed subdivision layout and land contours.
  - Any existing development, including buildings, water tanks and pools or dams on both the subject lot(s) and adjacent land.
  - Any existing earthworks or water infrastructure on the subject lot(s), including cut and fill, stormwater drainage, subsurface drainage, water supply pipelines, sewerage pipelines or effluent disposal installations and pipelines and any otherwise identified geotechnical hazard.
  - Details and location of existing vegetation, including any vegetation to be removed.
- A geotechnical assessment, landslide hazard assessment or landslide risk assessment as required by and prepared in accordance with the Incorporated Document titled '*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 (EMO), March 2023*' and to the satisfaction of the responsible authority.
- Where, in the opinion of the responsible authority, the application for a subdivision or development will not adversely increase the landslip risk to life or property affecting the subject lot(s) or adjoining or nearby land, a written geotechnical assessment, landslip hazard assessment or landslip risk assessment (as appropriate) is not required.

## 5.0 Independent review

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Proposed C217

The responsible authority may require a Geotechnical Assessment, Geotechnical Hazard Assessment and/or a Landslip Risk Assessment that has been submitted with an application, to be reviewed by an independent geotechnical practitioner at the applicant's cost.

## 6.0 Decision guidelines

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Proposed C217

The following decision guidelines apply to an application for a permit under Clause 44.01, in addition to those specified elsewhere in Clause 44.01 and elsewhere in the scheme must be considered, as appropriate, by the responsible authority:

- The risk to human life and property is tolerable.
- The recommendations of the Geotechnical Assessment, Geotechnical Hazard assessment or any Landslide Risk Assessment and independent review.
- The risks associated with the need for any ongoing monitoring and maintenance for mitigation measures.

- The risks associated with non-compliance with any conditions of any permit which may be subsequently issued.

DRAFT



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, March 2023

## YARRA RANGES PLANNING SCHEME

### Incorporated Document

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This document is an incorporated document in the  
Yarra Ranges Planning Scheme pursuant to section  
6(2)(j) of the Planning and Environment Act 1987



## 1.0 INTRODUCTION

This document is an Incorporated Document to the Schedule to Clause 44.0 and Clause 72.04 of the Yarra Ranges Planning Scheme (the Scheme), pursuant to section 6(2)(j) of the Planning and Environment Act 1987 (the Act).

This document sets out the requirements for geotechnical assessment and reporting in support of planning applications required under the provisions of the Yarra Ranges Erosion Management Overlay – Schedule 1.

The documentation described herein is to be prepared by a Geotechnical Practitioner, being an Engineer or Engineering Geologist who has experience in the management of slope stability problems and landslide risk management as a core competence, is degree qualified, and who has current professional status as a:

- Chartered Professional Engineer (CPEng); or
- Registered Professional Engineer (RPEng); or
- Chartered Professional Geologist (CPGeo); or
- Registered Professional Geologist (RPGeo).

There are different assessment and reporting requirements for Subdivision and Buildings and Works, where:

- Subdivision – is a subdivision as specified in the *Subdivision Act 1988*;
- Buildings and works – is Buildings or Works as specified in the *Planning and Environment Act 1987*.

The geotechnical documentation required to inform the assessment of landslide risk for subdivision or buildings and works is set out below. If there is any inconsistency between the specific controls in this document and the general provisions of the Scheme, the specific controls will apply.

## 2.0 LAND DESCRIPTION

This Incorporated Document applies to all land covered by the Erosion Management Overlay in the Yarra Ranges Planning Scheme.

## 3.0 APPLICATION OF PLANNING SCHEME PROVISIONS

In the event of any inconsistency between the specific controls contained in this document and general provisions of the scheme, the specific controls contained in this document will prevail.

## 4.0 EXPIRY OF THIS SPECIFIC CONTROL

No expiry provisions apply.

## 5.0 PURPOSE

The purpose of this document is to provide additional Application Requirements to the requirements of Clause 44.01-6 of the Erosion Management Overlay and Clause 4.0 of the Erosion Management Overlay Schedule 1.

## 6.0 CONTROLS:

### 6.1 Buildings and works

#### 6.1.1 Assessment Requirements

If the geotechnical practitioner assesses that the site has:

- A slope angle of less than 9 degrees at and within 20 m of the proposed new development; and
- Has not previously been affected by landslide, and;
- There are no credible landslide or debris flow hazards that could affect the proposed development, including debris flow;

a Geotechnical Assessment (as described at 6.1.2) may not be required. However, the Geotechnical Practitioner should provide written advice stating that these requirements have been met. Written evidence should include a site description and evidence to support the advice. Where these requirements have not been met, a Geotechnical Assessment prepared in accordance with the requirements set out in Section 6.1.2 is required.

A written Landslide Risk Assessment prepared in accordance with the requirements of Section 6.1.3 is required in addition to a Geotechnical Assessment if any of the following apply:

- the Geotechnical Assessment or other landform data (a detailed site survey) indicates natural slopes on or immediately adjacent to the subject lot which:
  - are steeper than 11 degrees (20%) in areas underlain by Tertiary Older Volcanics or Quaternary Colluvium; or
  - are steeper than 22 degrees (40%) in all other geologies including the spatially extensive Devonian Volcanics; or
  - exhibit evidence of possible or past landsliding on or immediately adjacent to the site; or
  - the Geotechnical Assessment concludes there are landslide or debris flow hazards affecting the new development that require a Landslide Risk Assessment; or
  - in the opinion of the Responsible Authority, the Geotechnical Assessment is not sufficient to determine that the development can be carried out in a manner which will not adversely increase the landslide risk to life or property affecting the subject lot or adjoining or nearby land.

#### 6.1.2 Geotechnical Assessment

Where a Geotechnical Assessment is required, it must be prepared in accordance with the methodology described below and with reference to the Australian

Geomechanics Society Practice Note Guidelines for Landslide Risk Management 2007. The Geotechnical Assessment must be for the development proposed in the application, and include:

- Details of the Geotechnical Practitioner and their qualifications and experience including but not limited to experience in the management of slope instability problems and landslide risk management.
- A statement that the assessment is based on field survey measurements undertaken not more than 12 months prior to the relevant application for development.
- A detailed site description.
- Site assessment plans and cross-sections of the subject lot and relevant surrounds for the area potentially subject to landslide or debris flow hazards. Plans and cross sections are to be based on field measurements, with measured ground slopes shown and drawn to scale and dimensioned. Where applicable, plans should show the areas of the site subject to landslide or debris flow hazards.
- A detailed assessment of subsurface conditions, including the underlying geology.
- A statement indicating whether there are natural slopes on or immediately adjacent to the subject lot which exhibit evidence of landslide potential, or past landslide.
- Relevant entries in the Yarra Ranges landslide inventory.
- Details of all site investigations and any other information used in preparation of the Geotechnical Assessment.
- A statement indicating whether subsurface investigation involving boreholes and/or test pit excavations or other methods is necessary to assess the geotechnical/geological model for the subject lot and details of all such investigations, boreholes, test pits or other methods.
- A statement indicating that in the opinion of the Geotechnical Practitioner, the proposed new development is not subject to significant landslide or debris flow hazards and is not expected to be subject to significant landslide or debris flow hazards over the design life of the development such that a Landslide Risk Assessment (as described in the following section) is not required. Where significant landslide hazards are identified and this statement cannot be made, a Landslide Risk Assessment undertaken in accordance with the requirements of Section 6.1.3 is required and a statement should be made in the Geotechnical Assessment that a Landslide Risk Assessment is required.
- A statement indicating whether or not new development should only be approved subject to conditions, and if so recommend what conditions are required that may be related but not limited to:

- The positioning of buildings and works on site to avoid landslide and debris flow hazards.
- The provision of appropriate footing types and base levels and foundation materials in any structural works, including all retaining walls.
- The location/s of and depth/s of soil and rock cut and fill.
- The construction of any excavations and fill and the method of retention of such works.
- Any details of surface and sub-surface drainage.
- The selection and design of a building structure system.
- Retention, replanting and new planting of vegetation.
- Any effluent drainage and discharge.
- Any necessary ongoing mitigation and maintenance measures and any recommended periodic inspections, including performance measures and thresholds.
- The time within which works must be completed after commencement and the location/s and maximum time period that materials associated with the development can be stockpiled.
- Any requirements for geotechnical inspections and approvals to be incorporated into a construction work plan for building approval.
- Be accompanied by a Geotechnical Declaration and Verification Form (Form A).

### 6.1.3 Landslide Risk Assessment

A written Landslide Risk Assessment is to be prepared by a suitably qualified and experienced Geotechnical Practitioner in accordance with the methodology set out in the Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management 2007. The Landslide Risk Assessment must be for the new development proposed in the application and include:

- A copy of the Geotechnical Assessment prepared for the subject land and proposal and, if not prepared by the Geotechnical Practitioner preparing the Landslide Risk Assessment, contain a response by the Geotechnical Practitioner preparing the Landslide Risk Assessment, agreeing with the findings and conclusions of the Geotechnical Assessment.
- If reported in conjunction with a Geotechnical Assessment, include all the requirements of a Geotechnical Assessment as set out in Section 6.1.2 in addition to those of a Landslide Risk Assessment.
- If the Geotechnical Practitioner preparing the Landslide Risk Assessment does

not support with the findings and conclusions of the Geotechnical Assessment for new development, the Geotechnical Practitioner must prepare an additional Geotechnical Assessment.

- An assessment supported by field observations and measurements that have been undertaken not more than 12 months prior to the lodgement of the application for a planning permit.
- A full assessment of the risk posed by all reasonably identified landslide, debris flow and slope degradation hazards which could impact or be caused by the new development and which have the potential to either individually or cumulatively impact upon people or property, in accordance with the AGS 2007 Guidelines.
- An assessment of the risk posed by potential future vegetation removal, including by bushfire or for bushfire protection if undertaken to the maximum extent permissible under the conditions of any planning permit and under permit exemptions in the Planning Scheme.
- A statement indicating that in the opinion of the Geotechnical Practitioner, the proposed new development can be undertaken such that the risk to life and property does not exceed a tolerable level and will not exceed a tolerable level over the life of the proposed development.
- Be accompanied by a Geotechnical Declaration and Verification Form (Form A)

## 6.2 Subdivision

Where subdivision is proposed, a Landslide Hazard Assessment should be prepared by a Geotechnical Practitioner in accordance with the methodology set out in the Australian Geomechanics Society Guidelines for Landslide Susceptibility, Hazard and Risk Zoning for Land Use Planning 2007. The objective of the Landslide Hazard Assessment is to identify hazards affecting future development within a proposed subdivision and to recommend constraints on subdivision and future development. The Landslide Hazard Assessment should include as a minimum:

- A definition of scope establishing the purpose and scope of the hazard assessment.
- A data gathering / desktop phase assembling relevant data and recording the sources of the data. The Yarra Ranges landslide inventory should be consulted as part of the desktop study.
- Completion of investigations sufficient to establish a geotechnical model, identify geomorphic processes and associated process rates.
- Inspection of the site and surrounds including field mapping of the geomorphic features.

- A landslide inventory map covering the proposed subdivision and relevant surrounding areas and associated information on landslides in the inventory (if available) such as classification, location, time of sliding (if known), volume and a description of validation and limitations of the inventory.
- Landslide susceptibility zoning maps prepared in accordance with the AGS 2007 Guidelines including related information on how susceptibility was determined and a description of validation and limitations of the zoning.
- General commentary regarding the nature of the landslide or debris flow hazards, frequency and potential impacts or consequences and their implications for levels of associated risk.
- Recommendations as to whether the proposed subdivision is viable in its current format and an indication of areas that in the opinion of the geotechnical practitioner:
  - are not suitable for development;
  - are suitable for development subject to constraints or risk mitigation and an indication of those constraints;
  - are suitable for development without constraints;
- Discussion of potential impacts to adjacent land.
- Be accompanied by a Geotechnical Declaration and Verification Form (Form A).

## 7.0 References

- Guidelines for Landslide Susceptibility, Hazard and Risk Zoning for Land Use Planning, Journal of Australian Geomechanics Society, Vol. 42: No 1, March 2007.
- Commentary on Guidelines for Landslide Susceptibility, Hazard and Risk Zoning for Land Use Planning, Journal of Australian Geomechanics Society, Vol. 42: No 1, March 2007.
- Practice Note Guidelines for Landslide Risk Management 2007, Journal of Australian Geomechanics Society, Vol. 42: No 1, March 2007.
- Commentary on Practice Note Guidelines for Landslide Risk Management 2007, Journal of Australian Geomechanics Society, Vol. 42: No 1, March 2007.

**END OF DOCUMENT**

## CT7093 RECEIPT OF RECYCLING PROCESSING SERVICES

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Report Author: Executive Officer - Resource Recovery  
Responsible Officer: Director Planning & Sustainable Futures  
Ward(s) affected: (All Wards);

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*The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.*

### CONFIDENTIALITY

Confidential information is contained in the attachments to this report. This information relates to contractual matters and contains commercially sensitive information including, but not limited to, the name of tendering parties, the evaluation panel members, the tendered prices and the evaluation of the tenders received against the published evaluation criteria.

Any disclosure of the information included within the confidential report could be prejudicial to the interests of the Council or other parties. Report is confidential in accordance with Section 3(1)(g)(i)(g)(ii) of the *Local Government Act 2020*. This report provides details regarding approval to award a contract that complies with the Section 108 of the *Local Government Act 2020*.

### SUMMARY

This report and attachments inform Council on the Tender Process for the CT7093 Receiving of Recyclable Material tender, which closed on 3 February 2023 and seeks approval to award the preferred tenderer as per the recommendations within the confidential evaluation report.

The timing of the report relates to ensuring the transition of services can be appropriately managed which relies on delivery of the Letter of Offer by 23 June 2023. This will ensure all recycling receiving capacity is secured at the receiving facility in time for new contract commencement.

## RECOMMENDATION

*That*

1. ***Council accepts the tender and awards a schedule of rates contract for CT7093 Receiving of Recyclable material to Visy Recycling Pty Ltd for an estimated value of \$18,925,889, (excl. GST) for a ten (10) year term, (five (5) plus five (5) year contract term) subject to the resolution of proposed contract departures and inclusive of all negotiated cost savings, schedule of rates and any provisional items detailed in the Confidential Attachment to this report.***
2. ***The Director Planning and Sustainable Futures be delegated the authority to finalise negotiations and sign the contract documents and future extension options.***
3. ***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.***

## RELATED COUNCIL DECISIONS

There are no related Council decisions to this item.

## DISCUSSION

### ***Purpose and Background***

The purpose of this report is to discuss the outcomes of the Tender Evaluation Panel for Council to Award Contract CT7093 Receiving of Recyclables, to commence on 1 October 2023.

Council's current Recycling Receiving contract with Visy Paper Pty Ltd is due to expire on 30 September 2023.

A tender process was undertaken to assist in establishing a new contract for future Recycling Receiving and Processing for the Yarra Ranges community. This contract will align with the State Government's standard materials for recycling in line with Recycling Victoria- A New Economy Policy.

As part of the evaluation process, a cross-organisation Tender Evaluation Panel (TEP) was established to ensure a range of Council's services were considered when evaluating the tenders.

The TEP was established in accordance with Council's Procurement Guidelines and an independent Probity Auditor reviewed and signed off on the process. The TEP



consisted of independent expert probity and procurement consultants, in addition to Council's representatives.

For further information please refer to the attached confidential recommendation and probity reports.

### ***Options considered***

The tender process has been carried out in accordance with Council's Procurement Policy. Options considered are based upon the tenders received. Further information on this process is included within the attached Recommendation report. When establishing the tender specifications, the contract term was considered to ensure best value is provided to community. Innovation and continuous improvement were reviewed as part of the evaluation process with new technologies being proposed within the tenders.

### ***Recommended option and justification***

Following an extensive evaluation process, the evaluation panel were unanimous in the decision as detailed in the Confidential Attachment to this report.

The evaluation panel request Council support the recommendation to award the contract to the preferred tenderer as detailed in the Tender Evaluation report.

## **FINANCIAL ANALYSIS**

To ensure best value for community, the contract has been set for a fixed five-year term with an extension period up to five years, with increments to be determined at the five year mark.

The five-year fixed term allows time for the recycling industry and markets to settle for Council to then undertake an industry review to determine market status before deciding on future receipt options. The extension option of up to five years gives Council flexibility should further stable recycling markets become available.

The contract pricing for receipt of recycling material is based on schedule of rates for the contract term with Indices and Transport rate adjustments, which include Consumer Price Index (CPI).

During the term of this contract the State Government will be introducing a Container Deposit Scheme (CDS). As part of this contract Council and the contractor will agree to a shared income model for material that is claimed through the CDS. Any income received through this process will reduce contract costs.

For further financial information, refer to the confidential Cost Summary document attached.

## **APPLICABLE PLANS AND POLICIES**

This report contributes to the following strategic objective(s) in the Council Plan:

- Protected & Enhanced Natural Environment - A healthier environment for future generations, and
- Develop a Municipal Waste Plan, education programs and pursue innovative waste processing technologies to maximise waste resource recovery for a more sustainable future.

## **RELEVANT LAW**

This report seeks Council approval to award a contract that complies with the Section 108 of the *Local Government Act 2020*.

The works and outcomes associated with this report relate directly to the requirements outlined in the State Governments Recycle Victoria – A New Economy Policy.

The services identified under this tender align with Council's Draft Community Waste Resource Recovery Plan, 2023 – 2030.

## **SUSTAINABILITY IMPLICATIONS**

### ***Economic Implications***

Economic impacts were considered when developing the specifications and through the evaluation process associated with the inclusion of a shared arrangement associated with the income associated with the CDS.

### ***Social Implications***

Local and social sustainability was considered as part of the evaluation process and was weighted five percent of the overall qualitative evaluation.

### ***Environmental Implications***

Waste Management and Resource Recovery Services are key sustainability functions. The contract specifications and contract obligations are in place to ensure services are provided to maximise recovery and reduce reliance on landfill.

## **COMMUNITY ENGAGEMENT**

No specific community engagement has occurred directly associated with this confidential tender process. However, there has been extensive community consultation associated with the Draft Community Waste Resource Recovery Plan which relates to this service provision.

There will be future community engagement as part of the extensive education programs and information that will be available to community prior to the transition period as well as following the introduction of the services in October 2023. The contractor is required to assist in auditing materials to support information for targeted education programs.

These programs will assist in ensuring the services are being used correctly to maximise recovery and reduce material going to landfill.

## **COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT**

Prior to the preparation of the specifications and advertising of this tender extensive consultation occurred with several local governments to determine the viability of establishing a joint procurement process. Due to differing timeframes and priorities, a joint procurement model was deemed not viable however specifications were shared.

Innovation and continuous improvement were reviewed as part of the evaluation process with new technologies proposed within the tenders.

## **RISK ASSESSMENT**

The evaluation criteria were targeted to understand and mitigate Council risk with a focus on strong management structures, processes and systems that support the process.

The receipt of materials from the Street and Park Litterbins form part of this contract to allow for the recovery of recyclables. It has been identified through this process that there is a contamination level limit on material that can be received and sorted at the facility. Based on our knowledge of this material, it will exceed the facilities contamination levels. Once the CDS is introduced, it is anticipated that sporting clubs and residents will utilise the refund system, which will further reduce recyclable material within street, park and sporting club bins.

As a result, this material will be removed from this contract and diverted to landfill under existing separate contract arrangements. Further consideration around the options for litterbins and material will be discussed with Council prior to October 2023 when this change will occur.

## **CONFLICTS OF INTEREST**

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

**ATTACHMENTS TO THE REPORT**

1. Recommendation Report
2. Probity Report
3. Cost summary Document

Confidential Item

Confidential Item

Confidential Item

## QUARTERLY FINANCE REPORT - MARCH 2023

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Report Author: Manager Financial Services  
Responsible Officer: Director Corporate Services  
Ward(s) affected: (All Wards);

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*The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.*

### CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public.

### SUMMARY

The attached quarterly finance report has been prepared as at 31 March 2023. The report includes financial year-to-date data up to quarter three of the 2022-23 financial year and is compared to the adopted budget and the forecast projections for the full year to 30 June 2023.

### RECOMMENDATION

#### *That Council*

- 1. Receives and notes the Finance Report for the nine months from 1 July 2022 to 31 March 2023 for the purpose of Section 97 of the Local Government Act 2020.***
- 2. Approves and adopts the Capital Works Transfers as outlined in the March Quarterly Capital Works Report.***

### RELATED COUNCIL DECISIONS

There are no related Council decisions relevant to this item.

### DISCUSSION

#### *Purpose and Background*

The quarterly financial update presents summary financial statements and a series of other progress reports on matters that will inform both Council and the Community on the performance on the relevant quarter.



### ***Summary of year-to-date results***

#### Comprehensive result (net surplus)

Year to date comprehensive result of \$10.7m is \$0.8m lower than the adopted budget. The major variances are:

- Grants revenue being lower than budgeted and there were no special charge schemes charged against an expected budget of \$1.6m in March;
- External contracts for infrastructure maintenance (footpaths/trails) and programmed maintenance (roads) have driven year-to-date actuals above budget by \$1.9m;
- Lower employee costs due to unfilled positions across the organisation (\$3.1m) with the largest variance in the Communities directorate (\$2.4m);
- Lower Covid-19 recovery costs to date against a budget of \$1.7m; and
- Increased revenue recognition related to work completed for the October 2022 storms, with grant income being above budget by \$4.4m.

#### Balance sheet and cashflow statement

Cash and investment holdings are \$75.7m as of 31 March 2023 representing a positive cash position. The Balance Sheet presents a working capital of \$18.2m (total current assets of \$143.2m less total current liabilities of \$125.0m). The annual budgeted working capital is expected to be positive at \$9.2m as at June 2023 reflecting Council's ability to meet its obligations as and when they fall due.

#### Capital Program

Capital expenditure of \$40.9m is \$24.4m or 37% below the year-to-date adopted budget of \$65.3m and is expected to be \$15.8m below the full year forecast.

The underspend to budget relates to:

- Infrastructure – Roads: Road for the Community Initiative (\$7.5m) and road rehabilitation and resurfacing (\$2.0m);
- Project Management Salary Capitalisation (\$3.9m);
- Property – Buildings: Pinks Reserve Pavilion and Stadium (\$2.1m) and Climate Resilient Buildings (\$0.5m), Powelltown Pavilion (\$0.3m);
- Buildings and Trails (new and improved) are (\$4.1m) and (\$1.8m) below budget; and
- Plant & Equipment replacements and Council Building minor works are under budget by a combined (\$1.9m) year-to-date.

Further details are included in the attached quarterly Capital Works report.

### ***Conclusion***

This report provides a summary of the March 2023 position for Yarra Ranges Council. Council is currently tracking slightly behind budget after the first nine months, with a full financial year forecast anticipated to be \$10.5m lower than budget. These variances are largely due to higher operating expenses in relation to material and services costs, as outlined in the attached report.

### **FINANCIAL ANALYSIS**

The attached report outlines the financial performance and position of Council's activities for the 2022-23 financial year up to 31 March 2023, as well as forecast of performance for the full year.

### **APPLICABLE PLANS AND POLICIES**

Sound financial management and reporting of Council's activities forms part of Council's commitment to being a High Performing Organisation, one of Council's five Strategic Objectives outlined in its Council Plan.

### **RELEVANT LAW**

Section 97 of the *Local Government Act 2020* requires Council to prepare and present a quarterly finance report that compares annual budgeted revenue and expenditure with actual year-to-date revenue and expenditure, at a Council meeting which is open to the public.

### **SUSTAINABILITY IMPLICATIONS**

#### ***Economic Implications***

There are no broader economic impacts associated with this report.

#### ***Social Implications***

There are no social impacts associated with this report.

#### ***Environmental Implications***

There are no environmental impacts associated with this report.

### **COMMUNITY ENGAGEMENT**

Not applicable.

## **COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT**

Not applicable.

## **RISK ASSESSMENT**

A risk assessment has been considered in relation to the financial report and deemed an acceptable level of risk.

## **CONFLICTS OF INTEREST**

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

## **ATTACHMENTS TO THE REPORT**

1. March 2023 Quarterly Financial Report
2. March 2023 Quarterly Capital Works Report



# Financial Report

for the period July 2022 to March 2023

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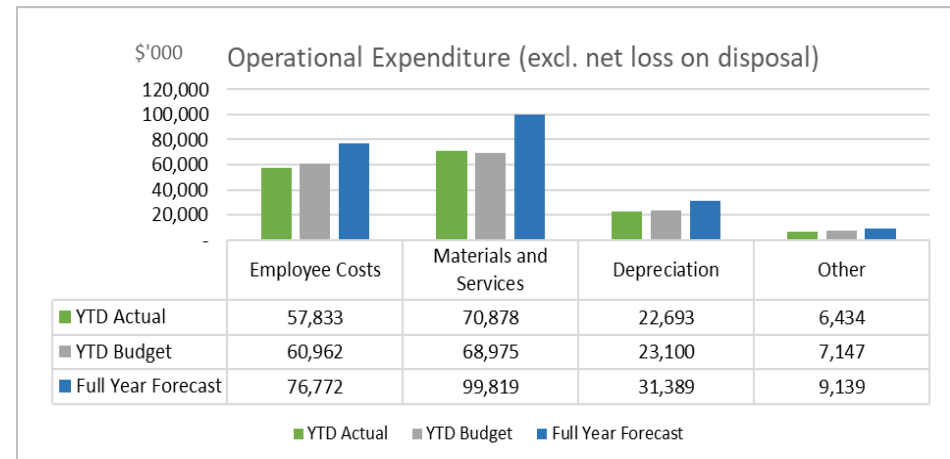
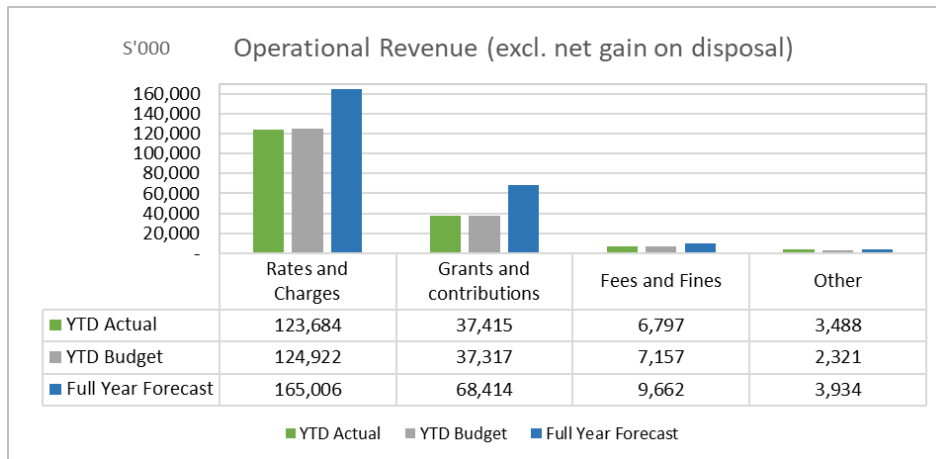
## Executive Summary

This report provides a summary of the March 2023 position for the Yarra Ranges Council. Council is currently tracking slightly behind the budget after the first nine months of the 2022-23 financial year, with Council forecasting a full financial year result that is expected to be \$10.5m lower than budget. Revenue is in line with Budget, expenses are higher than budgeted due to higher operating expenses in relation to materials and services as detailed below.

### Income & Expense Summary

	March 2023				YTD March 2023				Annual Total			
	Actual \$'000	Budget \$'000	\$ variance \$'000	% variance	Actual \$'000	Budget \$'000	\$ variance \$'000	% variance	Budget \$'000	Forecast \$'000	\$ variance \$'000	% variance
Total Income	20,320	25,156	(4,837)	(19.2)%	171,384	171,716	(332)	(0.2)%	248,590	247,016	(1,573)	(0.6)%
Total Expenses	20,362	17,391	(2,971)	(17.1)%	157,838	160,183	2,346	1.5%	208,813	217,119	(8,306)	(3.8)%
Net Gain/(Loss) on Disposal	154	0	154	0.0%	(2,828)	0	(2,828)	0.0%	0	(650)	(650)	100.0%
<b>Net Surplus/(Deficit)</b>	<b>112</b>	<b>7,765</b>	<b>(7,653)</b>	<b>98.6%</b>	<b>10,718</b>	<b>11,533</b>	<b>(815)</b>	<b>(7.1)%</b>	<b>39,777</b>	<b>29,247</b>	<b>(10,530)</b>	<b>(36.0)%</b>
<b>Operating (Underlying) Surplus/(Deficit)</b>	<b>1,969</b>	<b>17,155</b>	<b>(15,187)</b>	<b>(88.5)%</b>	<b>(9,199)</b>	<b>(14,402)</b>	<b>5,203</b>	<b>(36.1)%</b>	<b>(4,938)</b>	<b>(1,879)</b>	<b>3,059</b>	<b>(162.8)%</b>

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### Comprehensive Result (Net Surplus)

YTD comprehensive result of \$10.7m is \$0.8m lower than the adopted budget. The major variances are:

- Grants revenue is lower than budgeted and there was no special rates and charges against a budget of \$1.6m in March.
- External contracts for infrastructure maintenance (footpaths/trails) and Programmed Maintenance (Maca Infrastructure – Roads) have driven YTD actuals above the Budget by \$1.9m
- Lower employee costs due to unfilled positions across the organisation (\$3.1m) with the largest variance in Communities directorate (\$2.4m).
- Lower Covid-19 recovery costs to date against a budget of \$1.7m.
- Increased revenue recognition related work completed relating to the October 2022 storms, grant income is above budget by 4.4m. Storm – Road's rehabilitation is above budget by \$1.6m.

The current annual forecast result of \$29.2m is below budget by \$10.5m due to income from Special Rates and Charges forecast to be \$3.3m below budget and Materials and Services forecasting an \$8m overspend to budget. This includes:

- Unbudgeted Preparing Australian Communities (PAC) project costs which were unknown at the time of preparing the Budget (\$2.6m), this is offset by grant funding.
- Unbudgeted building maintenance works related to essential safety measures (\$1.5m).
- Unbudgeted Consultancy for the Sustainable Streetlighting Program, this is offset by savings from the 2021-22 Capital Expenditure Program and Victorian Energy Efficiency Certificate rebates (\$0.8m).
- Higher temporary staff to cover vacancies across the organisation (\$1.6m)

These are partially offset by higher non-recurrent funding (\$2.7m) related to prior year carried forward capital projects and storm recovery costs; as well as unbudgeted funding for some projects including the Blackspot project and the Preparing Australian Communities (PAC) grant.

Council has undertaken a significant review of its full year forecast to determine what the year end position may be. As a result of this review, several adjustments have been made, which has improved the forecasted comprehensive result by approximately \$1.3m. The key movements include:

- Reduction to Special Charge Scheme income (\$650k) to reflect changes in the Roads for the Community Initiative
- Reduction in Grant Income (\$4.6m), mainly impacted by an updated position on the Capital Works Program
- Reduction in Materials and Services Costs (\$6.0m), mainly impacted by more accurate reflection of new contract arrangements for the remainder of the year.

### Balance Sheet and Cash Flow Statement

Cash and investment holdings are \$75.7m as of 31 March 2023 representing a positive cash position. The Balance Sheet presents a working capital of \$18.2m (total current assets of \$143.2m less total current liabilities of \$125.0m). The annual budgeted working capital is still expected to be positive at \$9.2m reflecting Council's ability to meet its obligations as and when they fall due.

## Capital Program

Capital expenditure of \$40.9m is \$24.4m or 37% below the YTD Adopted Budget of \$65.3m and is expected to be \$15.8m below the Forecast.

The underspend to budget relates to:

- Infrastructure – Roads: Road for the Community Initiative (\$7.5m) and road rehabilitation and resurfacing (\$2.0m).
- Project Management Salary Capitalisation (\$3.9m).
- Property – Buildings: Pinks Reserve Pavilion and Stadium (\$2.1m) and Climate Resilient Buildings (\$0.5m), Powelltown Pavillion (\$0.3m).
- Buildings and Trails new and improve are (\$4.1m) and (\$1.8m) below budget.
- Plant & Equipment replacements and Council Building minor works are under budget by a combined (\$1.9m) YTD.

The table below outlines where Council is tracking against key VAGO performance indicators.

VAGO Performance Indicators as at March 2023							
Indicator	Measure					YTD Actual	Full year Budget
<b>Net result</b>	Net surplus (deficit) / Total revenue	Less than -1.0%	-10% to 0%	More than 0%	%	6.3%	16.0%
<b>Adjusted underlying result</b>	Adjusted underlying surplus (deficit) / Adjusted underlying revenue	Less than 0%	0% to 5%	More than 5%	%	-6.1%	-2.4%
<b>Liquidity</b>	Current Assets / Current Liabilities	Less than 0.75	0.75 to 1.0	More than 1.0	X	1.15	1.11
<b>Internal financing</b>	Net operating cashflow / Net capital expenditure	Less than 75%	75% to 100%	More than 100%	%	84.0%	82.2%
<b>Indebtedness</b>	Non current liabilities / Own sourced revenue	More than 60%	40% to 60%	40% or Less	%	7.9%	20.1%

- *Net result – is revenue/income from transactions minus expenses from transactions, as a percentage of total revenue.*  
Actual result is positive due to lower YTD expenditure in relation to employee costs, depreciation, and financing costs. The higher budgeted net result is due to the full recognition of rates by the end of the financial year.
- *Adjusted underlying result – is the net result exclusive of grants and contributions. It is an indicator of the sustainable operating result required to enable Council to continue to provide core services and meet its objectives.*  
YTD actual is mostly related to timing of expenditure for infrastructure maintenance, facilities management, and disaster recovery. The budget factored in storm and pandemic recovery for FY23 causing short term deficit in this measure.
- *Liquidity - The ability to pay liabilities due within the next 12 months. A ratio of one or more means that an entity has more cash and liquid assets than short-term liabilities.*  
A strong cash and receivables balance ensure that YRC has significantly more cash and liquid assets that current liabilities.



- *Internal financing – The ability to finance capital works from net operating cashflow.*  
Operational expenditure (materials, services, and employee costs) is below budget and capital expenditure is significantly lower than budgeted expectations thereby delivering the positive internal financing result.
- *Indebtedness - The ability to repay debt due after the next 12 months from own-sourced revenue (Total revenue excluding grants and contributions).*  
YTD actual and full year budget reflect Council’ s low level of debt compared to own-sourced revenue generated.

## Financial Performance for the period ending 31<sup>st</sup> March 2023

# Comprehensive Income Statement

### Income & Expense Statement

	March 2023				YTD March 2023				Annual Total			
	Actual \$'000	Budget \$'000	\$ variance \$'000	% variance	Actual \$'000	Budget \$'000	\$ variance \$'000	% variance	Budget \$'000	Forecast \$'000	\$ variance \$'000	% variance
<b>Income</b>												
Rates - General	13,655	13,384	271	2.0%	120,680	120,453	226	0.2%	160,604	160,604	0	0.0%
Rates - Special Rates and Charges	0	1,618	(1,618)	(100.0)%	3,005	4,468	(1,464)	(32.8)%	7,704	4,402	(3,303)	(75.0)%
Statutory Fees and Fines	52	248	(196)	(79.1)%	1,880	2,284	(403)	(17.7)%	3,079	3,076	(2)	(0.1)%
User Fees	1,021	539	482	89.5%	4,916	4,874	42	0.9%	6,480	6,586	105	1.6%
Contributions - Cash	513	493	20	4.1%	2,448	3,082	(634)	(20.6)%	4,340	5,188	848	16.3%
Grants - Recurrent	1,683	4,339	(2,656)	(61.2)%	15,377	20,081	(4,705)	(23.4)%	37,553	27,761	(9,792)	(35.3)%
Grants - Non Recurrent	3,056	4,259	(1,203)	(28.3)%	19,591	14,153	5,438	38.4%	22,660	32,465	9,805	30.2%
Other Revenue	63	155	(92)	(59.4)%	1,019	1,218	(199)	(16.4)%	1,699	1,807	108	6.0%
Interest	278	122	155	126.6%	2,469	1,102	1,366	123.9%	1,470	2,127	657	30.9%
Contributions - Non Monetary Assets	0	0	0	0.0%	0	0	0	0.0%	3,000	3,000	0	0.0%
<b>Total Income</b>	<b>20,320</b>	<b>25,156</b>	<b>(4,837)</b>	<b>(19.2)%</b>	<b>171,384</b>	<b>171,716</b>	<b>(332)</b>	<b>(0.2)%</b>	<b>248,590</b>	<b>247,016</b>	<b>(1,573)</b>	<b>(0.6)%</b>
<b>Expenses</b>												
Employee Benefits	7,299	6,199	(1,101)	(17.8)%	57,833	60,962	3,129	5.1%	76,649	76,772	(123)	(0.2)%
Materials and Services	10,257	8,106	(2,151)	(26.5)%	70,878	68,975	(1,903)	(2.8)%	91,638	99,819	(8,181)	(8.2)%
Bad and Doubtful Debts	0	0	0	100.0%	6	1	(5)	(658.0)%	51	53	(2)	(3.1)%
Depreciation and Amortisation	2,591	2,567	(24)	(0.9)%	22,693	23,100	407	1.8%	31,234	31,389	(155)	(0.5)%
Other Expenses	197	427	229	53.7%	6,245	6,309	65	1.0%	8,110	8,369	(259)	(3.1)%
Finance Costs (Interest)	17	93	76	82.0%	183	837	653	78.1%	1,131	717	414	57.7%
<b>Total Expenses</b>	<b>20,362</b>	<b>17,391</b>	<b>(2,971)</b>	<b>(17.1)%</b>	<b>157,838</b>	<b>160,183</b>	<b>2,346</b>	<b>1.5%</b>	<b>208,813</b>	<b>217,119</b>	<b>(8,306)</b>	<b>(3.8)%</b>
Net Gain/(Loss) on Disposal	154	0	154	0.0%	(2,828)	0	(2,828)	0.0%	0	(650)	(650)	100.0%
<b>Net Surplus/(Deficit)</b>	<b>112</b>	<b>7,765</b>	<b>(7,653)</b>	<b>98.6%</b>	<b>10,718</b>	<b>11,533</b>	<b>(815)</b>	<b>(7.1)%</b>	<b>39,777</b>	<b>29,247</b>	<b>(10,530)</b>	<b>(36.0)%</b>
<b>Operating (Underlying) Surplus/(Deficit)</b>	<b>1,969</b>	<b>17,155</b>	<b>(15,187)</b>	<b>88.5%</b>	<b>(9,199)</b>	<b>(14,402)</b>	<b>5,203</b>	<b>(36.1)%</b>	<b>(4,938)</b>	<b>(1,879)</b>	<b>3,059</b>	<b>(162.8)%</b>

The operating (underlying) result is calculated by removing capital related income (grants and contributions) from the comprehensive result to determine the true operating result of Council's operations.

## Variations and Insights

### Year to date performance against budget (>\$500k or 10%)

Variance type	Variance Commentary	\$ impact
<b>Rates – Special Rates &amp; Charges</b>	This account is below budget by \$1.6m for the month although the full year forecast has been reduced to \$4.4m. Charges for the year are complete unless a customer wants to pay their charge in full.	(\$1.4m) unfavourable to budget
<b>Contributions - Cash</b>	The unfavourable variance is related to timing of the Native Timber Industry Transition contribution (\$0.3m) and contributions related to capital projects including: public open space contributions (\$0.7m) and contribution for the Warburton Mountain Bike Destination project (\$0.1m). These are partly offset by the early receipt of the Lilydale Quarry developer contributions (\$0.2m) and Pinks Reserve Netball Court (\$0.3m).	(\$0.6m) unfavourable to budget
<b>Grants – Recurrent and Non-Current</b>	The favourable variance is due to: <ul style="list-style-type: none"> <li>Revenue recognition of Storm recovery funding (\$2.7m)</li> <li>Revenue recognition relating to delivery of capital works programs including Pinks Reserve Pavilion (\$1.4m)</li> <li>Revenue recognition of R2R (\$2.5m)</li> </ul>	\$0.7m favourable to budget (Recurrent / Non-Recurrent)
<b>Interest</b>	Higher interest income due to interest rate rises during the period.	\$1.4m favourable to budget
<b>Employee Benefits</b>	Underspend in employee costs is due to unfilled vacancies across the organisation. The largest variances are in: <ul style="list-style-type: none"> <li><b>Communities (\$2.4m)</b> - Family &amp; Children Services (\$0.5m) and School Crossings (\$0.3m) although overtime and temporary staff offset this.</li> <li><b>Built Environment &amp; Infrastructure (\$1.1m)</b> - Infrastructure Maintenance (\$0.3m), Strategy and Investigations (\$0.2m), and Roads for Community (\$0.2m)</li> <li><b>Planning Design and Development (\$1.3m)</b> - Building and Permit Services (\$1.1m)</li> <li>Offset in part by an overspend in Temporary staff \$1.6m.</li> </ul>	\$3.1m favourable to budget
<b>Finance Costs (interest)</b>	Lower than budgeted borrowings during the year have resulted in significant interest savings.	\$0.6m favourable to budget

## Full year Forecast analysis against Budget

Variance type	Variance Commentary	\$ impact
<b>Grants - Recurrent and Non-Recurrent</b>	The combined Grants revenue is in line with Budget, the Forecast has been adjusted to better reflect the classification between Recurrent and Non-Recurrent	Recurrent \$9.7m <b>favourable</b> to budget Non-Recurrent (\$9.8m) <b>unfavourable</b> to budget.
<b>Rates Special Rates and Charges</b>	This unfavourable variance is due to the timing of the special charge scheme income resulting from the Roads for the Community Initiative. Currently under review to ensure all special charges have been invoiced.	(\$3.3m) <b>unfavourable</b> to budget
<b>Contributions - Cash</b>	Currently tracking behind budget YTD, the full year forecast is to exceed Budget. Need to confirm if this is due to projects commencing later than anticipated.	\$0.85m <b>favourable</b> to budget
<b>Interest Revenue</b>	Higher cash balance held during the year combined with higher interest rates has delivered an additional \$1.4m in revenue YTD. The full year forecast can safely increase.	\$0.7m <b>favourable</b> to budget
<b>Materials and services</b>	The unfavourable variance is driven by: <ul style="list-style-type: none"> <li>• Unbudgeted Preparing Australian Communities (PAC) project costs which were unknown at the time of preparing the Budget (\$2.6m).</li> <li>• Unbudgeted building maintenance works related to essential safety measures (\$1.5m)</li> <li>• Unbudgeted Consultancy for the Sustainable Streetlighting Program, this is offset by savings from the 2021-22 Capital Expenditure Program and Victorian Energy Efficiency Certificate rebates (\$0.8m)</li> <li>• External contracts \$3m over budget relating to power line clearances, topdressing ovals, paving and sealing roads and paths.</li> <li>• Higher temporary staff to cover vacancies across the organisation (\$1.6m)</li> <li>• Software - Cloud services (0.9m)</li> </ul>	(\$8.1m) <b>unfavourable</b> to budget

# Balance Sheet

Balance Sheet - as at March 2023			
\$'000	Actual YTD March 2023	Adopted Budget (to June 2023)	Prior year (to June 2022)
<b>Current assets</b>			
Cash and cash equivalents	75,694	66,330	84,674
Trade and other receivables	47,589	21,560	36,781
Other assets	19,876	5,418	15,343
<b>Total current assets</b>	<b>143,159</b>	<b>93,308</b>	<b>136,798</b>
<b>Non-current assets</b>			
Trade and other receivables	3,838	1,406	1,088
Investments in associates and joint ventures	3,561	5,400	3,561
Property, infrastructure, plant & equipment	1,297,934	1,259,485	1,282,486
Intangible asset	3,349	819	3,349
Right-of-use assets	453	1,303	585
<b>Total non-current assets</b>	<b>1,309,135</b>	<b>1,268,413</b>	<b>1,291,069</b>
<b>Total assets</b>	<b>1,452,294</b>	<b>1,361,721</b>	<b>1,427,866</b>
<b>Current liabilities</b>			
Trade and other payables	85,056	15,349	70,435
Trust funds and deposits	19,867	43,270	16,037
Provisions	17,744	19,252	20,436
Interest-bearing loans and borrowings	600	5,856	3,184
Lease liabilities	1,694	427	1,694
<b>Total current liabilities</b>	<b>124,961</b>	<b>84,154</b>	<b>111,786</b>
<b>Non-current liabilities</b>			
Lease liabilities	1,944	867	1,944
Provisions	5,703	5,843	5,167
Interest-bearing loans and borrowings	3,111	31,165	3,111
<b>Total non-current liabilities</b>	<b>10,758</b>	<b>37,874</b>	<b>10,222</b>
<b>Total liabilities</b>	<b>135,718</b>	<b>122,028</b>	<b>122,009</b>
<b>Net assets</b>	<b>1,316,576</b>	<b>1,239,693</b>	<b>1,305,858</b>
<b>Equity</b>			
Accumulated surplus	603,052	599,089	566,025
Reserves	702,806	600,928	702,806
Current Operating Surplus/(Deficit)	10,718	39,676	37,027
<b>Total equity</b>	<b>1,316,576</b>	<b>1,239,693</b>	<b>1,305,858</b>
<b>Working Capital</b>	<b>18,199</b>	<b>9,154</b>	<b>25,011</b>

# Statement of Cash Flows

The breakdown of the Cash and Cash Equivalents can be found below under "Investments."

Statement of Cash Flows - as at March 2023			
\$'000	Actuals YTD March 2023	Adopted Budget (to June 2023)	Prior year (to June 2022)
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
Rates and charges	131,579	170,617	156,225
Statutory fees and fines	2,464	3,392	2,665
User fees (inclusive of GST)	(17,283)	7,138	6,722
Grants - operating (inclusive of GST)	16,692	21,879	19,591
Grants - capital (inclusive of GST)	42,092	36,009	51,303
Contributions (inclusive of GST)	2,512	3,944	3,467
Interest received	2,414	177	354
Trust funds and deposits	882	37	13,608
Other receipts (inclusive of GST)	1,069	5,363	6,007
Net GST refund	11,696	16,015	9,266
Materials and Services (inclusive of GST)	(92,457)	(73,042)	(69,324)
Employee costs	(60,221)	(93,820)	(87,555)
Other payments	(6,793)	(17,362)	(21,634)
<b>Net cash provided by operating activities</b>	<b>34,646</b>	<b>80,347</b>	<b>90,695</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
Payments for property, infrastructure, plant and equipment	(41,268)	(97,753)	(68,155)
Proceeds from sale of property, infrastructure, plant and equipment	413	0	828
Investments in associates	-	0	2,000
<b>Net cash used in investing activities</b>	<b>(40,855)</b>	<b>(97,753)</b>	<b>(65,327)</b>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>			
Finance costs	(187)	(1,116)	(411)
Proceeds from interest bearing loans and borrowings	-	23,497	0
Repayment of borrowings	(2,584)	(5,701)	(3,838)
Interest paid - lease liability	-	(15)	(232)
Repayment of lease liabilities	-	(423)	(1,774)
<b>Net cash provided by (used in) financing activities</b>	<b>(2,771)</b>	<b>16,242</b>	<b>(6,255)</b>
<b>Net increase/(decrease) in cash and cash equivalents</b>	<b>(8,980)</b>	<b>(1,164)</b>	<b>19,113</b>
Cash and cash equivalents at beginning of the financial year	84,674	67,494	65,561
<b>Cash and cash equivalents</b>	<b>75,694</b>	<b>66,330</b>	<b>84,674</b>

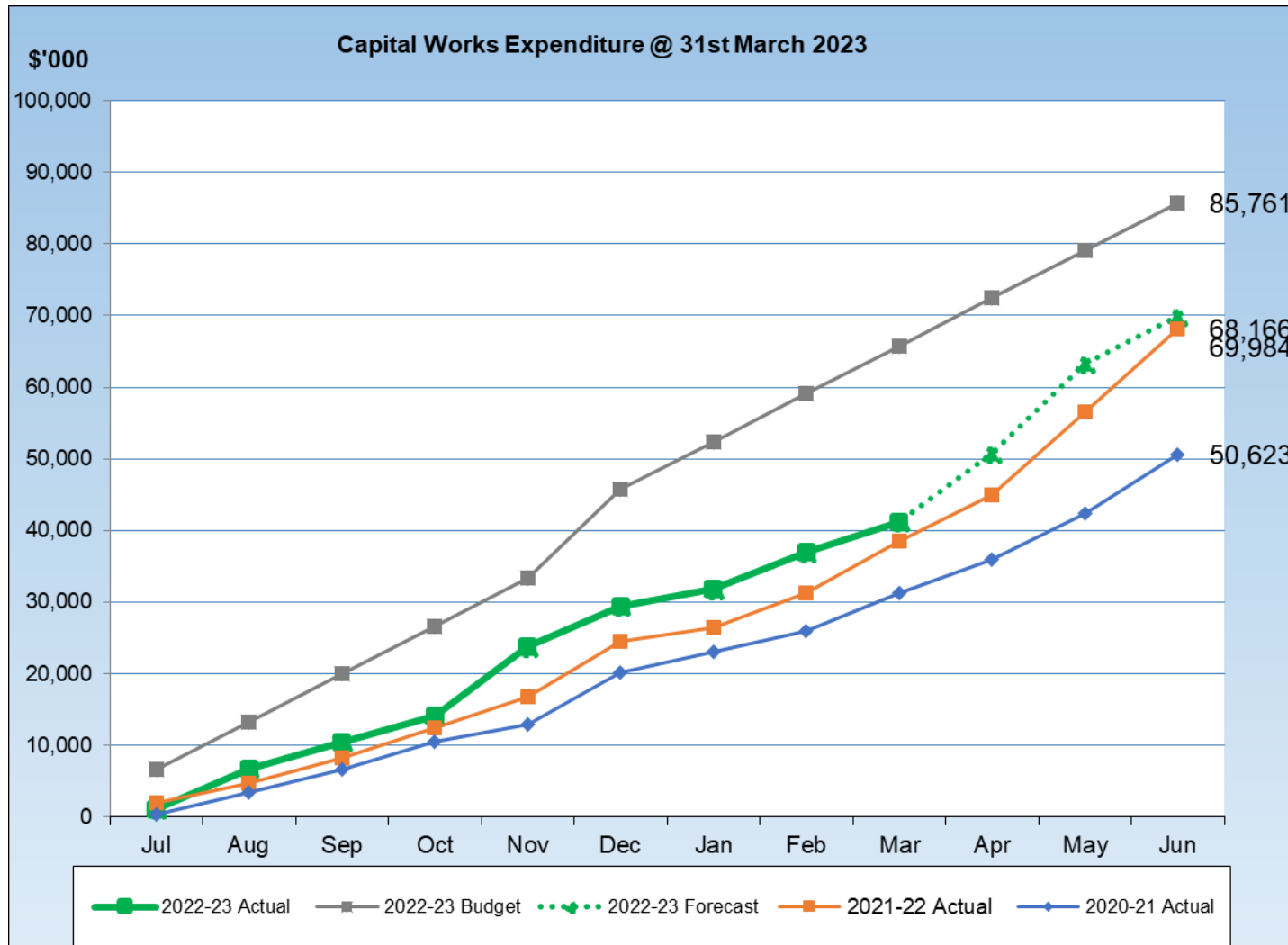
# Statement of Capital Works

Capital Works Statement

	March 2023				YTD March 2023				Annual Total			
	Actual \$'000	Budget \$'000	\$ variance \$'000	% variance	Actual \$'000	Budget \$'000	\$ variance \$'000	% variance	Budget \$'000	Forecast \$'000	\$ variance \$'000	% variance
<b>Expenditure</b>												
Infrastructure - Asset Management	3	440	438	99.4%	10	3,964	3,953	99.7%	5,285	5,260	(25)	(0.5)%
Infrastructure - Bridges	78	56	(22)	(39.2)%	599	505	(94)	(18.7)%	673	866	193	22.3%
Infrastructure - Community & Recreation	735	262	(473)	(180.9)%	2,537	2,355	(182)	(7.7)%	3,140	4,786	1,646	34.4%
Infrastructure - Drainage	10	132	123	92.6%	395	1,192	797	66.9%	1,589	967	(622)	(64.3)%
Infrastructure - Footpaths & Cycleways	203	196	(6)	(3.3)%	1,502	1,765	262	14.9%	2,353	2,289	(64)	(2.8)%
Infrastructure - Off-street Carparks	0	29	29	100.0%	339	263	(76)	(29.0)%	350	350	0	0.0%
Infrastructure - Open Space	512	770	258	33.5%	2,899	6,932	4,033	58.2%	9,243	5,951	(3,292)	(55.3)%
Infrastructure - Roads	1,732	2,740	1,008	36.8%	13,666	24,661	10,994	44.6%	32,881	22,201	(10,680)	(48.1)%
P&E - Computers & Comms	96	216	120	55.5%	1,202	1,947	745	38.2%	2,596	1,737	(859)	(49.5)%
P&E - Fixtures, Fittings & Furniture	0	2	2	100.0%	0	14	14	100.0%	18	18	0	0.0%
P&E - Plant, Machinery & Equipment	353	296	(57)	(19.3)%	1,820	2,662	842	31.6%	3,550	3,317	(233)	(7.0)%
Property - Buildings	548	1,476	928	62.9%	9,489	13,288	3,800	28.6%	17,718	15,229	(2,489)	(16.3)%
Property - Land	0	0	0	0.0%	6,444	5,796	(648)	(11.2)%	5,796	6,444	648	10.1%
<b>TOTAL</b>	<b>4,270</b>	<b>6,616</b>	<b>2,346</b>	<b>35.5%</b>	<b>40,903</b>	<b>65,343</b>	<b>24,440</b>	<b>37.4%</b>	<b>85,192</b>	<b>69,415</b>	<b>(15,777)</b>	<b>(177.1)%</b>

Further detail on the performance of the Capital Program is provided in the separate quarterly capital works program report.

The graph below shows the adopted budget and actual Capital Works expenditure for 2022-23 in comparison to previous years.





# Natural Disaster Recovery

## Storm Recovery – June 2021 (AGRN 969)

	2022-23 YTD	2022-2023 YTD	2022-2023 YTD	LIFE TO DATE	FULL PROGRAM
	ACTUALS	BUDGET	BUD-ACT VAR	ACTUALS	FORECAST
<b>Funding</b>	<b>2,222,355</b>	<b>2,887,970</b>	<b>(665,615)</b>	<b>14,673,718</b>	<b>18,509,030</b>
People, Culture and Wellbeing	92,066	107,913	15,847	1,344,500	2,928,112
Business, Tourism and Economy	18,840	165,375	146,535	39,527	651,000
Public Infrastructure	103,433	1,634,585	1,531,152	1,289,911	3,592,836
Environment and Biodiversity	524,249	1,270,253	746,004	10,210,056	10,712,613
Planning and Rebuilding	41,340	157,789	116,449	101,090	620,000
Recovery Directorate	2,262,102	2,465,581	203,479	5,628,020	5,912,636
Resident Storm Branch Collection	77,586	741,741	664,155	1,342,336	2,000,000
<b>Total Expenditure</b>	<b>3,119,616</b>	<b>6,543,237</b>	<b>3,423,621</b>	<b>19,955,440</b>	<b>26,417,197</b>
<b>Net Position</b>	<b>(897,261)</b>	<b>(3,655,267)</b>	<b>(2,758,006)</b>	<b>(5,281,722)</b>	<b>(7,908,167)</b>

Note: Variances to budget which are unfavourable are shown in brackets ().

### **Public Infrastructure**

YTD Variance to budget \$1,531,152.

Budget included substantial Asset Reconstruction works. Asset Reconstruction works had not been fully investigated at the time of preparing the budget. Asset Reconstruction program totalling \$307,000 has been approved under DRFA and works are in progress. These works will be largely funded under DRFA.

### **Environment and Diversity**

YTD Variance to budget \$746,004.

Budget included tree clean-up in Parks, Reserves and Bushland which was largely completed in 2021-22. Actual YTD includes payments of \$416,343 to Treasuring Our Trees and Habitat for Humanity as part of a private property clean-up program totalling \$656,667. This program is 100% funded by ERV. Funding is being recognised as expenditure occurs.

### **DRFA Claims status**

Claims have been lodged with Emergency Management Victoria under DRFA totalling \$10,307,341.

Thirty-three claims have been assessed and paid to date with Council receiving an average 88% reimbursement from \$7,352,300 claimed.

Advances received in 2021-22 were recorded as income in 2021-22. Advances totalling \$7,846,420 are expected to be fully recovered against claims. DRFA funding in 2022-23 is expected to be only for Asset Reconstruction works.

## Storm Recovery – October 2022 (AGRN 1037)

Flooding was experienced over several days in October and November 2022. For example, at Coldstream, 220mm of rain fell in October and 146 mm fell in November. In many instances, the rain fell within a short period of time, causing flash flooding throughout the region.

Damage to roads has been extensive, with over 500 roads or road sections listed as requiring remediation works. Just over half have been repaired, with a total spend so far on roads and drains of \$3,548,375.

Trees were de-stabilised during the flooding, and many came down shortly thereafter or have had to be removed as they were considered dangerous. Most of the tree issues caused by the floods have been attended to, costing \$873,307.

Council is working with ERV and our DRFA assessor to ensure we receive the maximum funding assistance under DRFA and all other avenues of funding. \$500,000 has been received via the Council Flood Support Fund and will be used to support works in Council owned parks and gardens which are not funded under DRFA, as well as other non-DRFA funded expenses.

Council has applied for an Advance against the costs of this storm recovery effort. We have been approved to receive \$4.5M, which should be received in April 2023.

Total expenditure as a result of this flood event is expected to be around \$12M.

	2022-23 YTD
	ACTUALS
<b>Funding</b>	<b>4,278,674</b>
People, Culture and Wellbeing	10,277
Insurance works on Council property	133,944
Parks and Gardens works	188,180
Environment and Biodiversity	873,307
Public Infrastructure	3,548,375
<b>Total Expenditure</b>	<b>4,754,083</b>
<b>Net Position</b>	<b>(475,409)</b>

## Pandemic Recovery

	2022-23 YTD	2022-2023 YTD	2022-2023 YTD	2022-23 FULL YEAR	2022-23 FULL YEAR
	ACTUALS	BUDGET	BUD-ACT VAR	BUDGET	FORECAST
900944 - Covid-19 Other	225,369	126,270	99,099	150,496	288,478
900945 - Working For Victoria	7,323	7,323	0	9,755	9,755
900948 - COVID Vaccination Communication	(5,700)	0	(5,700)	0	0
900950 - Covid-19 Recovery Fund	1,982	1,922,599	(1,920,617)	2,565,524	375,678
900951 - CRF- Community Led Recovery Committees	259,418	104,656	154,762	140,749	297,660
900953 - CRF – Mental Wellbeing Coordination	76,302	107,784	(31,483)	145,713	146,978
900956 - CRF-Grants Community Recovery	7,156	7,156	0	9,533	9,533
900957 - CRF-Emergency Relief Network	0	45,000	(45,000)	60,000	0
900960 - CRF-Mental Health First Aid	182	0	182	0	36,130
900967 - Coworking Plus	1,792	0	1,792	0	0
900971 - CRF - Art Attack Yarra Ranges	3,200	0	3,200	0	0
900972 - CRF - Affordable Housing	53,526	0	53,526	0	288,583
900973 - CRF - Diversity and Inclusion	2,797	0	2,797	0	141,301
900974 - CRF - Your Reason Your Season	46,324	0	46,324	0	80,000
900975 - CRF – Building Skills for the Future	0	0	0	0	35,000
<b>Total Expenditure</b>	<b>679,672</b>	<b>2,320,789</b>	<b>(1,641,117)</b>	<b>3,081,770</b>	<b>1,709,097</b>

Several new projects have been approved by ELT and will continue into the new financial year, including:

Mental Health First Aid	\$78,260
Affordable Housing	\$288,583
Diversity and Inclusion	\$141,301
Your Reason Your Season	\$80,000
Building Skills for the Future	\$35,000

## Preparing Australian Communities (Local) Grant (PAC)

	Actual spend YTD	Grant funded	Council funded	Total Project	
Landslip Risk Assessment	31,641	300,000	0	300,000	
Changing Places Facility	19,199	87,000	87,000	174,000	* Capital project
Emergency Relief	0	161,016	14,234	175,250	
Place Based Resilience Planning	85,977	1,219,650	215,063	1,434,712	
Proactive Tree Management	367,296	4,825,725	0	4,825,725	
Resilient Buildings	177,182	3,000,000	3,070,000	6,070,000	* Capital project
Resilient Energy Precinct	39,142	401,609	49,500	451,109	
Resilient Yarra Ranges	0	5,000	0	5,000	
<b>Total Expenditure</b>	<b>720,437</b>	<b>10,000,000</b>	<b>3,435,796</b>	<b>13,435,796</b>	

Council was successful in the application for funds under the Preparing Australian Communities (Local) Grant. Projects funded by this grant will run from 2022-23 to 2024-25. This was not certain at the time of preparing the Budget, so these projects have not been included in the Budget for 2022-23. Projects are still in the initiation phase with minimal spending.

## Investments

Account Name	Balance \$'000	Applicable interest rate
<b>Operating Cash Accounts</b>		
Cash Management (Westpac Operating Account)	43,316	0.45%
Cash Management (Westpac Investment Account)	24,680	0.55%
Cash Management (Commonwealth)	198	0.60%
<b>Term Deposits</b>		
BOQ Term Deposit (matures 3/05/2023)	2,000	4.00%
MyState Term Deposit (matures 02/06/2023)	3,500	4.35%
NAB Term Deposit (matures 07/06/2023)	2,000	4.20%
<b>Total Cash &amp; Cash Equivalents</b>	<b>75,695</b>	

## Borrowings

Account Name	Original Loan Amount	Applicable interest rate	Current Liability	Non Current Liability	Total
<b>Loan</b>					
NAB (end 01/12/2022)	13,000,000	5.35%	0	0	0
NAB (end 04/08/2024)	21,000,000	4.65%	599,906	3,111,026	3,710,932
<b>Loan Balance</b>			<b>599,906</b>	<b>3,111,026</b>	<b>3,710,932</b>

# Debtor Management

## RATE ARREARS (INCLUDES SPECIAL RATES & CHARGES)

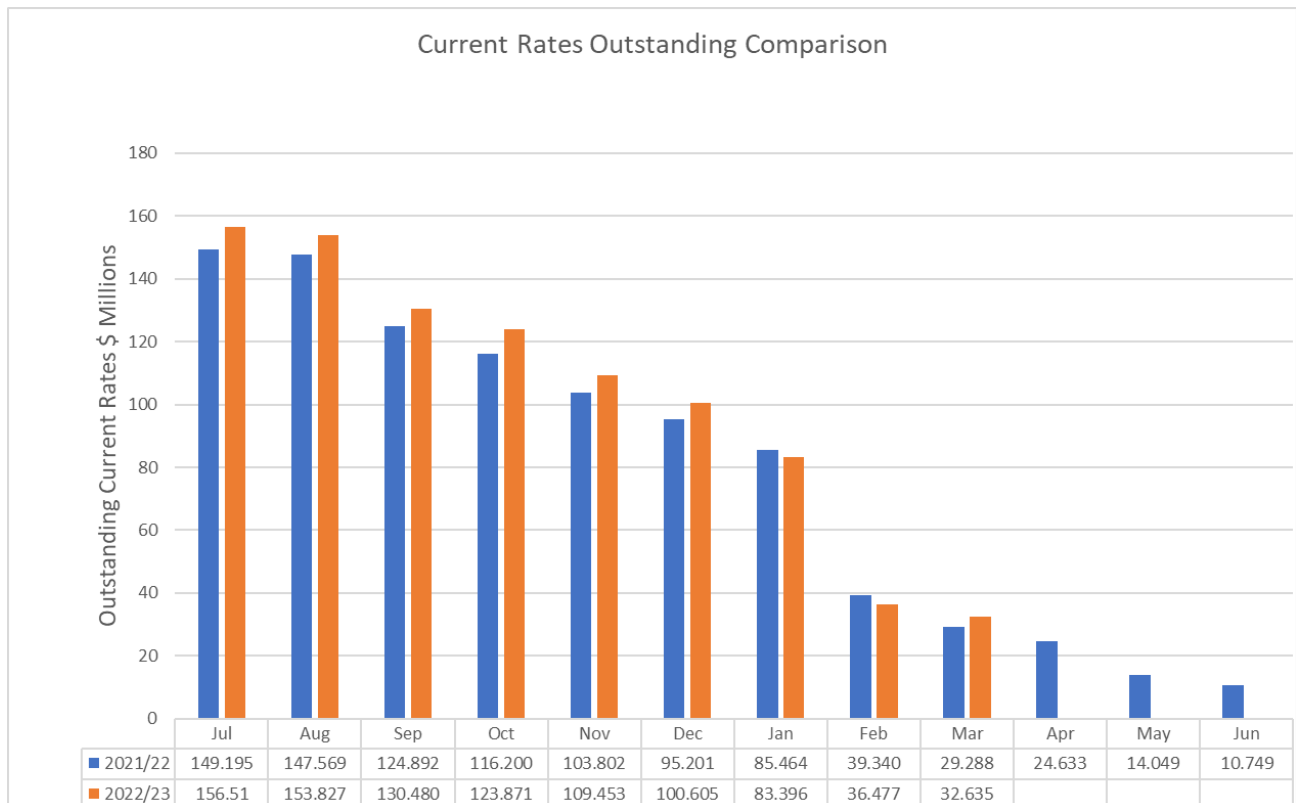
The Balance Sheet shows an amount of \$51.970 million for Receivables – Property.

The following table details the total rates outstanding as of 31 March 2023.

<b>Rates Debts Outstanding</b>		
Current Rates 22/23	32,180,674.43	
Current Interest	139,295.77	
Legal Costs on Current	314,696.91	32,634,667.11
Arrears (prior to 22/23)	16,635,742.16	
Interest on Arrears	2,481,029.97	
Legal costs on Arrears	219,346.19	19,336,118.32
<b>Total rates &amp; charges Outstanding</b>		<b>51,970,785.43</b>

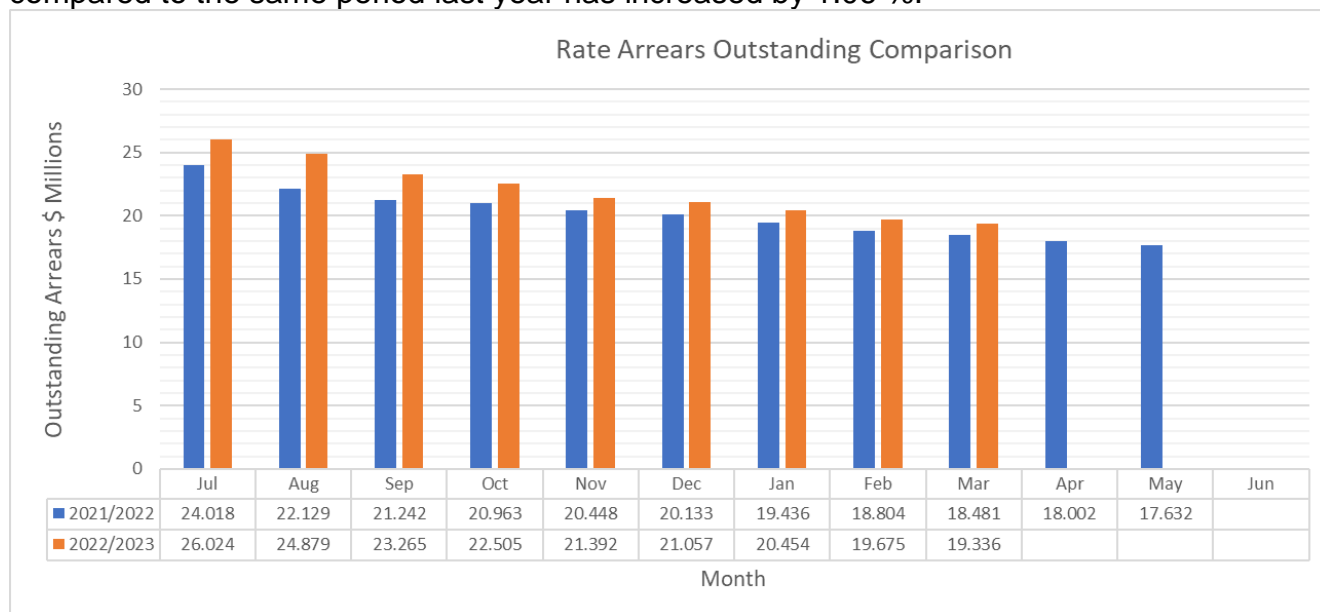
### Current Rates Outstanding Comparison.

The level of outstanding current rates outstanding measured in real terms (+1.75% Rates Cap Increase) compared to the same period last year has *increased* by 8.69%



## RATE ARREARS

The level of outstanding rate arrears measured in real terms (+1.75 Rates Cap Increase) compared to the same period last year has increased by 1.06 %.



- Current and arrears levels comparable to 12 months prior have increased due to Council delaying the issue of Late Payment Notices (Normally issued in March). The reason for doing so is to finalise the debt recovery process for 2019-2022 rates and charges before pursuing 2022/2023.

The following table details the current status of the arrears and rate recovery methods.

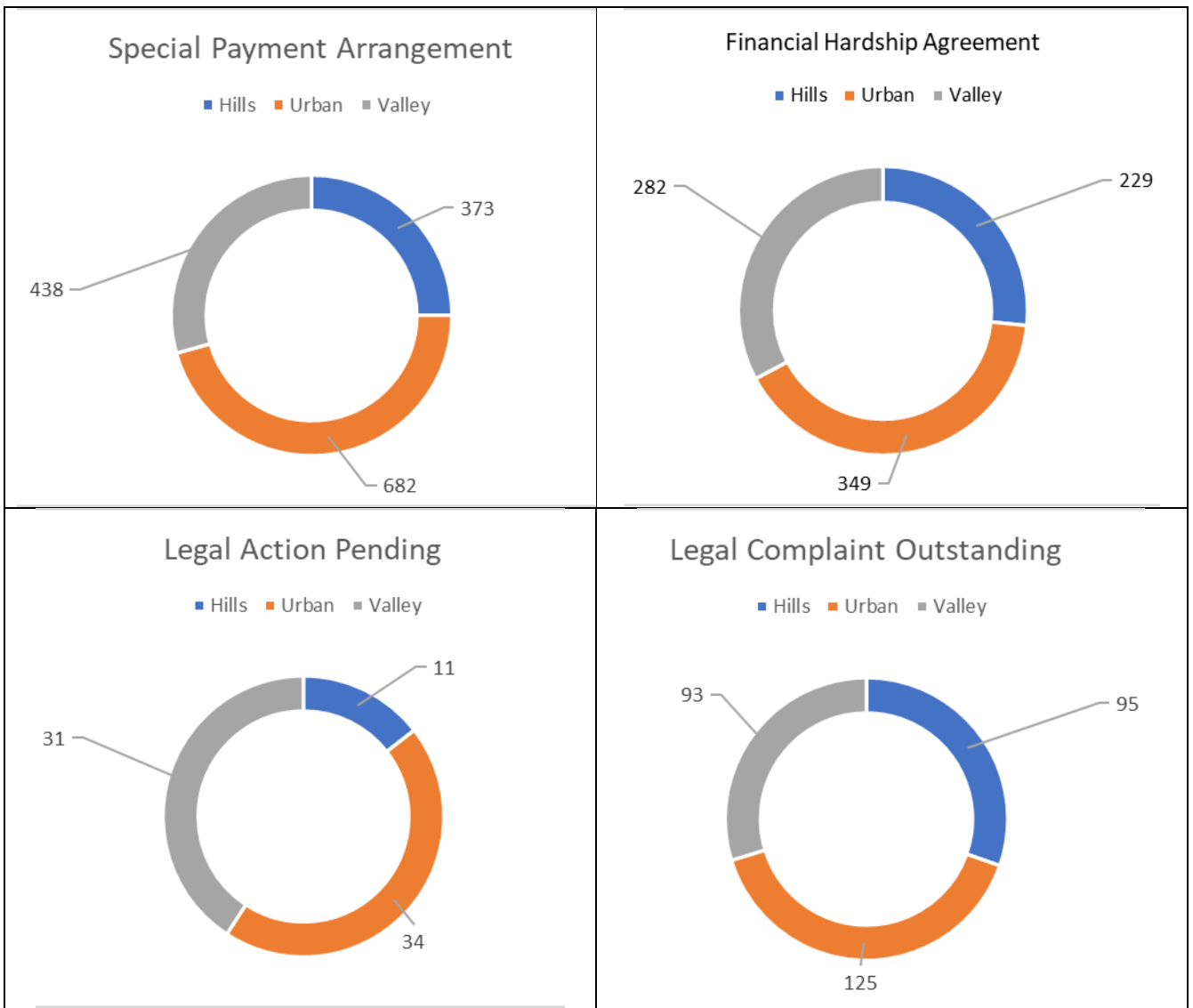
Rate Recovery Category	Activity	Activity	Arrears	Interest on Arrears	Legal Costs	Total O/S	Number of Assessments	Current Including Assessment
Financial Hardship	Deferment in place	A11	4,236,613	196,514	34,421	4,467,547	788	1,548,147
	Recurring Deferment in place	A33	45,312	284	770	46,366	8	13,591
	Deferment recently cancelled	ANITHARD	132,701	14,739	1,215	148,655	64	150,533
	Defaulted conditions on deferment	A11DFLT	8,528	825	-	9,353	3	6,084
Hardship Being Reviewed	Standard deferment being reviewed	A111	8,463	-	-	8,463	1	1,832
	Recurring Deferment being reviewed	A333	-	-	-	-	-	-
Arrangements	Payment Plan in place	A12	2,737,892	208,457	711	2,947,060	1,296	2,346,542
	Payment Plan in place with Credit Solutions	A12CS	935,217	128,762	21,598	1,085,577	197	440,360
Receivership		A13	92,807	25,658	2,125	120,590	18	25,755
Auction (s181)		A14	57,558	71,750	2,964	132,272	4	4,155
Sale Pending		A15	115,903	35,665	4,469	156,037	76	70,817
Probate Pending		A17	12,186	1,907	-	14,093	4	6,499
Legal Action Avenues Exhausted		A16	387,606	224,393	29,540	641,538	28	48,297
Legal Action Continuing		ALA2019	90,300	45,457	13,046	148,803	7	13,384
Legal Action Pending		AS2022A	644,607	151,093	26,512	822,212	76	188,927
Complaints filed		AC2022A	2,493,150	671,268	338,687	3,503,105	313	744,553
Sub Standard Vacant		ASSV	-	-	-	-	-	-
Due date extended - Supps			-	-	-	-	-	-
Totals			11,998,844	1,776,771	476,056	14,251,671	2,883	5,609,478

- Legal Action pending have decreased due to contact made with Rates Office and subsequent increase in payment plans (1,493) and hardship applications (786) and furthered to Magistrates Court Complaint stage (313)

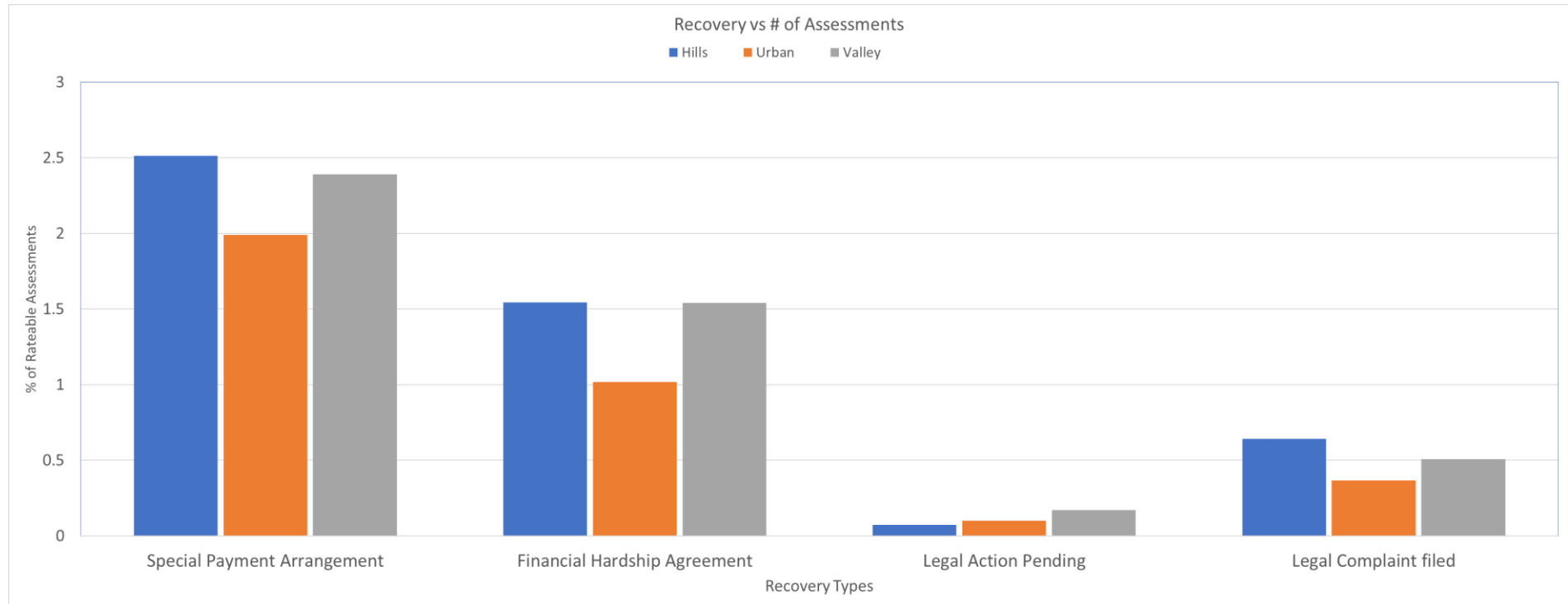
Please refer to the below graphs for information regarding Location categories (Hills, Urban, Valley) and the number of assessments on the following recovery methods:

- o Special Payment Arrangement
- o Financial Hardship Agreement
- o Legal Action Pending (For 2021/2022 outstanding rates)

- Legal Complaint Filed – With the Magistrates Court for Outstanding amounts.



The following graph considers % of assessments on rate recovery methods vs the number of rateable assessments in the location category. **Urban** has a higher number of assessments in all methods of rate recovery, but when compared to the number of rateable assessments in the Urban area it is relatively lower than **Hills** and **Valley** areas.





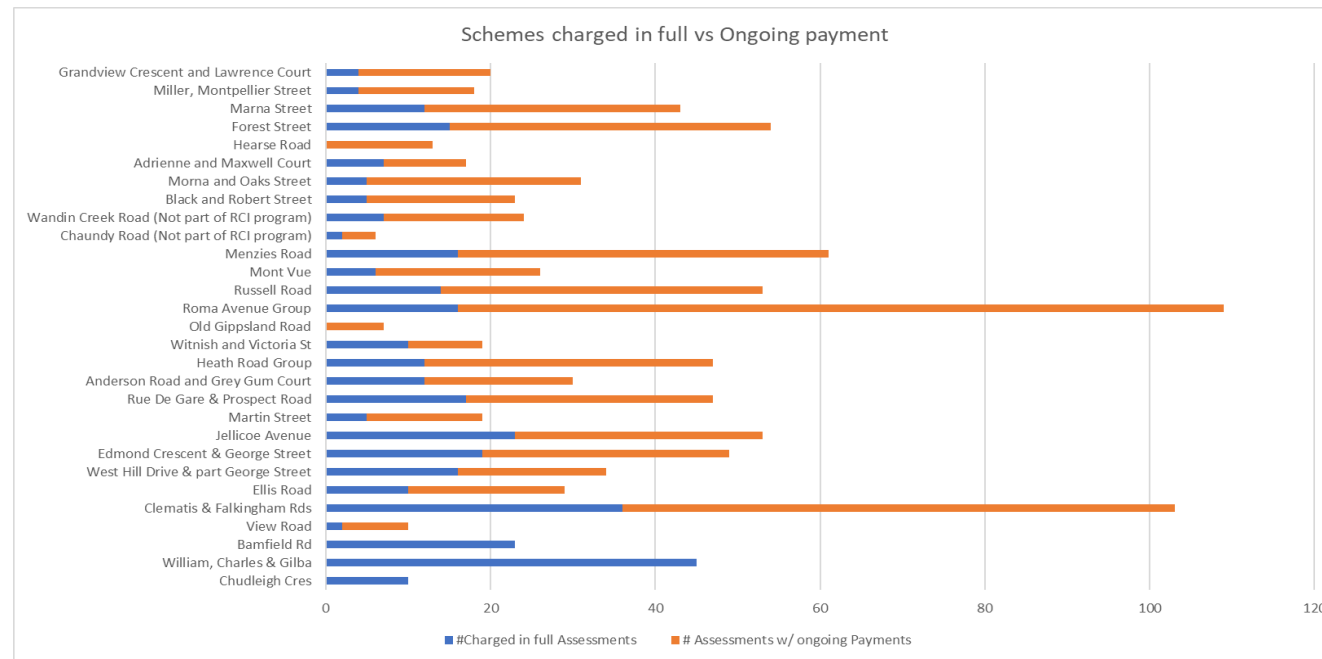
## Special Charge Schemes

Due to the increase in Special Charge Schemes associated with Roads for the Community initiative funding received from the Federal Government, Monthly reports will now break down the amounts currently owing and future liabilities of all Special Charge Schemes.

The following outstanding amounts are included as part of the 51.971 million in rates and charges outstanding.

The following table shows all currently levied Special Charge Schemes, illustrating;

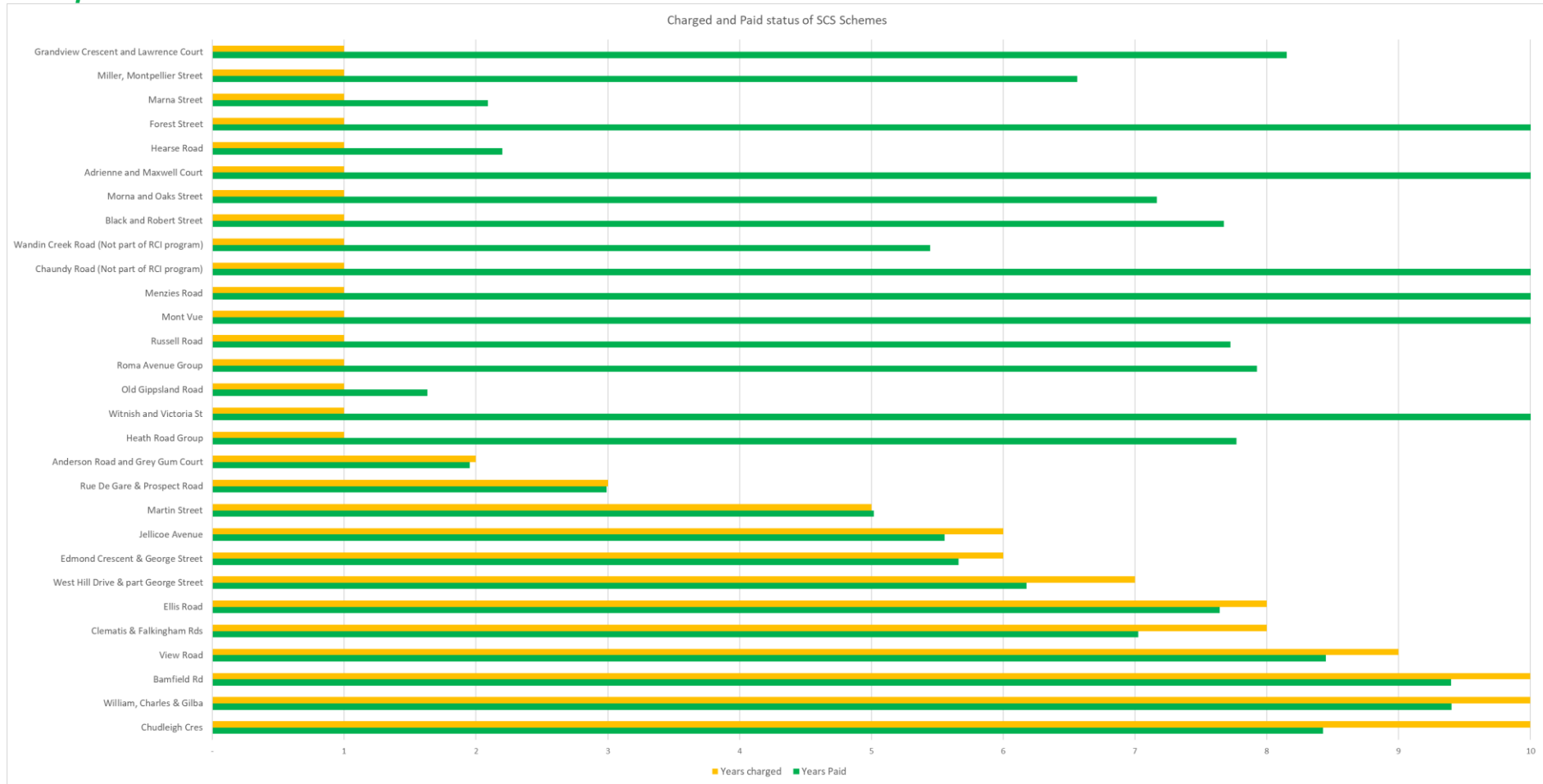
- How many assessments / owners have elected to pay the scheme in full (blue), and;
- How many assessments / owners continue to pay in instalments charged over the 10-year life of the scheme (orange)



## Special Charge Schemes (cont)

### % Charged and % paid of SCS schemes.

The following graph shows the **Number of years** that the SCS has been charged for and the **the amounts charged (so far) that have been paid**.



In certain cases, e.g., “Grandview Crescent and Lawrence Court” and “Hearse Road” The amount paid so far (including those who have paid in full), is higher than the amount that would otherwise be charged on a yearly basis.



# Capital Expenditure Program Monthly Report

## For the period 1 July 2022 to 31 March 2023

### 1. Executive Summary

#### 1.1. Financial Summary

This report covers the published 2022-23 Capital Expenditure Program (CEP) and funds carried forward from 2021-22. Throughout the financial year, occasional approved changes to the CEP Budget are made, moving funds between projects or adding funds from various funding sources. In particular, this can occur when external funding is announced during the current year.

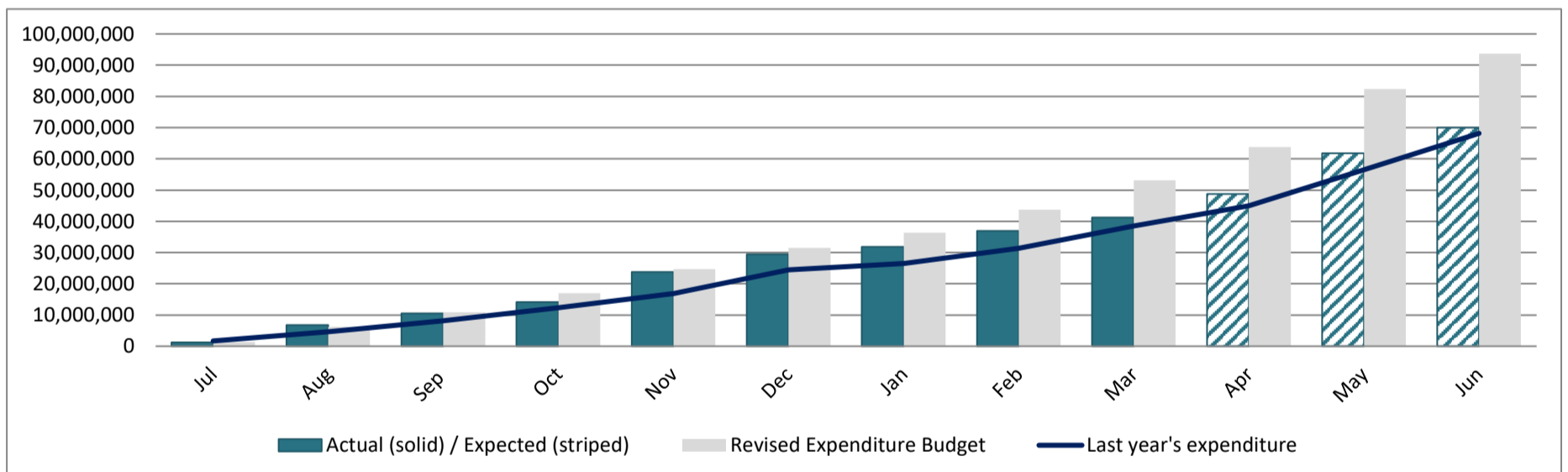
Approved 2022-23 Capital Expenditure Program (CEP) Budget		\$'000
Published Capital Budget Allocation: Council contribution		41,546
Published Capital Budget Allocation: external income		44,215
Carried forward from 2021-22 to 2022-23		3,450
<b>Adopted Capital Expenditure Program Budget</b>		<b>89,211</b>
Additional carried forward from 2021-22 to 2022-23		2,126
<b>Capital Expenditure Program budget at 1 July 2022</b>		<b>91,337</b>
Mid-year adjustments, including additional income <i>expected</i>		2,372
<b>Capital Expenditure Program Budget (Revised Budget)</b>		<b>93,709</b>
Less: Amount expected to be carried forward to 2023-24		-23,806
Plus: Expected forward spend from 2023-24 to 2022-23		2,325
Less: Savings expected at the end of 2022-23 financial year		-2,041
Plus: Increased expenditure funded with income		-202
<b>Expected to be spent by the end of the financial year</b>		<b>69,984</b>
<b>YTD Actual spend end March 2023</b>		<b>41,234</b>
<b>Percentage of the Revised Budget Expected to be Spent<sup>1</sup></b>		<b>✗ 75%</b>

<sup>1</sup> Status:

- ✓ 90% or more of the revised budget is expected to be spent
- ⚠ Between 80% and 90% of the revised budget is expected to be spent
- ✗ Less than 80% of the revised budget is expected to be spent

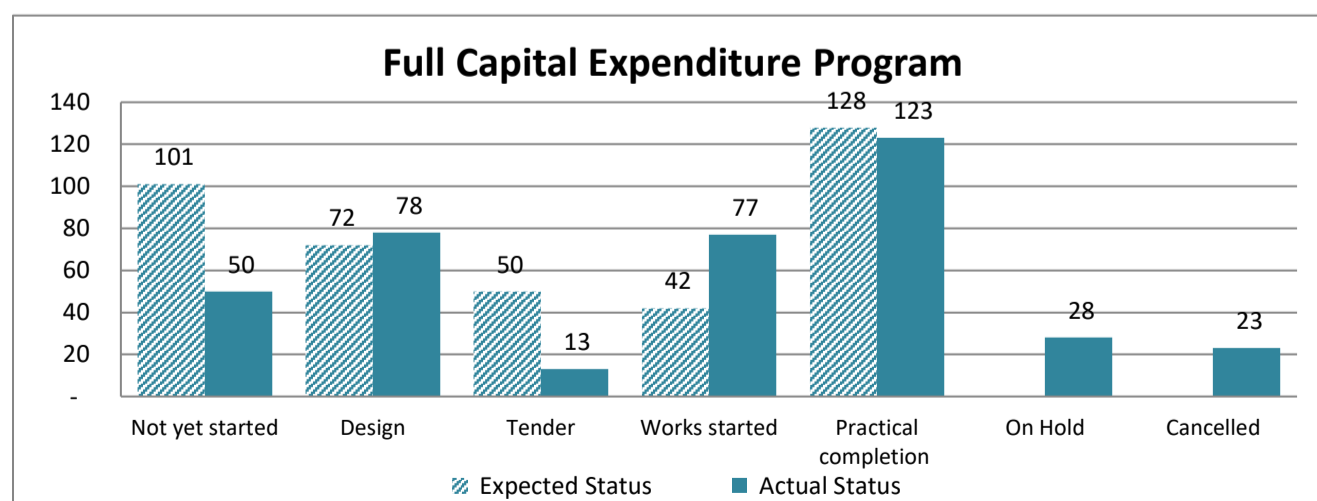
The following graphs show the *YTD Actual Spend*, *Expected Spend* and last year's expenditure. As with previous years, the expenditure is anticipated to increase as the year progresses. Further detail provided in the sections below.

#### Full Capital Works Program - Actual Spend and Expected Spend -vs- Last Year's Spend



#### 1.2. Program Status Summary

The following graph shows the progression of projects through the various project phases. Commentary explaining any variations against targets is provided in the sections below.



Full program - phases	
Not yet started	50
On Hold	28
Consultation / design	78
Tendering	13
Works started	77
Practical completion	123
Cancelled	23
<b>Total</b>	<b>392</b>
Ahead of schedule	107
On schedule	151
Behind schedule	134
<b>Total</b>	<b>392</b>
<b>On/ahead of schedule<sup>1</sup></b>	<b>✗ 66%</b>

<sup>1</sup> Status:

- ✓ 90% or more of all projects in this program have met their planned milestone dates\* (planned in August 2022)
- ⚠ Between 80% and 90% of projects in this program have met their planned milestone dates\* (planned in August 2022)
- ✗ Less than 80% of projects in this program have met their planned milestone dates\* (planned in August 2022)

\* as per information given by project officers.

## 2. Consideration for Approval

### 2.1. Significant Capital Expenditure Transfers

From time to time, it is necessary to transfer all or part of a budget from one project to another. Reasons could include work program budgets being distributed to programmed projects or newly created, previously unanticipated projects being funded. All budget transfers valued \$250,000 and over require the approval of the Director, in coordination with EO - Project Management Office. If the value is \$500,000 or over and is transferred from one distinct project to another they require Council approval. Any budget transfers that represent a significant change to the CEP Budget also require Council approval. Such changes may include the reassignment of budgets for cancelled projects published in the Capital Expenditure Program, the transfer of project funds carried forward from the previous year to a different project, or the transfer of funds allocated for renewal works to non-renewal projects.

All budget transfers valued \$250,000 and over require the approval of the Director, in coordination with EO - Project Management Office. If the value is \$500,000 or over and is transferred from one distinct project to another they require Council approval.

Any budget transfers that represent a significant change to the *CEP Budget* also require Council approval. Such changes may include the reassignment of budgets for cancelled projects published in the *Capital Expenditure Program*, the transfer of project funds *carried forward* from the previous year to a different project, or the transfer of funds allocated for renewal works to non-renewal projects.

Budget adjustments	New budget
207542 Spring Lane, Gruyere	\$640,000

Road rehabilitation works were committed and commenced in 2018-19, with a contribution of \$60,000 received from the developer in that financial year. COVID-19 delayed project progression, with works recommencing in February 2023. The developer is to be invoiced for the remaining \$560,000 contribution and it is anticipated there will be sufficient savings within this program to cover any shortfall.

## 3. Carry Forwards & Forward Spends

Projects that have been delayed and are impacting on anticipated expenditure will request funds to be carried forward for use in the next financial year. Early identification of *carry forward* funds ensures the optimum utilisation of cash resources.

Forward spends occur when capacity becomes available to make an early start on a future year's project.

	Carry Forward	Forward Spend	Anticipated Carry Forward to next year
	Budgets to be carried forward to 2023-24	Future year budgets to be brought forward for spending in 2022-23	
<i>Figures in \$'000</i>			
Buildings Rehab / Renewal	30	0	30
Buildings New / Improvements	3,472	-812	2,660
Plant & Equipment New / Improvements	695	0	695
ICT New / Improvements	859	0	859
Roads Rehab / Renewal	533	-1,062	-529
Roads New / Improvements	1,107	-8	1,099
Roads for the Community Initiative	6,745	-12	6,733
Bridges Rehab / Renewal	1,287	0	1,287
Bridges New / Improvements	700	0	700
Footpaths New / Improvements	100	0	100
Drainage New / Improvements	729	-80	650
Playspace Rehab / Renew	145	-33	112
Playspace New / Improvements	193	-30	164
Sports Reserves Rehab / Renewal	170	-250	-80
Sports Reserves New / Improvements	320	0	320
Open Space New / Improvements	875	0	875
Townships New / Improvements	1,258	-18	1,240
Trails New / Improvements	4,562	-20	4,542
Infrastructure - Asset New / Improve Reserve	25	0	25
	<b>23,806</b>	<b>-2,325</b>	<b>21,481</b>

Projects with expenditure carry forward amounts in excess of \$300k

Project Number	Project	Anticipated Carry Forward to next year
		<i>Figures in \$'000</i>
207144	Yarra Valley Trail	2,249
207536	ngurrak barring / RidgeWalk	1,645
208472	GSF Climate Resilient Buildings for our Community	1,489
200173	R2R - Cement Creek Rd, East Warburton-Bridge	1,287
207789	Community Sports Pavilion, Mount Evelyn	867
290103	YRConnect	859
208355	LRCI - Wesburn Pump Track	813
207835	Alpine Street Group, Warburton - RFCI	784
207825	Nation Road, Selby - RFCI	743
208470	McMahons Creek Pedestrian Bridge	700
207857	Victoria Road Group, Seville - RFCI	690
208300	Kallista-Emerald Road, Kallista - Blackspot	673
207855	School Road and Valley Road, Seville - RFCI	610
207828	Mt Morton Rd, Hood St, Belgrave Heights - RFCI	550
208092	R2R - Switchback Rd, C'side Pk (Edward-Meadow Fair)-Roads Re	533
207838	Benton Road Group, Healesville - RFCI	522
207843	Campbell Road Group, Healesville - RFCI	516
208301	Yarra Valley Trail Northern Loop	500
207837	Bell Street Group, Seville - RFCI	479
207797	Pinks Reserve Stadium Improvements	404
208292	Lilydale Cycle Centre Nodes	400
208309	Lysterfield Transfer Station Fire Service	360
207722	Seville Recreation Reserve Oval 1 Ground Reconstruction	300
207928	Kimberley Reserve Community Sporting Pavilion	300
208463	Macclesfield Road, Yellingbo - Blackspot	300

## 4. Project Financial Summary

Figures in \$'000	Adopted Annual Budget	Revised Budget	Expected spend	YTD Actual spend	Anticipated carry f'ward to next year	Expected Saving/ (Overspend)	Status <sup>1</sup>
	excl. carry forward						
<b>PROPERTY</b>	<b>23,514</b>	<b>25,543</b>	<b>21,672</b>	<b>15,932</b>	<b>2,690</b>	<b>914</b>	
<b>Land</b>	5,796	6,440	6,444	6,444	0	(4)	
Land New / Improvements	5,796	6,440	6,444	6,444	0	(4)	✓
<b>Buildings</b>	17,718	19,103	15,229	9,489	2,690	918	
Buildings Rehab / Renewal	2,635	2,796	2,464	882	30	301	!
Buildings New / Improvements	15,083	16,308	12,765	8,606	2,660	616	✗
<b>PLANT &amp; EQUIPMENT</b>	<b>6,164</b>	<b>6,980</b>	<b>5,072</b>	<b>3,023</b>	<b>1,554</b>	<b>355</b>	
<b>Plant, Machinery &amp; Equipment</b>	3,550	4,366	3,317	1,820	695	355	
Plant & Equipment Renewal	3,000	2,915	1,950	1,351	0	965	✗
Plant & Equipment New / Improvements	550	1,451	1,366	469	695	(610)	✓
<b>Fixtures, Fittings &amp; Furniture</b>	18	18	18	0	0	0	
FFF Rehab / Renewal	18	18	18	0	0	0	✓
<b>Computers &amp; Telecommunications</b>	2,596	2,596	1,737	1,202	859	0	
ICT New / Improvements	2,596	2,596	1,737	1,202	859	0	✗
<b>INFRASTRUCTURE</b>	<b>56,083</b>	<b>61,185</b>	<b>43,240</b>	<b>22,279</b>	<b>17,237</b>	<b>773</b>	
<b>Roads</b>	32,881	29,335	22,201	13,666	7,303	(62)	
Roads Rehab / Renewal	7,767	7,771	8,228	3,862	(529)	57	✓
Roads New / Improvements	1,542	3,712	3,167	1,860	1,099	(159)	!
Roads Traffic Management & Other Works	211	253	271	42	0	(19)	✓
Roads for the Community Initiative	23,361	17,599	10,535	7,903	6,733	59	✗
<b>Bridges</b>	673	2,853	866	599	1,987	0	
Bridges Rehab / Renewal	673	2,099	812	594	1,287	0	✗
Bridges New / Improvements	0	754	54	5	700	0	✗
<b>Footpaths &amp; Cycleways</b>	2,453	2,797	2,285	1,498	100	411	
Footpaths Rehab / Renewal	1,604	1,604	1,278	607	0	326	✗
Footpaths New / Improvements	849	1,193	1,007	891	100	86	!
<b>Drainage</b>	1,589	1,616	967	395	650	(0)	
Drainage Rehab / Renewal	250	250	250	39	0	0	✓
Drainage New / Improvements	1,339	1,366	717	357	650	(0)	✗
<b>Recreational, Leisure &amp; Community Facilities</b>	3,140	5,277	4,786	2,537	516	(27)	
Playspace Rehab / Renewal	561	816	731	343	112	(14)	!
Playspace New / Improvements	1,026	398	228	173	164	(4)	✗
Sports Reserves Rehab / Renewal	801	1,054	1,196	663	(80)	(62)	✓
Sports Reserves New / Improvements	752	3,009	2,631	1,358	320	52	!
<b>Parks, Open Space &amp; Streetscapes</b>	9,712	13,672	6,524	3,234	6,657	450	
Open Space Rehab / Renewal	569	569	569	331	0	0	✓
Open Space New / Improvements	1,574	2,455	1,572	717	875	(10)	✗
Townships New / Improvements	1,115	3,224	1,525	1,011	1,240	437	✗
Trails Rehab / Renewal	417	417	417	116	0	0	✓
Trails New / Improvements	6,037	7,007	2,442	1,060	4,542	23	✗
<b>Off-street Carparks</b>	350	350	350	339	0	0	
Off-street Carparks Rehab / Renewal	350	350	350	339	0	0	✓
<b>Other Infrastructure</b>	5,285	5,285	5,260	10	25	0	
Infrastructure - Project Management	5,135	5,135	5,135	0	0	0	✓
Infrastructure - Asset New / Improve Reserve	150	150	125	10	25	0	!
<b>Projects total:</b>	<b>85,761</b>	<b>93,709</b>	<b>69,984</b>	<b>41,234</b>	<b>21,481</b>	<b>2,041</b>	

<sup>1</sup> Status:

- ✓ 90% or more of the revised budget is expected to be spent
- ! Between 80% and 90% of the revised budget is expected to be spent
- ✗ Less than 80% of the revised budget is expected to be spent



## 5. Detailed Commentary

Details of current year and multi year projects comprising the Capital Expenditure Program are listed below.

	Revised Budget \$'000	Expected spend \$'000	YTD Actual spend \$'000	Anticipated carry f'ward to next year	Expected Saving/ (Overspend)	Status
<b>PROPERTY</b>	<b>25,543</b>	<b>21,672</b>	<b>15,932</b>	<b>2,690</b>	<b>914</b>	<b>89%</b>
Land New / Improvements	6,440	6,444	6,444	0	(4)	✓ 100%

Project successfully finalised following the purchase of 150 Cambridge Road, Kilsyth, with balance of funds paid in November 2022.

Buildings Rehab / Renewal	2,796	2,464	882	30	301	! 88%
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Council Buildings Minor Works have seen delays in raising commitments due to feasibility, consultancy investigations, facilities maintenance contract handover and building permit application timelines, with year end forecast adjusted down accordingly. Team confidence in achieving the remaining forecast is high with a number of projects commencing in coming weeks. Upgrades to changerooms at Yarra Glen Bowls Club and Narre Warren East Pavilion are commencing in April 2023 and are scheduled for completion by end June 2023. Construction is underway for Menzies Creek Hall kitchen and storage upgrade works. Delivery of Grey Court Preschool roof replacement, Seville Recreation Reserve shelter demolition/rebuild and Upwey Depot modular office and amenities is expected by end June 2023. Accessible bathroom design and consultation is underway for Lilydale Tennis Club, Warburton Bowls Club and Yarra Junction Bowls Club. Upper Yarra Family Link accessible toilets request for quote is currently underway. Design is complete for St Martin's Church Hall deck replacement. Design is complete with construction set to commence in July 2023 for Belgrave South Recreation Reserve Pavilion ramp accessibility works. Yarra Glen Memorial Hall switchboard upgrade is complete as part of the sustainability climate resilient building project. Lilydale Recreation Reserve and Macclesfield Pony Club public toilets are scheduled for demolition with building permit received and request for quote underway in partnership with Clubs. New storage shed for outdoor fitness equipment at Monbulk Aquatic Centre is on order with installation expected in April 2023. Asset capture and condition report for Aquatic facilities is complete and under review. Original safety audit works are complete, with additional works identified currently being finalised. Painting of the Yarra Centre stadium and refurbishment of the basketball court is scheduled to be completed by mid April 2023.

Buildings New / Improvements	16,308	12,765	8,606	2,660	616	✗ 78%
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Tender awarded for Pinks Reserve stadium improvements, with works expected to commence in April 2023. The ground and upper concrete floor slab has been poured for the Gary Tait Pavilion at Pinks Reserve, with steel wall framing works underway. Kimberley Reserve Sports Pavilion has reached practical completion with the football club commencing their seasonal tenancy. Works is progressing for Mt Evelyn Sports Pavilion with external and internal wall framing almost complete and plastering well underway. Final report for Monbulk Aquatic Centre gas to heat pumps is expected in April 2023 and a report is due in May 2023 following consultation for studies investigating community solar parks. An opening event for Lilydale Sailing Club upgrades is scheduled for May 2023, following the finalisation of minor works to complete the project this month. The Climate Resilient Building program is underway with expenditure expected to increase over coming months. Installation is complete for new hot water plants at the Yarra Centre with positive feedback received during testing phase. Double glazing and gas to electric hot water with LED upgrade is commencing in April 2023 for Yarra Glen Memorial Hall. The LED Gallery lighting installation for The Memo, Healesville is complete, with a general lighting upgrade due early May 2023.

	Revised Budget \$'000	Expected spend \$'000	YTD Actual spend \$'000	Anticipated carry f'ward to next year	Expected Saving/ (Overspend)	Status
<b>PLANT</b>	<b>6,980</b>	<b>5,072</b>	<b>3,023</b>	<b>1,554</b>	<b>355</b>	<b>82%</b>

Plant & Equipment Renewal	2,915	1,950	1,351	0	965	✗ 67%
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Delivered fleet items for March 2023 include two specialised trailers, one with attachment for cricket pitch covers and a fire fighting trailer with generator for water pump. Major invoices processed for two new trucks for Sportsfield and Turf team and Infrastructure Maintenance.

Plant & Equipment New / Improvements	1,451	1,366	469	695	(610)	✓ 94%
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Project delivery role commencing in April 2023 for Net Zero Fleet project. Revised milestone dates have been submitted to state government and discussions indicate that variation to grant applications can be sought to reduce the kw needs of the chargers from 50kw to 22kw. This will open up more options in terms of charger locations for council fleet. The Biochar equipment shelter, civil, electrical and hydraulic works are complete, with flue alterations delaying the plant installation. Options for electrical power upgrade are being explored with AusNet shutting power to site in early April 2023 to test existing cabling. An opening ceremony for the facility will be scheduled for late April 2023. Lysterfield Transfer Station Fire Service construction has commenced this month with preliminary works currently underway.

FFF Rehab / Renewal	18	18	0	0	0	✓ 100%
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Research has commenced for acquisition of new tables across halls and venues with delivery expect prior to June 2023.

ICT New / Improvements	2,596	1,737	1,202	859	0	✗ 67%
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Phase 2 of YRConnect implementation is delayed due to complexities with the HRP module, impacting forecasted expenditure for 2022-23 with the balance of budget to be carried forward to 2023-24. Phase 2 of the project consists of the following module implementations; P&R, CPM, SAM and enhancements to EAM and EB to introduce PLM (Project Lifecycle Management). Phase 2 of the project is projected to complete in June 2024. Delivery of a mobile Microsoft surface hub interactive whiteboard and audio visual equipment to support online meetings has been received.



	Revised Budget \$'000	Expected spend \$'000	YTD Actual spend \$'000	Anticipated carry f'ward to next year	Expected Saving/ (Overspend)	Status
<b>INFRASTRUCTURE</b>	<b>61,185</b>	<b>43,240</b>	<b>22,279</b>	<b>17,237</b>	<b>773</b>	<b>85%</b>
<b>Roads Rehab / Renewal</b>	<b>7,771</b>	<b>8,228</b>	<b>3,862</b>	<b>(529)</b>	<b>57</b>	<b>106%</b>
Road resurfacing works were completed this month for Birmingham Road, Mt Evelyn and the final spray seal was completed for Old Gippsland Road, Lilydale and Lusatia Park Road, Woori Yallock. Road resurfacing works are scheduled in April 2023 for Chirnside Park and Mt Evelyn, in May 2023 for Mooroolbark and Healesville and in June 2023 for Kilsyth. Works planned for Warburton are delayed due to lack of access for the asphalt trucks on Old Warburton Road while Warburton Hwy is closed for repairs. Reconstruction works are underway for Victoria Rd (The Gateway Lilydale to MacIntyre Lane Yering) and expected to last until late April 2023 for the section of road between Coldstream West Rd and MacIntyre Lane.						
<b>Roads New / Improvements</b>	<b>3,712</b>	<b>3,167</b>	<b>1,860</b>	<b>1,099</b>	<b>(159)</b>	<b>85%</b>
Retendering complete with evaluation underway for Kallista-Emerald Road, Kallista (Blackspot). Construction is expected to commence late April 2023 and finalised towards the end of this financial year, with a carry forward submitted for the bulk of this budget. Works complete for Milners Road, Yarra Junction (Blackspot) and Wandin Creek Road, Wandin East. Construction is underway for Sylvia Road, Hoddles Creek and is at 60 per cent completion for Spring Lane, Yering. Design expected to be completed by April 2023 for Thomas Ave, Warburton - turning area before tender and construction commencement late in 2022-23.						
<b>Roads Traffic Management &amp; Other Works</b>	<b>253</b>	<b>271</b>	<b>42</b>	<b>0</b>	<b>(19)</b>	<b>107%</b>
Design finalised for a raised pedestrian 'Wombat' crossing at Charles Street, Mooroolbark with construction expected to commence in May 2023. Works in planning for: Forest Park Road, Upwey to replace existing angled slow point with raised pavement; Bathurst Street, Mooroolbark for splitter islands on north and south ends; Grandvalley Drive and Allambi Road, Chirnside Park for raised intersections/pavements and on Fortune Avenue, Mt Evelyn for speed humps between Old Gippsland Road and Hereford Road.						
<b>Roads for the Community Initiative</b>	<b>17,599</b>	<b>10,535</b>	<b>7,903</b>	<b>6,733</b>	<b>59</b>	<b>60%</b>
Following the Federal Government announcement of funding cuts to the Roads for Community Initiative, amendments have been made to the program. Of the 186 road projects, 26 projects have been completed in Belgrave, Don Valley, Healesville, Menzies Creek, Millgrove, Monbulk, Mt Dandenong, Mt Evelyn, Narre Warren East, Olinda, Sassafras, Selby, Seville, Tecoma, Wandin North, Upwey, Yarra Glen and Yarra Junction. Funding remains unchanged for design and construction of 25 projects, with 30 further projects supported for design only. 92 projects have been removed from the program across Belgrave, Belgrave Heights, Chum Creek, East Warburton, Emerald, Ferny Creek, Healesville, Kallista, Kalorama, Menzies Creek, Monbulk, Montrose, Mt Dandenong, Mt Evelyn, Olinda, Powelltown, Sassafras, Selby, Sherbrooke, Silvan, Tecoma, The Patch, Warburton, Yarra Glen and Yarra Junction. A remaining 13 projects have had Special Charge Schemes declared, with no RFCI funding available. Further information should be available in April reporting after a decision has been made on future funding for these projects. Construction complete for Roma Avenue group, Badger Creek. Works currently underway and expected to be complete in April 2023 for Heath Road group, Belgrave Heights and Menzies Road, Menzies Creek and by end June 2023 for Miller and Montpelier Streets and Grandview Crescent Road group, Healesville and Haag Road group, Seville. Victoria Road group, Seville is scheduled to commence construction in April 2023. Completion expected for School and Valley Roads, Seville and Benton Road group, Healesville in early 2023-24. Stage one works for Mt Morton Road and Hood Street, Belgrave Heights started in February 2023 and are expected to be completed late in 2023 before tendering for Stage two commences.						
<b>Bridges Rehab / Renewal</b>	<b>2,099</b>	<b>812</b>	<b>594</b>	<b>1,287</b>	<b>0</b>	<b>39%</b>
Closure of Warburton Highway continues to delay renewal works for Cement Creek Road Bridge, Warburton with bulk of budget expected to be carried forward to 2023-24. Awaiting contractor estimates for bridge renewal and redecking works for Nelson Rd, Lilydale shared path bridge.						
<b>Bridges New / Improvements</b>	<b>754</b>	<b>54</b>	<b>5</b>	<b>700</b>	<b>0</b>	<b>7%</b>
Design complete for McMahon Creek pedestrian bridge with consultation and approvals from Melbourne Water delaying project delivery. Carry forward expected for bulk of budget.						
<b>Footpaths Rehab / Renewal</b>	<b>1,604</b>	<b>1,278</b>	<b>607</b>	<b>0</b>	<b>326</b>	<b>80%</b>
Footpath construction for Main Street, Upwey have been postponed. These will now be delivered in conjunction with Township Improvements works in 2023-24. Construction complete and awaiting final invoices for Mt Morton Road, Belgrave South and Morris Road, Upwey. Works brought forward from 2023-24 and scheduled for April 2023 for Colby Drive, Belgrave Heights and Grey Street, Belgrave.						
<b>Footpaths New / Improvements</b>	<b>1,193</b>	<b>1,007</b>	<b>891</b>	<b>100</b>	<b>86</b>	<b>84%</b>
Works completed for Blannin Street, Healesville; Beech Street, Kilsyth and Crestway, Lilydale with construction expected to be finalised in April 2023 for Sugarloaf Drive, Chirnside Park and Fernhill Road, Mt Evelyn. Design has been finalised for Yarra Street, Yarra Junction with construction scheduled for 2023-24 to be postponed to 2024-25 due to Melbourne Water planned works.						
<b>Drainage Rehab / Renewal</b>	<b>250</b>	<b>250</b>	<b>39</b>	<b>0</b>	<b>0</b>	<b>100%</b>
Commencement of works for Hoddle Street, Yarra Junction delayed due to material availability and is now scheduled to commence in May 2023, for completion in June 2023.						
<b>Drainage New / Improvements</b>	<b>1,366</b>	<b>717</b>	<b>357</b>	<b>650</b>	<b>(0)</b>	<b>52%</b>
Works to commence in April 2023 for Commercial Road, Mt Evelyn - Stage 1, with carry forward requested to allow for construction completion by end August 2023. Preparation of tender documents underway for Commercial Road, Mt Evelyn - Stage 2. Construction scheduled to start mid April 2023 for Cambridge Street, Belgrave South, to be completed with likely over expenditure by June/July 2023.						
<b>Playspace Rehab / Renew</b>	<b>816</b>	<b>731</b>	<b>343</b>	<b>112</b>	<b>(14)</b>	<b>90%</b>
Playspace renewal works underway at Carmen Reserve, Lilydale and Glenvalley Reserve, Seville East with procurement of playspace equipment expected to have significant lead time. Concept design underway and is expected to be finalised in April 2023 for Bluegum Playground Reserve, Badger Creek and McKenzie King Adventure Playground, Millgrove.						

	Revised Budget \$'000	Expected spend \$'000	YTD Actual spend \$'000	Anticipated carry f'ward to next year	Expected Saving/ (Overspend)	Status
<b>INFRASTRUCTURE - continued</b>						
Playspace New / Improvements	398	228	173	164	(4) ❌	57%
Tender closing for Chirnside Urban Park Playspace with evaluation scheduled for April 2023 and award expected late May 2023, pending council meeting and planning permit approval. Six month lead time for play equipment will dictate construction dates as well as the desilting of the existing wetland, which must be completed by the developer before construction can commence.						
Sports Reserves Rehab / Renewal	1,054	1,196	663	(80)	(62) ✅	113%
Upcoming sportsfield rehabilitation flood wall works scheduled for April/May 2023 at Seville Recreation Reserve Oval 2 and Don Rd Reserve Oval 2. Completed upgrades to irrigation at Upwey Recreation Reserve and sheds at Belgrave South Recreation Reserve. Renewal works to commence in April 2023 for Upwey Tennis Club and run into early 2023-24. All project sites have new sportsfield irrigation controllers installed, with programming and housing units to be completed by May 2023. Boring works have started at Lilydale Tennis Club with footings to be installed early April 2023 and fencing in May 2023.						
Sports Reserves New / Improvements	3,009	2,631	1,358	320	52 ⚠️	87%
Playing surface final drainage works complete and turf installation underway for Seville Recreation Reserve. Remaining six Capital Development Grants projects are underway with completion expected prior to end of financial year. Asphalt is complete for Yarra Glen Netball Court with storage to be installed after Easter and acrylic playing surface in late 2023 when the weather warms up again. Monbulk Stormwater Harvesting system construction is progressing well, with finalisation expected by June 2023.						
Open Space Rehab / Renewal	569	569	331	0	0 ✅	100%
Works completed to Warburton Rail Trail Gruyere Station horse enclosure and planned for renewal of chain mesh fencing at Montpellier Reserve, Mooroolbark and bollards at Kimberley Recreation Reserve, Chirnside Park. Applications for Council property fencing were received in Lilydale, Mooroolbark, Coldstream and Chirnside Park. Culvert renewals programmed for Kiloran Reserve, Mooroolbark, Quinn Reserve, Mt Evelyn and on the Wellington Road equestrian trail. Reserve signage renewals expected for Water Race Trail, Mt Evelyn; Karwarra Gardens, Kalorama; Lilydale Recreation Reserve; Olinda Creek Trail and Elizabeth Bridge Reserve, Kilsyth.						
Open Space New / Improvements	2,455	1,572	717	875	(10) ❌	64%
Yering and Coldstream Station public toilet construction is expected to commence in April 2023, following approvals from Melbourne Water. Installation of Green Spine lighting, Chirnside Park, is underway on north side of Maroondah Hwy, Chirnside Park. The Active Recreation for People Plan is scheduled to be presented to Council in May 2023 seeking approval for community consultation. Design changes required due to soil testing results have delayed project progress for Wesburn Pump Track. A carry forward has been submitted for majority of budget, with further construction delays expected due to the cooler weather impacts on bitumen.						
Townships New / Improvements	3,224	1,525	1,011	1,240	437 ❌	47%
Scope of works determined for Bike Storage, Yarra Junction, with construction underway and due for completion by end June 2023. Lions Park rejuvenation works are expected to commence in April 2023 following delays due to consultation with Yarra Valley Water and VicRoads. LXP projects for Lilydale and Mooroolbark have stalled, both requesting full budget carry forwards to allow for delays with Metro Train licensing agreements and revision of project briefs. Design complete for Olinda Creek Bridge path, Maroondah Hwy, Lilydale. Awaiting approval from VicRoads before construction can commence.						
Trails Rehab / Renewal	417	417	116	0	0 ✅	100%
Works delayed due to contractor availability and quarry material shortages. Works committed for concrete path renewal at McKenzie Reserve, Yarra Glen. Expect the majority of current commitments to be invoiced by end April 2023.						
Trails New / Improvements	7,007	2,442	1,060	4,542	23 ❌	35%
Tender is scheduled for April 2023 for Yarra Valley Trail with construction expected to commence in late 2023. Yarra Valley Trail, Northern Loop Stage 2 works will commence in April 2023 on Steels Creek Trail to Gulf Road, Yarra Glen. Carry forward submissions have been received for the majority of both of these budgets. Detailed design and Cultural Heritage Management Plan underway for Yarra Valley Trail - Stage 2A. River Road, Millgrove Community Walking Track is complete and open to the public. Lighting contract expression of interest is underway for Brushy Creek Trail, Mooroolbark, with installation expected to commence in May 2023. Designs are being finalised for Mountain Bike Destination. Construction costs and dates to be confirmed in April 2023 and likely to commence in August 2023.						
Off-street Carparks Rehab / Renewal	350	350	339	0	0 ✅	100%
Works completed for Steels Creek Community Hall; Central Park Belgrave Heights; Belgrave Lake Park cottage (Pre School) and Bellbird Park, Lilydale. Remaining invoices expected to finalise the budget.						
Infrastructure - Project Management	5,135	5,135	0	0	0 ✅	100%
Recognition of salary component of asset delivery to be completed May 2023.						
Infrastructure - Asset New / Improve Reserve	150	125	10	25	0 ⚠️	83%
Schematic design estimates sought for Arts Centre Warburton.						

## 6. Glossary

**Annual Budget:** The annual published budget of capital projects for delivery each year. It complies with the State Government reporting guidelines and so, excludes the non-capital components of projects. The carry forward amounts captured are estimates only as they were formed at the time the budget was set, not the end of the financial year.

**Approved Changes:** Throughout the year, formally approved changes to the Capital Works Program budget can include budget transfers from one project to another, funds from a future year's Capital Works Program brought forward for expenditure this year, or additional external funds identified for inclusion in the budget.

**Capital Expenditure Program (CEP):** Allocated funding for renewal, improvement or new project works.

**Capital Expenditure Program (CEP) Budget:** This comprises of the Capital Expenditure Program adopted by Council, any funds carried forward from the previous financial year, and any approved changes made to the Budget during the financial year.

**Carry Forward:** A component of the CEP Budget brought to the next financial year. This becomes part of the next financial year's CEP Budget.

**Expected Saving/(Overspend):** The expected final financial position of a project, which equals Budget less Forecast less Carry Forward.

**Expenditure Target:** Set before the start of the financial year, this represents the agreed upon Capital Works expenditure for the year. The target equals the CEP Budget less funds held over for works during future years.

**Forward Spending:** This is when capacity becomes available to make an early start on a future year's project. Early spending requires the Capital Works Management Steering Committee approval.

**Income Recognition:** Income will be recognised in line with project expenditure. Income cannot be carried forward to a future year, it will remain on the balance sheet until project expenditure occurs. For this reason, a project that has external funding which is not delivered in a current year may not show as having carry forward even though the project is delayed to a future year.

**Milestone Dates:** Set prior to the start of the financial year, these represent the start of key phases during the life of a project. (Also see Phases.)

**Phases:** Throughout the life of a project, there may be various phases, as explained below.

*Consultation/Design:* formal investigation, design or consultation is underway

*Tender Phase:* tender/quote is currently being sought or evaluated

*Works/Construction Started:* work has begun on site

*Practical Completion:* all works except minor defects or final seals are complete and the deliverable is ready for use

*Finalisation:* the project is complete, all monies owing have been paid and the defect liability period has passed

**Program Status Overview:** Successful delivery of a project to schedule involves meeting *milestone dates* set prior to the commencement of the financial year. Project *milestone dates* represent the start of four project *phases*: *consultation/design*; *tender phase*; *works started*; and *practical completion*. Project complexity is taken into consideration when establishing *milestone dates*. A project which falls behind in an earlier milestone may still meet a later *milestone date* and then be on schedule again.

**Revised Budget:** The Revised Budget is the current total expenditure budget for works to be completed in the current financial year. It includes the adopted budget, final carry forward from the previous financial year, external grants made within the year and any budget adjustments or transfers approved within the financial year.

**YTD Actual Spend:** The amount of funds expended year to date.

## 2024 GRANTS FOR COMMUNITY INITIATION

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Report Author: Executive Officer Partnerships & Community Building  
 Responsible Officer: Director Communities  
 Ward(s) affected: (All Wards);

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*The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.*

### CONFIDENTIALITY

This item is considered at a Council meeting that is open to the public.

### SUMMARY

Council is committed to partnering with the community through grant funding to encourage, support, and sustain an array of community-led initiatives. Grants support the delivery of Council's strategic objective of "*Connected and Healthy Communities*." These funding opportunities help communities to thrive, build social connections and facilitate stronger, more resilient communities.

The Grants for Community program has three streams that focus on community development, arts and heritage, and festivals and events to bring community together. The grants encourage an asset-based community development (ABCD) approach, harnessing the strengths, experience and ideas of communities. They can also support ongoing community recovery from the pandemic, storms and other recent natural disasters.

This report outlines the 2024 Grants for Community Program, due to open on 1 June 2023 and includes the program guidelines, selection criteria and proposed assessment panel members. It also presents the budget allocation of \$500,000.

### RECOMMENDATION

*That Council endorse*

- 1. The 2024 Grants for Community guidelines, selection criteria and assessment panel members.**
- 2. The allocation of \$500,000 to the program in the 2023-2024 budget as follows:**
  - (a) \$125,000 Festivals and Events.**
  - (b) \$125,000 Arts and Heritage.**
  - (c) \$250,000 Community Development.**

## RELATED COUNCIL DECISIONS

Several past Council decisions relate to this report:

- Council endorsed a Grant Policy in May 2020 which provides guidance to its grant making functions;
- The 2020-2021 endorsed budget included an additional \$100,000 for Grants for Community. In 2020 this was directed to COVID Relief and Recovery grants and quick release grants of up to \$5,000 which were delivered for projects in line with the COVID Recovery Framework. Grants were awarded to both cultural and community development projects and were an important way Council responded to community needs during Covid; and
- Council also allocated \$1m for recovery grants to be administered through Regional Community Recovery Committees. This grant program will conclude in June 2023.

## DISCUSSION

### Purpose

This report presents the 2024 Grants for Community program including budget, selection criteria and guidelines for each of three streams and assessment panel members. These are the foundations for the grant round opening on 1 June 2023. The budget is to be endorsed through the 2023-2024 budget process.

### Background

The 2024 Grants for Community program will support local community groups and creatives to implement projects they design and deliver. The guidelines outline the intent of the grants to foster mental and physical wellbeing, increase social connection, facilitate cultural and heritage development, and celebrate local communities. Importantly the grants also support the ongoing recovery from the pandemic and 2021 storms through supporting social connection and re-building confidence to participate in community activities and volunteering.

This funding also enables grassroots communities to access valuable resources to respond to local opportunities and issues. Outcomes realised are often creative, innovative and build resilience, social engagement, capacity, leadership, and community networks.

The 2024 Grants for Community program has three streams:

Arts and Heritage - provides opportunities for community expression, to tell stories, connect with one another, and contribute to a sense of creativity, identity, and wellbeing.

Festivals and Events - supports community groups to deliver activities that enhance local culture, celebrate community spirit, and contribute to the liveability of Yarra Ranges.

Community Development - focuses on people and social connection, building community capacity around the principles of respect, equality and locally led responses to opportunities and needs.

All three streams support strength based and community-led activation around projects that realise community aspirations. The mental wellbeing benefits of these kinds of activity and social connection is important and more so in the aftermath of the lockdowns and natural disasters.

### ***The Assessment Panels***

Community members make up the Creative Communities and Community Development assessment panels. The aim is to have diversity of representation and skills on each panel. Panel members spend at least 3-4 days on the process, a significant contribution of their time. An honorarium of \$500 is made to community panel members. A Council Officer, with relevant expertise is also included on each panel. A senior officer chairs the deliberation day for each panel. Council's role as the final decision maker concludes the governance process for the program.

Panel members are selected based on their skill set, community knowledge and grant experience. They are required to sign a Terms of Reference and Conflict of Interest form and remove themselves from assessing and discussing applications where there is a perceived or actual conflict of interest. Panels are briefed on their role prior to completing independent assessments online. The Panels then meet to discuss applications collectively and reach consensus on recommendations for Council endorsement.

Proposed assessment panel members are presented below. On occasion, panel members need to withdraw, and a replacement found. Yarra Ranges is fortunate to have a strong pool within the community to draw on if this occurs.

#### Proposed Community Development Panel

<b>Proposed Panel Member</b>	<b>Skills and Experience</b>	<b>Geographic Area</b>
Mike O'Meara	Kilsyth Community Planning Group (Chair) Government grant-making experience Experienced panel member	Urban
Ethne Pfeiffer	President Healesville Community Garden Grant-making experience 2021 Grants for Community panel member	Valley
Kelsey Haigh	Environmental science at Deakin University. Volunteer, Leading for the Future and Youth Advisory Group member.	All
Carolina Aguilera de Snow	Hills RCRC community member	Hills
Ellie Ingwersen Yarra Ranges Council	Recreation Development & Liaison Officer brings extensive community development experience	All

## Proposed Creative Communities Panel

Proposed Panel Member	Skills & Experience	Geographic Area
Suzanne Phoenix	Grant writing and appraisal Photographer Community Event Manager	All
Jordan Sibley	Practicing Artist Community Engagement Coordinator Festival organiser	All
Lotte Gale	Member of the Misfits Youth Theatre Group, Seville resident and young community member	Upper Yarra
Leigh Harry	Yarra Valley Tourism Committee member, Co-chair Valley Community Recovery Committee, Healesville & District Community Enterprise committee member. High profile CEO roles in tourism sector.	All
Ginger van Handley Yarra Ranges Council	Cultural Programming Officer brings experience across the Creative Communities Strategy areas, events and cultural development.	All

**Options Considered**

The Grants for Community criteria consider community trends, aspirations and needs and draw on conversations with community members and organisations about what is important to them. The focus this round is on strength-based projects that build resilience.

The grants have a long-standing approach of driving strategic outcomes that Council identifies as priorities in consultation with communities. The related Council strategies are noted below. Grants remain an effective way to connect strategy with community-led action.

Generally, the program receives positive feedback from community panel members and applicants. All feedback is considered and informs the criteria moving forward.

A review of the criteria led to changes to reflect the stage of the pandemic and storm and flood recovery we are now in. The criteria around alcohol reduction projects has been removed as no applications in this priority were received over many years. The challenges of reducing alcohol harms are such that it is more appropriate for service providers to lead this work (noting that it can be in partnership with communities). As of now, organisations that receive funding via a major partnership with Council are not eligible to apply for funding via Council's grant programs. This is reflected in the 2024 Guidelines (Attachment 1).

### ***Recommended option and justification***

The program presented for endorsement is designed to draw out great projects and ideas in communities in response to the strategic direction of Council and emerging opportunities identified by communities themselves. The criteria and guidelines encourage inclusion and diversity, gender equity and participation by all age groups.

The program Guidelines (Attachment 1) and the Selection Criteria for each stream are attached:

- Arts and Heritage (Attachment 2)
- Festivals and Events (Attachment 3)
- Community Development (Attachment 4)

The Grants for Community Program is a proven way to mobilise and support communities. It taps into community-led responses to local opportunities and issues in ways that Council cannot. It empowers local people and communities to come together and work for the benefit of their area. Arts and cultural projects bring economic benefit to a sector hard hit by the pandemic and celebrate our region through performance, festivals, and a variety of arts practice.

### **FINANCIAL ANALYSIS**

The proposed budget allocation for the 2024 *Grants for Community* program is:

- \$125,000 Arts and Heritage.
- \$125,000 Festivals and Events.
- \$250,000 Community Development.

### **APPLICABLE PLANS AND POLICIES**

The Grants for Community program supports Council's strategic objective to create "*Connected and Healthy Communities*".

The following Council Plan actions are also supported by the Grants program.

- Strengthen relationships and networks to support local community groups and build their capacity to be active in achieving community outcomes (CP 5.10.1.1); and
- Improve mental health outcomes for the community, strengthen social connections ... (1.5.2.3).



The program invites projects seeking outcomes aligned with Council goals and objectives in the following strategies, plans and policies:

<ul style="list-style-type: none"> <li>• Health and Wellbeing Strategy</li> <li>• Creative Communities Strategy</li> <li>• Equity Access and Inclusion Strategy</li> <li>• Child and Youth Strategy</li> </ul>	<ul style="list-style-type: none"> <li>• Healthy and Active Ageing Plan</li> <li>• Liveable Climate Plan</li> <li>• Draft Recreation and Open Space Strategy</li> <li>• Reconciliation Action Plan</li> </ul>
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Grants for Community also contributes to addressing the requirements of the *Gender Equality Act 2020* through promoting and encouraging a gendered lens and addressing intersectionality in funded projects.

**RELEVANT LAW**

The grant program has sought to increase gender equity and inclusion so that everyone can participate if they want to. The grants also require consideration of Child Safe Standards and action by funded groups to meet these standards. Training in Child Safe Standards for community groups is delivered this year through a partnership with Knox and Maroondah Councils.

**SUSTAINABILITY IMPLICATIONS**

Grant recipients are asked to consider and include how they will reduce waste and impacts on the environment of their project, as part their application.

***Economic Implications***

Grants can have positive impacts on local economies, with events and festivals generating significant economic activity, income and raising the profile of local areas.

Grants leverage volunteer contributions and resources through other funders. Grant applicants are encouraged to “buy local first” when procuring goods and services, in line with Council’s Grants Policy.

***Social Implications***

A high percentage of projects supported by the Grants for Community program have important social impacts. Projects can build community connections, strengthen cultural expression, and support activities that nurture the overall health and wellbeing of local communities. Increased social inclusion delivers diverse benefits across grant categories, from arts and heritage projects, through to disability, reconciliation, and other projects.

### ***Environmental Implications***

The program includes criteria for projects that safeguard the environment, build environmental resilience, and engage people with the natural environment.

### **COMMUNITY ENGAGEMENT**

Applicants and Panel members from the 2023 grant round were consulted to capture their observations of the process, any key lessons and general feedback. This informed the 2024 round. Council officers from multiple departments helped refresh the Grants for Community guidelines and criteria. Taking account of the strategic focus on increasing the ability of communities to withstand future shocks and uncertainty, there is an emphasis on strengthening community resilience and continuing the community recovery process.

To engage as many community members and organisations as possible in the opportunity to seek a grant Council will host online and in person grant information sessions. This has increased participation by removing travel barriers. An in-person skill building workshop will develop skills and expertise in grant seeking, designing projects, project implementation and in acquitting grant funding. A project management workshop was held on 19 April 2023 to support applicants. These sessions also promote networking across groups and projects to strengthen connections.

### **COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT**

Grants officers draw on the South-Eastern local government grant network and test approaches with colleagues from other Councils. The criteria are updated through collaboration across the Council and against the evolving strategic goals of Council and what communities are telling us through various engagement processes. In this round this translates to a continued emphasis on building resilience and recovery.

Innovations seek to incrementally improve the program. In relation to feedback on simplifying the application form, officers reviewed and have made some changes where possible. These changes are minor given governance considerations outlined in a recent VAGO report requiring that Councils collect more information than other grant makers. Work will continue to update the application form with a lens of making it easier for the community in the lead up to the opening of the round.

### **RISK ASSESSMENT**

Risks associated with grant making require fair and proper processes, sound record keeping, transparent and ethical decision making and adherence to the *Local Government Act 2020*. A recent report by VAGO into Council Grant making indicates Council is well positioned in this respect. Some of the key risks related to grant making and mitigation strategies are outlined in the following table.


<b>Risk</b>	<b>Mitigation</b>
Poor allocation of grant funding: weak strategic fit, low capacity to deliver.	Review of past rounds and assessment process. Two assessment panels with independent, community representation, assess and make recommendations to Council.
Funding goes to ineligible applicants.	Terms of Reference and Conflict of Interest process in place for panel members and officers. Clear strategic criteria.
Subjective assessments or conflicts of interest at play.	SmartyGrants platform provides clear records. Detailed funding agreements in place, outlining intended outcomes of the grants.
Lack of transparency in decision making.	Acquittals and annual check-ins on progress. Clear documentation of decisions and any changes or variations approved.
Reputational damage to Council due to reductions in funding	Clear communication on governance and process followed. Officers work closely with organisations to support capacity building. Council's communications team support proactive and responsive communications. Review of VAGO report recommendations ensure process is in line with findings.

## **CONFLICTS OF INTEREST**

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

## **ATTACHMENTS TO THE REPORT**

1. 2024 2024 Grants for Community Guidelines
2. 2024 Arts and Heritage Criteria
3. 2024 Festivals and Events Criteria
4. 2024 Community Development Criteria



# Grants for Community Program 2024 Guidelines

Create a vibrant  
**Yarra Ranges**  
*together!*







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# 1. Acknowledgement

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.

## 2. Introduction

Yarra Ranges Council welcomes you to the 2024 Grants for Community program guidelines.

The annual Grants for Community program is one of four grant programs Council delivers to help achieve a connected and healthy Yarra Ranges.

Grants for Community are a powerful way of responding to local needs and delivering outcomes that Council, on its own, may not be able to achieve. The Grants for Community program does this through leveraging local knowledge, nurturing networks between stakeholders, and supporting organisations well placed to promote community wellbeing.

To be successful, applicants need to meet the eligibility requirements, demonstrate a strong alignment with Council’s adopted strategies, fulfil the selection criteria and demonstrate a willingness to work collaboratively.

**Applicants can apply for up to \$10,000. The total funding pool available is \$500,000.**

The next Grants for Community funding round will open online on 1 June 2023 for projects and events being delivered in 2024.

## 3. Key Dates

<b>Grant round opens</b>	1 June 2023 <a href="http://yarraranges.smartygrants.com.au">yarraranges.smartygrants.com.au</a>
Online Grant Information Sessions (Valley, Hills, Urban & Upper Yarra)	17 May 2023 1pm - 2.30pm & 6.30pm - 8pm (Online)
<b>Applications close</b>	17 July 2023 (3pm)
Funding announcements made	October 2023
Grant celebration/networking event	December 2023
Grants paid	30 days after funding agreement is returned
Grant projects commence	1 January 2024



# 4. Grant Categories and Priorities

The Grants for Community program provides funding in each of the following categories:



## 1. Festival and Events



## 2. Arts and Heritage



## 3. Community Development:

- Health and Wellbeing
- Environment
- Reconciliation
- Young People
- Children and Families

# 5. Speak to a Council Contact

Applicants are required to have a meaningful conversation with a relevant Council Officer about their application before submission. Officers are able to provide insights, tips and suggestions on project proposals.

Contact details of Council Officers can be found in both the Key Documents and Contacts section of these guidelines and Selection Criteria documents for each funding stream.

## 2023 Successful Grant Recipients

Applicants are encouraged to view last year's successful grants to see the range of projects funded and the amount of funding allocated.

A list of funded 2023 projects is available [here](#)



# 6. Eligibility Criteria

Applicants need to meet the following eligibility requirements. Please note that ineligible applications will not be assessed.

## 6.1 What we can fund (eligible)

- Incorporated not-for-profit community groups\* with an ABN are eligible to apply. If you are an unincorporated not-for-profit community group (or an individual artist who contributes to our creative communities) you must have your application auspiced by an eligible incorporated not-for-profit organisation
- Organisations, community groups and artists applying for a grant must demonstrate how their project will directly benefit residents of the Yarra Ranges. The project must also have a clear Yarra Ranges focus. Organisations based outside the region can apply if the projects outcomes benefit Yarra Ranges.
- Applicants must commit to obtaining all necessary permits related to the funded activity, particularly for festivals.
- Applicants must have successfully completed all reporting requirements for previous Yarra Ranges Council grants and have no outstanding debts with Council. If unsure, please contact the Grants Team.
- Applicants must provide evidence of adequate public liability insurance.
- **Child Safe Standards** compliance is required if projects involve direct or incidental contact with children.
- Applicants agree to acknowledge funding from Yarra Ranges Council in promotion, consistent with Council's branding guidelines.
- Applicants must consent to providing evidence of how funds were spent and outline project benefits through an acquittal process.
- Purchase of food associated with community relief projects are capped at \$500).
- The grant activity must take place during 2024.
- Applicants must submit all supporting material when applying. Given the competitive nature of grants, no late submission of supporting documents can be accepted.
- Applicants must talk through their project ideas with a Council Officer before applying.

\* Please refer to the definition of a community group as it relates to our Grants Program in the Jargon Buster section of these guidelines.

## 6.2 What we cannot fund (ineligible)

- A program, service or activity that is primarily considered the responsibility of State or Federal Government; for example, the core business of schools, hospitals or other services.
- Activities that take place outside the Yarra Ranges (including touring costs).
- A new building, capital works or facility maintenance works.
- Ongoing staff salaries or administration costs not specific to the project.
- Purchase of equipment only (equipment may be purchased as a small component of a broader project).
- Activities that take place at inappropriate venues; for example, gambling venues.
- Activities that are sponsored by gambling businesses.
- Applications with the singular purpose of promoting religion.
- Training, study or academic research in Australia or overseas.
- Applications that are solely for attending forums, workshops, conferences or for organising conferences.
- Overnight camps/activities for children and young people
- Competitions, prizes, award exhibitions or exclusively fundraising events.

Programs cannot be funded retrospectively (i.e. they cannot have already occurred).

Major partners are not eligible to apply and have been notified. This **does not** refer to 2023-27 Partnership recipients.



# 7. Application Process

## 7.1 How to apply

Applications for Grants for Community can be made by completing an online application form at [yarraranges.smartygrants.com.au](http://yarraranges.smartygrants.com.au)

The form will be made available once the grant round is open.

Please ensure that applications and all supporting material are submitted by 3.00pm AEST on 17 July 2023. Submissions will not be accepted after this time.

If you have difficulty using the online application form please contact the Grants Team for assistance on 1300 368 333.

If you are having difficulty accessing SmartyGrants or require troubleshooting support please contact SmartyGrants directly on (03) 9320 6888 or [service@smartygrants.com.au](mailto:service@smartygrants.com.au).

## 7.2 Budget

The Grants for Community program is a significant investment by Council and there are reporting requirements to account for this use of public funds.

Applicants are required to provide a budget aligned with outcomes for the project. Budgets need to balance and demonstrate considered planning, be realistic and justified for the proposed application. A quote is required for each item that exceeds \$500.00 as part of an application.

If your organisation is registered for GST with the Australian Tax office, GST will be applied to your grant. In these cases, Council will add 10% to the grant for GST which must then be paid to the Tax Office as per usual GST processing. It is not an additional amount to allocate to your program budget.

## 7.3 Activity Plan

Applicants are required to outline an activity plan for the grant project. The plan for a project needs to articulate the activity and related outcomes in line with the budget, for the funded period (12 months)

## 7.4 Supporting Documentation for Applications

All applicants must upload the following supporting documents and material as part of their submission through SmartyGrants:

- Most recent Annual Report, including annual financial statement. If an application is being auspiced an Annual Report and financial statement from the auspicing organisation is required.
- A copy of the certificate of cover of the organisation's public liability insurance.
- Evidence of partnerships, such as a letter of support (on letterhead) from individuals/organisations detailing their contributions to the project, and reports or other documents demonstrating the need and support for the project.

- Documentation to support the proposed project or evidence of previous projects and outcomes e.g. photos, videos.
- If project is auspiced, an auspicing agreement signed by both parties, must be uploaded with the application.

### **7.5 Unincorporated Organisations & Auspice Organisations**

Applicants that are not incorporated must have their application ‘auspiced’ by an eligible incorporated organisation.

Whilst the application is submitted by the group being auspiced, the auspicing organisation accepts responsibility for the application. Please note that information on the auspicing body will need to be provided in the application, including their ABN, financial report and contact details. The auspice organisation is legally responsible for the funds and enters into a Funding Agreement with Council.

It is important that the auspicer and group being auspiced enter into an agreement to ensure clarity around roles and expectations of each party. Grant applications can allocate a small auspicing fee as part of the application.

Please note that unincorporated groups must still demonstrate that they are established and have experience delivering similar projects.

Further information on auspicing arrangements can be found at: <http://www.nfplaw.org.au/auspicing>

### **7.6 Assessment and Approval**

All applications undergo a pre-assessment eligibility check conducted by a Council Officer.

All eligible applications are assessed by an independent panel of community members and Council officers with subject matter expertise. Panel members review applications independently before meeting to discuss. Funding recommendations are then submitted to Council for approval. Please note: it is not appropriate to request our Councillors to provide letters of support or lobby them about a grant application.

Successful and unsuccessful applicants will receive formal notification. Unsuccessful applicants are encouraged to seek feedback from Council Officers.

Council reserves the right to refuse funding or provide partial funding.

### **7.7 Funding Agreement and Payment Arrangements**

Funding agreements will be finalised and distributed within six weeks of Council approval. It is essential that all grant recipients and auspicing bodies enter into a funding agreement before the project commences and funds are released. Grant payments will be made within 30 days of the completed agreement being returned to Council.

Recipients are encouraged to sign and return a copy of the funding agreement by 1 November 2023.

# 8. Guiding Values

## 8.1 Good Governance

Yarra Ranges Council is dedicated to ensuring the Grants for Community program is run in a fair and transparent manner. We commit to managing an effective grants program that responds to community needs and represents good value for money. This commitment is expressed through openness to constructive feedback and a desire for continuous improvement.

We hold ourselves to a high standard of grant making and support our partners to do the same through their work. Successful grant recipients must have robust governance structures in place.

## 8.2 Child Safety Standards

The introduction of Child Safe Standards by the Victorian Government stipulates that all organisations that provide services for children or receive government funding are now covered by mandatory reporting requirements. Grant recipients that have direct and incidental contact with children during the course of their project will be required to provide additional documentation as part of the application process.

## 8.3 Gender Wise

Yarra Ranges Council is committed to gender equity in the region and consider our partner organisations as key in pursuing this.

Women, men and gender diverse community members can face different expectations and challenges based on social conditioning and subtle biases. Consequently, designing or delivering a project treating all people as the same may not necessarily result in equal inclusion and impact.

It is important that grant applicants apply a 'gender lens' when drafting their application. An example of this is considering the different needs and circumstances of people of all genders within the target beneficiary group.

Further information on running gender-wise projects can be found at: [fundingcentre.com.au/help/gender-lens](https://fundingcentre.com.au/help/gender-lens). Alternatively, applicants are invited to contact Council's Gender Equity Officer on 1300 368 333 for ideas on integrating gender-aware practices into your organisation's work.



## 8.4 Environmental Impact and Sustainability

Yarra Ranges is renowned for its natural beauty and Council is committed to maintaining the health and significance of the region's environment.

All proposed projects are encouraged to incorporate activities that improve sustainable outcomes and minimise unnecessary environmental impacts. For more information or support on this please contact Council's Sustainability Officer on 1300 368 333.

## 8.5 Diverse and Inclusive

Diversity is a strength within Yarra Ranges and something the Program seeks to promote. Grant submissions from groups and individuals of all backgrounds, cultures, age groups, gender and sexual orientation are strongly encouraged.

### Including people with diverse needs

Council is committed to increasing access and participation by people with disability in their community. Grant projects can lead the way in this. Consideration of how projects will reach out and include people with a disability is encouraged (e.g. promotion, physical access, including performers with disability and on your organising committee).

All grantees are encouraged to consider how their project will be accessible to people with disability or marginalised groups. For practical ideas and considerations please contact Council's Disability Inclusion Officer or Indigenous Development Officer on 1300 368 333.



## 9. Acknowledgement of Council

As with any partnership, recognition is important.

Acknowledgement of support provided by Council should be made in accordance with the Yarra Ranges Council Acknowledgement Guidelines. Successful grant recipients will be provided with further information as part of the Funding Agreement package.

## 10. Acquittal

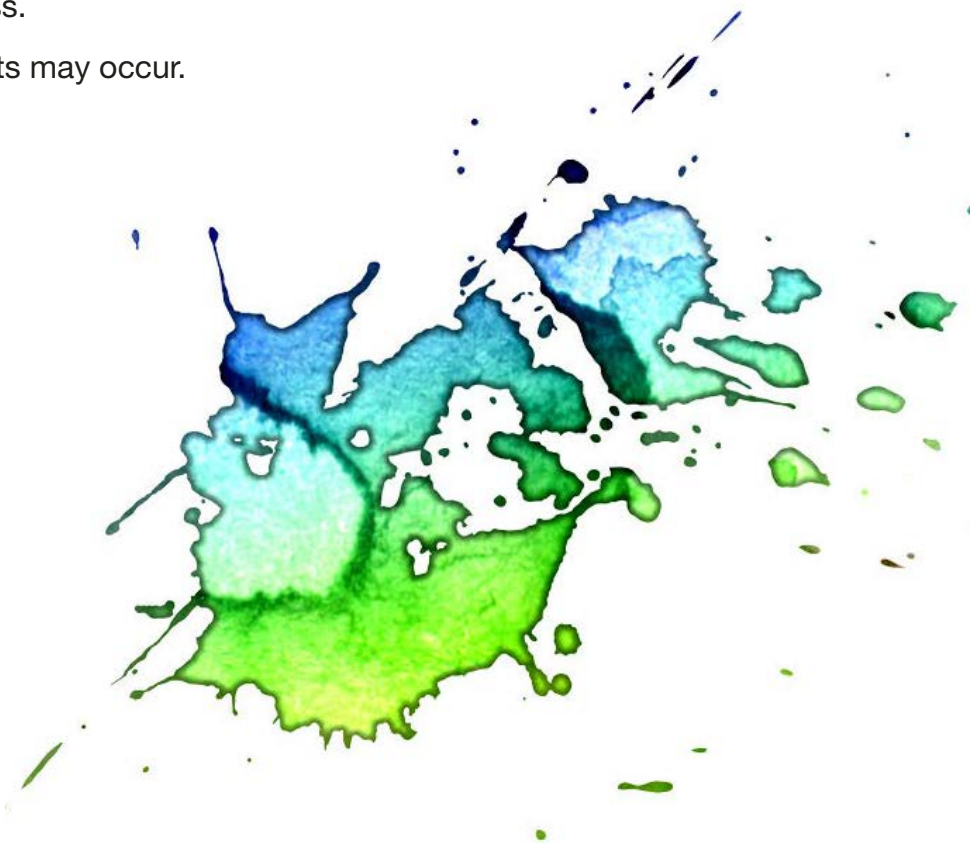
All Grants for Community recipients are required to report on the success, outcomes, lessons learnt, and financials through a final report. Any interesting stories or photographs are also welcomed!

A template will be provided by Council through SmartyGrants to support grantees with this process.

Successful recipients will be required to keep copies of all receipts to substantiate financial information.

Please note you will only be required to provide receipts for expense items above \$500 as part of the acquittal process.

Please note that random audits may occur.



# 11. Key Documents and Contacts

Council has strategies that detail the priority goals for improving the liveability of Yarra Ranges. Grants are an important tool in realising these goals. It is therefore essential to consider how proposed projects contribute to the overall achievement of Council strategies.

The table below details key strategy documents and the relevant Council Officer you can speak to about Yarra Ranges Council’s key priorities. Council Officers can be contacted on 1300 368 333.

Council Strategy or Plan	Relevant Council Officer
Creative Communities Strategy 2019 (arts, culture, heritage)	<a href="#">Cultural Development Officer</a>
Planning an Event Creative Communities Strategy 2019	<a href="#">Festival and Events Development Officer</a>
Health and Wellbeing Strategy 2021-2025	<a href="#">Social Planner</a>
Reconciliation Framework for Action 2013-2023	<a href="#">Indigenous Development Officer</a>
Environment Strategy 2015-2025	<a href="#">Sustainability Officer</a> <a href="#">Coordinator Sustainability</a>
Child and Youth Strategy Youth Strategic Action Plan	<a href="#">Early Years Development Coordinator</a> <a href="#">Youth Team</a>
Equity Access & Inclusion Strategy	<a href="#">Disability Inclusion Officer</a>

## Need further assistance?

For further information on the Grants for Community Program please contact a Community Partnerships Officers on 1300 368 333.

## Privacy Statement

Yarra Ranges Council (Council) is committed to protecting your privacy. In compliance with the Privacy and Data Protection Act 2014 (Vic) Council will use the Personal Information (name, address, phone number, email) collected from you is for the primary purpose of processing your grant application. Information is held securely and used solely by Council for this specific purpose and/or a limited directly related purpose, and will not be otherwise disclosed without your consent or as required or permitted by law. Your personal information is only accessed by authorised persons and may be stored in Yarra Ranges Council records management database, used for statistical research, information provision, promotion or evaluation of Council’s grant programs. If your application is incomplete, Council will not be able to process your grant application.

By submitting an application you consent to Yarra Ranges Council publishing the Group/ Individual name, project description and amount funded on Council’s public website.

You may access your information by contacting the Grants Team on 1300 368 333 or [grants@yarraranges.vic.gov.au](mailto:grants@yarraranges.vic.gov.au). For more information, see Council’s [Privacy Policy](#).



# 12. Jargon Buster

The following section breaks down some key terms when talking grants and grant requirements.

**Acquittal** – a written report submitted following the completion of a project. The acquittal should detail what was achieved by the project, lessons learnt and how the grant funding was spent. Council will provide grant recipients with an acquittal form.

**Advocacy** – is the act of promoting, supporting or arguing in favour of an idea, need, cause or policy.

**Auspice** – an organisation that receives and manages grant money on behalf of an unincorporated grant applicant. To be eligible and auspicing body must be incorporated and have a current ABN.

**Community group** – a group of people working collectively in a voluntary capacity to deliver accessible community development activities for the benefit of the broader community.

To apply for Yarra Ranges Council funding, a community group must be able to provide evidence, on request, that they have:

- multiple people involved in planning activities (including the provision of contact details, details of relevant skills/ experience to deliver the initiative)
- delivered at least one community initiative (exceptions may be considered in the case of an urgent need or newly established group)
- been in existence for at least 3 months (exceptions may be considered in the case of an urgent need or newly established group)

**Capacity** – refers simply to the skills or abilities of an individual or organisation to plan, deliver and achieve project outcomes.

**Capacity building** – is more than just training. It refers to the process by which communities, organisations or individuals strengthen competencies and abilities to identify and achieve their development objectives. It is an ongoing and dynamic process.

**Evidence based** – Provides the proof that a project or approach is best placed to respond to a community need. This may include research, community consultation or data.

**Incorporation** - is a voluntary process where a not-for-profit or community group can apply to become its own 'legal body'. This means that the group can enter into a contract, sign a lease or employ people. For further information please contact the Consumer Affairs Helpline on 1300 55 8181 or visit the Not-For-Profit Law Information Hub's [website](#).

**In-kind support** – is in place of monetary support. It could take the form of goods from businesses through to services and time from volunteers. Examples of in-kind support provided by Council include free training, networking and promotion opportunities.

**Outcomes** – are the changes, benefits or other effects that occur as a result of the project. Examples could include increased skills as a result of involvement in a project, increased confidence in nutritional meal preparation or increased event management skills.

**Project** – is a set of organised activities or steps that are planned to achieve a particular aim or outcome. It will have a start and end date.

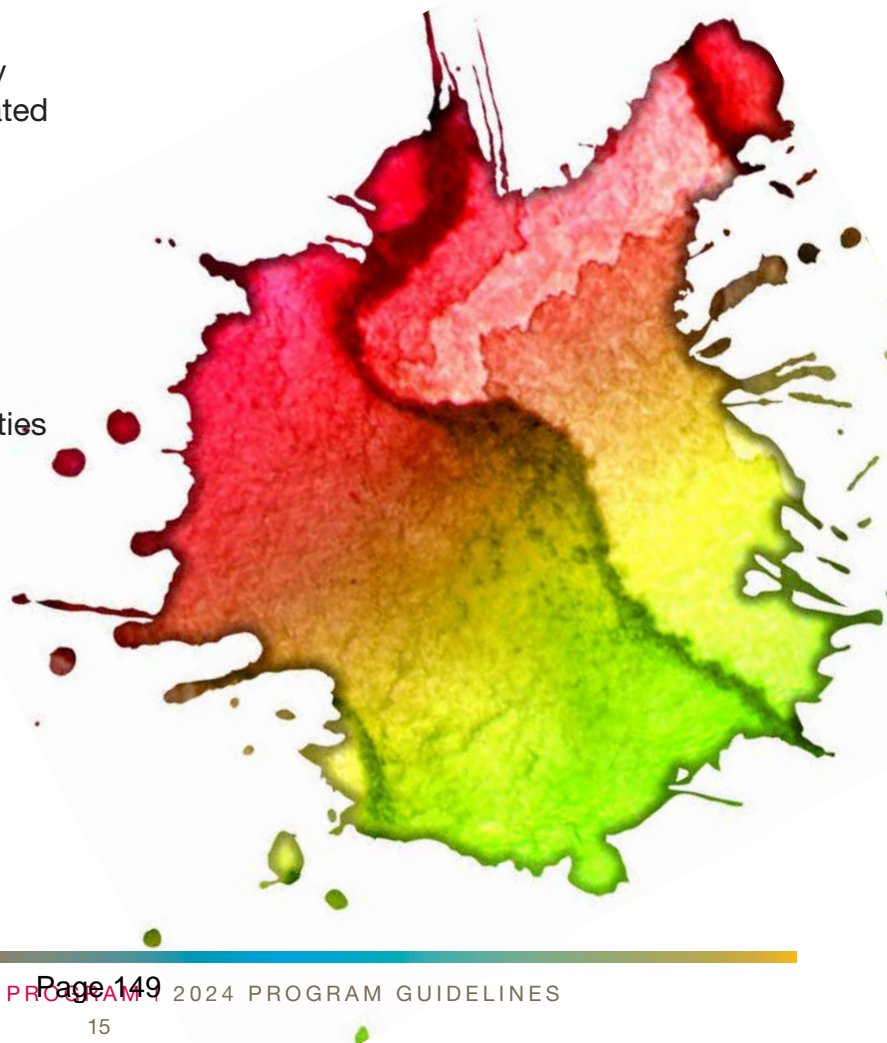
**Reconciliation** – is about building positive relationships between Indigenous Australians and the wider Australian community.

**Social enterprise** – is a commercially viable business with the clear and stated purpose of generating positive social or environmental impact. They exist primarily to benefit the community, rather than shareholders or owners.

**Social disadvantage** – People have limited/no access to the services, resources, opportunities and capabilities they need to learn, work, engage and have a voice.

**SmartyGrants** – is an online grants management platform. All Council grant submissions must be made through this system. The system is easy to use and supports the goals of an effective and efficient, transparent granting process.

**Variation** – is any change to the project compared to the original grant application, Council understands that sometimes variations are required; however these changes must be discussed with the Community Partnerships Officers before the completion of the funding period.









## Arts and Heritage

### Overview

The Grants for Community program is part of Yarra Ranges Council's contribution to creating a connected and inclusive community. It supports local groups, not-for-profit organisations and individuals to lead projects that identify and respond to community concerns and aspirations with confidence and creativity.

Arts and Heritage projects provide an opportunity for community to express themselves in diverse ways, connect with each other and to the place they live. Participation in cultural activity contributes to community sense of creativity, identity, social connection and wellbeing. As we recover from the pandemic and storms/natural disasters of the past few years, grant projects can also help with the recovery process.

This funding stream supports groups and individuals to deliver projects that develop and express the Yarra Ranges' diverse cultural heritage and creative practice. Projects will foster opportunities for the community to experience and participate in arts, culture and heritage.

### Project Outcomes

Projects funded under this stream should deliver on one or more of the following outcomes.

- A deeper understanding of local people, history and culture
- A broad knowledge of Indigenous history, continuity and culture in Yarra Ranges
- Development of community leaders to help shape our diverse cultures
- Provision of opportunities for Yarra Ranges artists to develop creative practice
- Public visibility of contemporary and historical Indigenous culture
- Visibility of the cultural, historical and artistic diversity of the region within townships

By delivering on these outcomes, projects will be supporting the following strategic priorities.

Greater and more meaningful participation from communities

Increase the economic size of the creative industries and expand its impact on both the local economy and vibrancy of our communities.

Develop vibrant and active public places particularly within our townships that express and celebrate our creativity and history

The selection criteria reflect strategic priorities of Council that are based on local evidence and engagement with communities. For more information, please refer to the Grants for Community Guidelines. For Arts & Heritage enquiries please contact our [Cultural Development Officer](#) or call 1300 368 333.





## Selection Criteria

Applications will be assessed against the desired outcomes and priorities for the Arts and Heritage Stream and following criteria:

### Community benefit

30%

- Deliver a high quality project that contributes to the cultural richness of the region and meets Council's identified strategic priorities
- Utilise public places creatively
- Interpret and reflect the distinctive stories and heritage of the region
- Enhance community capacity to drive arts and heritage activity in the region

### Partnership and collaboration

25%

- Provide an opportunity for community to participate in high quality arts, heritage and cultural activity
- Seek creative collaborations with community, artists, heritage practitioners and other groups
- Provide evidence of community consultation, where appropriate

### Organisational capacity

15%

- Demonstrate capacity to deliver the program or service, including evidence of strong governance (transparent, documented policies) and a well-defined project plan
- Demonstrate capacity to deliver the project including experience, people and resources
- Include clear measures of success

### Budget

15%

- Include a clear and well documented budget
- Be achievable within the proposed budget
- Have funding and/or in-kind support from other sources<sup>1</sup>

### Inclusion

15%

- Demonstrate consideration for inclusion principles, specifically including culturally and linguistically diverse groups, Indigenous community members, gender diversity and people living with a disability.

<sup>1</sup> Please indicate in your budget if you have applied for other funding and mark whether the funding is confirmed.



## Festival and Events

### Overview

The Grants for Community program is part of Yarra Ranges Council's contribution to creating a connected and inclusive community. It supports local groups, not-for-profit organisations and individuals to lead projects that identify and respond to community concerns and aspirations with confidence and creativity.

Festivals and events provide an opportunity for community to celebrate their unique identity and contribute to the creativity and cultural diversity of the region. They build social connection through sharing knowledge and experience. Festivals and events can play an important role as we recover from the pandemic and storms/natural disasters of the past few years, helping with the recovery process.

The Festival and Events funding stream supports groups and organisations to deliver activities that enhance local culture, celebrate community spirit and contribute to the liveability of Yarra Ranges. All projects funded must ensure delivery of safe, compliant events with minimal environmental impact.

### Project Outcomes

Projects funded under this stream should deliver on one or more of the following outcomes:

- Meaningful participation from community in shaping events at all stages of delivery
- Creative community events that engage multiple partners and help to develop community leaders
- Visibility of the cultural, historical and artistic diversity of the region through the activation of townships
- Provision of opportunities for Yarra Ranges artists to present, perform, and engage at local community events

By delivering on these outcomes, projects will be supporting the following strategic priorities.

Greater and more meaningful participation from communities

Increase the economic size of the creative industries and expand its impact on both the local economy and vibrancy of our communities.

Develop vibrant and active public places particularly within our townships that express and celebrate our creativity and history

The selection criteria reflect strategic priorities of Council that are based on local evidence and engagement with communities. For more information, please refer to the Grants for Community program guidelines. For Festival & Event enquiries please contact our [Festivals and Events Officer](#) or call 1300 368 333.



## Selection Criteria

Applications will be assessed against the desired outcomes and priorities for the Festival and Events stream and following criteria:

### Community benefit

- Deliver a high quality event that contributes to the cultural richness of the region and meets Council's identified strategic priorities
- Utilise public places creatively
- Exhibit unique characteristics that identify with the region, and draw on the skills and talents of local residents

30%

### Organisational capacity

- Demonstrate capacity to deliver the program or service, including evidence of strong governance (transparent, documented policies) and a well-defined project plan
- Have evidence of an established and dedicated community group, committee or membership base to deliver the festival/event
- Include clear measures of success

15%

### Partnership and collaboration

- Demonstrate strategic partnerships and evidence of community consultation, where appropriate
- Provide an opportunity for community to participate in high quality festivals and events
- Build partnerships and creative collaborations with community, artists, and other groups

25%

### Budget

- Include a clear and well documented budget
- Be achievable within the proposed budget
- Have funding and/or in-kind support from other sources

15%

### Inclusion

- Demonstrate consideration for inclusion principles, specifically: people living with a disability, culturally and linguistically diverse groups, Indigenous community members, gender diversity.

15%







# Community Development Stream

## Overview

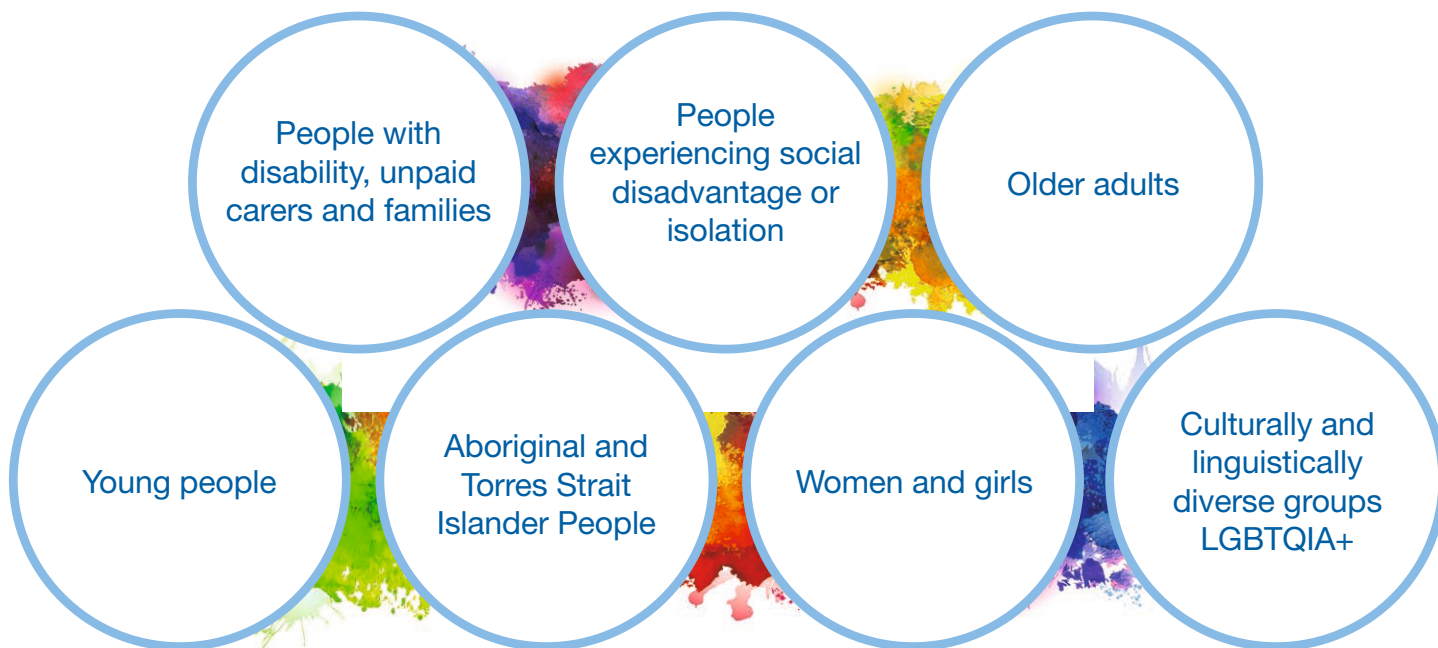
Grants for Community are part of Yarra Ranges Council's contribution to a connected and inclusive community. The grants support local not for profit groups and organisations to lead projects that harness community strengths, identify and respond to community needs and aspirations with confidence and creativity.

### What is Community Development?

Community development describes a way of working that is people focused, taps into the wisdom and experience of communities and builds resilience. It draws on the principles of justice, equity, inclusion and mutual respect.

Within any community there is a wealth of knowledge and experience which can empower community led action and be channelled into projects that achieve exciting outcomes and positive change. Grant projects can also help as we recover from the pandemic and storms/ natural disasters of the past few years.

This includes initiatives that focus on the needs of priority groups, particularly:



The selection criteria reflect the strategic priorities of Council to create a healthy and connected community.

For community development enquiries please contact our

[Urban Community Development Officer](#)

[Valley Community Development Officer](#)

[Hills Community Development Officer](#)

[Upper Yarra Community Development Officer](#)

For enquiries about disability access and inclusion please contact our [Disability Inclusion Officer](#)

or call 1300 368 333

Create a vibrant

**Yarra Ranges**  
*together!*







The following areas reflect key Council priorities. Consideration of how projects support the ongoing Recovery from the pandemic and storms/natural disasters is encouraged.

Projects should address one or more of the following focus areas.

## Health and Wellbeing

This category fosters connected and healthy communities through projects that:

- Build and enable mental wellbeing by supporting strong and sustainable social connections
- Promote and support physical health
- Support disaster preparedness and build resilience
- Nurture thriving local communities

*Priority will be given to applications that address one or more of the following strategic goals of Council:*

- Yarra Ranges residents have the capacity to consume healthy food, built on a sustainable food system that provides access to healthy, affordable food for all. *e.g. Projects that support people to grow and prepare nutritious food or projects that increase food affordability.*
- Yarra Ranges residents have increased social connection through participation in group activities. *e.g. Projects that promote increased social connection and wellbeing particularly for people who may be more vulnerable or isolated.*
- Yarra Ranges residents are physically active and can participate in a range of inclusive, physical activities. *e.g. Projects that encourage low cost, inclusive physical activities that also bring people together.*
- Women and children live free from abuse and violence through a culture of gender equity and respect. *e.g. Projects that challenge gender stereotypes and build respect and inclusion.*
- Council encourages all applicants to consider how their project supports residents' sense of belonging, equal participation and more inclusive communities. *e.g. Projects that increase participation of people with disability,*

*people from diverse cultural backgrounds, Aboriginal and Torres Strait Islanders and LGBTQIA+ community members.*

- Yarra Ranges residents are engaged in community-led social recovery and preparedness for extreme weather events. *e.g. Projects that build disaster resilience by: strengthening social connection and networks, and increase knowledge, skills and planning for emergencies.*

Applicants can find out more by exploring Council's Health & Wellbeing Strategy [here](#).

Council has highlighted the above goals as they reflect significant preventable causes of poor health and wellbeing in Yarra Ranges. Projects in these priority areas have potential to improve health and wellbeing and to build capacity in communities to respond to the health and social impacts of public health and natural emergencies. Applicants applying for projects that focus on Health and Wellbeing are encouraged to talk to [Council's Health and Wellbeing Development](#)

## Environment

This category is designed to support projects that engage and empower the community in environmental sustainability locally.

*Priority will be given to applications that address one or more of the following objectives:*

- Encourage those who live and work in the Yarra Ranges region to act as environmental stewards, caring for and protecting natural environments.
- Involve communities in protecting native plants, animals and their habitats.
- Improve and protect the region's iconic natural places.
- Improve resilience of communities in the face of changing climate and extreme events.
- Protect and preserve our water resources.

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## Reconciliation

Council is committed to Reconciliation. This category seeks to strengthen the relationships between Indigenous and non-Indigenous communities.

*Priority will be given to applications that address one or more of the following objectives:*

- Celebrate and protect Aboriginal and Torres Strait Islander culture and heritage.
- Break down stereotypes and discrimination.
- Increase understanding of Indigenous ways of knowing, being and doing.
- Enhance community driven initiatives that contribute to community wellbeing, economic participation, and cultural strengthening.

Applicants applying for projects that focus on Reconciliation are encouraged to talk to [Council's Indigenous Development team](#).

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## Young People

If you are a young person aged 12 to 25 years, and part of a Not For Profit Community group/organisation, you can apply for a grant.

If you are a Not For Profit organisation, you can also apply for a grant to run a program for young people aged 12 to 25.

All applicants must show evidence that their project is supported by young people from the Yarra Ranges region, this could be through a co-design process, consultation and/or other supporting documents, such as a letter of support.

*Priority will be given to applicants who demonstrate one or more of the below objectives:*

- Promote opportunities for young people to actively engage in their community, build social connection, and have a voice in decision-making.
- Your uniqueness is an asset, we welcome applications by, or that support, young people from diverse backgrounds including race, gender, ability, LGBTQIA+ and more
- Strengthen respectful relationships with a focus on building resilience and promoting gender equality.

- Increase soft skills and pathways to employment for young people.

Programs targeting young people in the diverse locations in Yarra Ranges will be prioritised. These locations include Warburton, Healesville and small townships across the region will be favoured.

Applicants are strongly encouraged to talk with a member of the [Youth Team](#) about their project when applying.

**Note:** Council will not fund camps and overnight camps/activities for children and young people.

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## Early Years, Middle Years and Families

This category encourages innovative projects that enhance the wellbeing and resilience of children and young people 0-14 years, and their families living in the Yarra Ranges.

*Priority will be given to applications that address one or more of the following objectives:*

- Improved outcomes for children, young people and families experiencing vulnerability.
- Increased and timely access for children, young people and their families to services and supports that enhance wellbeing and promote resilience
- Children, young people, and their families have greater access to culturally safe and appropriate activities and opportunities to connect with each other and the broader community.
- Promote opportunities for children, young people and families to actively engage in their community.

**Note:** Child Safe Standards compliance is essential. Council does not fund overnight camps /activities for children and young people.

For more information about Child Safe Standards see [here](#).

For more information about Council Grants Child Safe requirements see attachments [here](#).



## Selection Criteria

Applications will be assessed against the desired outcomes and priorities for the Community Development Stream and following criteria:

### Community benefit

30%

- How the project responds to demonstrated community need/s
- Demonstrates an alignment with one or more Council key strategies or priorities
- Backed by evidence (data, letters of support) where appropriate
- Identifies short or medium term impacts of the initiative

### Partnership and collaboration

25%

- Demonstrates strategic partnerships between existing and new groups, or across sectors
- Includes evidence of community engagement in project design and delivery
- Harnesses volunteer effort and builds community capacity to respond to local issues, needs and opportunities

### Organisational capacity

15%

- Demonstrates capacity to effectively deliver the program or service, including evidence of strong governance (transparent, documented policies) and a well-defined project plan
- Clear measures of success are outlined

### Budget

15%

- Includes a clear and well documented budget
- Project is achievable within the proposed budget
- Project has funding and/or in-kind support from other sources, including a contribution from the applicant<sup>1</sup>

### Inclusion

15%

- Demonstrates consideration for inclusion principles, specifically including culturally and linguistically diverse groups, gender diversity and people living with disability and Aboriginal and Torres Strait Islander

<sup>1</sup> Please indicate in your budget if you have applied for other funding and mark whether the funding is confirmed.

**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 received prior to the Agenda being printed.

**12. ITEMS THROUGH THE CHAIR**

**13. REPORTS FROM DELEGATES**

**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 listed for this meeting prior to the Agenda being printed.

## 15. INFORMAL MEETINGS OF COUNCILLORS

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Report Author: Governance Officer  
 Responsible Officer: Director Corporate Services  
 Ward(s) affected: All Wards

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*The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.*

### CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public

### SUMMARY

Chapter 8, Rule 1, of the Governance Rules requires that records of informal meetings of Councillors must be kept and that the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting tabled at the next convenient Council meeting and recorded in the Minutes of that Council meeting.

An 'informal meeting of Councillors' is defined in the Governance Rules as a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting.

The records for informal meetings of Councillors are attached to the report.

### RECOMMENDATION

***That the records of the Informal Meetings of Councillors, copies of which are attached to the report, be received and noted.***

### ATTACHMENTS TO THE REPORT

1. 18 April 2023 - Council Briefing
2. 18 April 2023 - Council Forum
3. 18 April 2023 - Review of Complex Planning Matter
4. 26 April 2023 - Yarra Ranges Council Disability Advisory Committee



# Informal Meeting of Councillors

## Public Record



<b>Meeting Name:</b>	Council Briefing	
<b>Date:</b>	18 April 2023	Start Time: 6.05 pm      Finish Time: 6.22 pm
<b>Venue:</b>	Council Chamber, Civic Centre, Anderson Street, Lilydale and via videofonerece	
<b>Attendees:</b>	<b>Councillors:</b>	Jim Child, Sophie Todorov, Richard Higgins (6.10 pm), Len Cox, Tim Heenan, Johanna Skelton & Andrew Fullagar
	<b>CEO/Directors:</b>	Tammi Rose, Kath McClusky, Andrew Hilson, Jane Price & Hjalmar Philipp
	<b>Officers:</b>	Sarah Candeland, Gina Walter, Tracey Varley
<b>Apologies</b>	Cr Eastham, Cr McAllister	
<b>Disclosure of Conflicts of Interest:</b>	Nil	
<b>Matter/s Discussed:</b>	This briefing covered the following items of business to be considered at the 26 April 2023 Council Meeting.	
	10.1	YR-2022/782 1A Gear Avenue Mt Evelyn - Planning Report
	10.2	Lillydale Lake Draft Master Plan Release for Public Consultation
	10.3	Municipal Emergency Management Plan Assurance Approval
	10.4	Japara Hub Extension to Agreement
	10.5	Audit and Risk Management Committee Biannual Report to Council
	10.6	Appointment and Authorisation under the Environment Protection Act 2017 & the Planning and Environment Act 1987
	10.7	Review of Delegations Made to Council Staff
	10.8	Purchase of 13 Green Street, Healesville
	10.9	Road Discontinuance abutting 2 Edward Street Healesville
	<b>Completed By:</b>	Gina Walter

# Informal Meeting of Councillors

## Public Record



<b>Meeting Name:</b>	Council Forum	
<b>Date:</b>	18 April 2023	Start Time: 7.01 pm      Finish Time 10.10 pm
<b>Venue:</b>	Council Chamber, Civic Centre, Anderson Street, Lilydale and via videofonerece	
<b>Attendees:</b>	<b>Councillors:</b>	Jim Child, Sophie Todorov, Richard Higgins, Len Cox, Johanna Skelton, Andrew Fullager & Tim Heehan
	<b>CEO/Directors:</b>	Tammi Rose, Kath McClusky, Andrew Hilson, Jane Price & Hjalmar Philipp
	<b>Officers:</b>	Sarah Candeland, Gina Walter, Marcella Simone, Tracey Varley, Katherine Baltas, Alison Fowler, Graham Brew, Isha Scott, Clint Hong, Jenny Davies, Nathan Islip, Debbie Pulham, Alison Fogarty
<b>Apologies</b>	Cr Eastham, Cr McAllister	
<b>Externals</b>	Stuart Colls, Glenn Meyer, Darren Paul (Zoom) from WSP Golder	
<b>Disclosure of Conflicts of Interest:</b>	Item 2.4 South East Metropolitan Advanced Waste Processing Project Update  Kath McClusky – Council Representative on the South East Metropolitan Advanced Waste Processing Pty Ltd Board  Graham Brew – Council Representation on the South East Metropolitan Advanced Waste Processing procurement team	
<b>Matter/s Discussed:</b>	2.1	Declarations of Interest
	2.2	Action and Agreement Record
	2.3	Landslip Report Recommendations and EMO Amendment Authorisation
	2.4	South East Metropolitan Advanced Waste Processing Project Update
	2.5	CT7093 Receipt of Recycling Processing Services
	2.6	Major Partners and Grant Programs
	2.7	2024 Grants for Community Initiation
	2.8	2023-24 Budget Discussion
	3.1	Contract Approvals and Variations March 2023
	4	Mayor & CEO Update
	5	General Business
	6	Late Items and Urgent Business
<b>Completed By:</b>	Gina Walter	

# Informal Meeting of Councillors

## Public Record



<b>Meeting Name:</b>	Review of Complex Planning Matters	
<b>Date:</b>	18 April 2023	Start Time: 5.30 pm      Finish Time: 6.04 pm
<b>Venue:</b>	Council Chamber, Civic Centre, Anderson Street, Lilydale and via videofonence	
<b>Attendees:</b>	<b>Councillors:</b>	Jim Child, Sophie Todorov, Len Cox, Johanna Skelton (5.40 pm), Andrew Fullagar & Tim Heenan
	<b>CEO/Directors:</b>	Tammi Rose, Kath McClusky, Andrew Hilson, Jane Price & Hjalmar Philipp
	<b>Officers:</b>	Sarah Candeland, Gina Walter, Debbie Pulham, Amanda Kern, Bumeke Jayasinghe, Tracey Varley, Ben Waterhouse
<b>Apologies</b>	Cr Eastham, Cr McAllister, Richard Higgins	
<b>Disclosure of Conflicts of Interest:</b>	Nil	
<b>Matter/s Discussed:</b>	1.2	YR-2022/782 1A Gear Avenue Mt Evelyn
<b>Completed By:</b>	Gina Walter	

# Informal meeting of Councillors

## Public Record



<b>Meeting Name:</b>	Yarra Ranges Council Disability Advisory Committee	
<b>Date:</b>	26 April 2023	Start Time: 1.00pm      Finish Time: 3.00pm
<b>Venue:</b>	Conference Room B	
<b>Attendees:</b>	<p><b>Councillors:</b>      Len Cox</p> <p><b>Other attendees:</b> Lesley Grimes, James Wood, Marie Pleuger, Julie McDonald, Tracey Wannet, Isabella O'Hare, Renae Purcell, Shek Kho</p> <p><b>CEO/Directors:</b></p> <p><b>Officers:</b> Amanda May, Michelle Mulholland, Carolyn Haack, Elizabeth Newton, Lynn O' Donnell, Sarah Brophy, Anna O'Brien</p>	
<b>Apologies</b>	Richard Higgins, Paul Stoney, Rachael Giddens, Michelle McDonald, Lisa McIlfratrick,	
<b>Disclosure of Conflicts of Interest:</b>	None	
<b>Matter/s Discussed:</b>	1.1	NDIS updates
	1.2	DAC member presentation
	1.3	Draft Lilydale Lake Master Plan
	1.4	Overview of playspace renewal processes including an example of playspace renewal works for Bluegum Drive Playspace in Badger Creek
	1.5	Disability Inclusion Officer update
	1.6	Member updates
<b>Completed By:</b>	Amanda May	

**16. URGENT BUSINESS**

*In accordance with Chapter 3 Rule 24 of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

**17. CONFIDENTIAL ITEMS**

*In accordance with Chapter 3 Rule 24 of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

There were no Confidential Items listed for this meeting.

**18. DATE OF NEXT MEETING**

The next meeting of Council is scheduled to be held on Tuesday 23 May 2023 commencing at 7.00pm, at via videoconference.



**In providing for the good governance of its community, Councillors are reminded of their obligation to abide by the provisions as set within the Local Government Act 2020 and the Code of Conduct for Councillors.**

**When attending a Council Meeting, Councillors should adhere to the procedures set out in the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.**

The following is a guide for all Councillors to ensure they act honestly, in good faith and in the best interests of Yarra Ranges as a whole.

1. Councillors will respect the personal views of other Councillors and the decisions of Council.
2. Councillors may publicly express their own opinions on Council matters but not so as to undermine the standing of Council in the community.
3. The Mayor is the official spokesperson for Council.
4. Councillors will incur expenditure in a responsible manner and in accordance with the Councillor Expenditure and Policy.
5. Councillors will avoid conflicts of interest and will always openly disclose any direct and indirect interests where they exist.
6. Councillors will act with integrity and respect when interacting with Council staff and members of the public.
7. Councillors will demonstrate fairness in all dealings and conduct and be open with and accountable to the community at all times.
8. Councillors will conduct themselves in a manner that does not cause detriment to Council or the Yarra Ranges community.