



# Council Meeting

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**Minutes**

**Tuesday, 23 May 2023**  
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

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- making a verbal submission for up to 5 minutes on matters not listed on the agenda.
- submitting a question.
- speaking for up to 5 minutes to a specific item on the agenda. For planning applications and policy issues, the Chair will invite one person to speak on behalf of any objectors and one person to speak on behalf of the applicant. For other matters on the agenda, only one person will be invited to address Council, unless there are opposing views. At the discretion of the Chair, additional speakers may be invited for items of large interest.
- speaking for up to 5 minutes to a petition to be presented at a meeting.

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## CONTACT US

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# YARRA RANGES COUNCIL

## MINUTES FOR THE 581<sup>ST</sup> COUNCIL MEETING HELD ON TUESDAY, 23 MAY 2023 COMMENCING AT 7.01 PM VIA VIDEOCONFERENCE

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### 1 COUNCIL MEETING OPENED

Councillor Jim Child (Mayor) declared the meeting open.

### 2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor then read the Acknowledgement of Country, and welcomed all present.

### 3 INTRODUCTION OF MEMBERS PRESENT

#### Councillors

Councillor Jim Child (Mayor)  
Councillor Sophie Todorov (Deputy Mayor)  
Councillor Andrew Fullagar  
Councillor Fiona McAllister  
Councillor Richard Higgins  
Councillor Len Cox OAM

#### Councillors via Videoconference

Councillor Tim Heenan

#### Officers

Tammi Rose, Chief Executive Officer  
Hjalmar Philipp, Director Built Environment & Infrastructure  
Jane Price, Director Communities  
Andrew Hilson, Director Corporate Services  
Amanda Kern, Acting Director Planning and Sustainable Futures

### 4 APOLOGIES AND LEAVE OF ABSENCE

Apologies for this meeting were received from Councillors Johanna Skelton and David Eastham.

## 5 MAYORAL ANNOUNCEMENTS

**The Mayor read the following statement:**

I am delighted to share with you a good news story about a passionate teen gardener from Montrose. Congratulations to Dekoda Bell for winning the 'Gardener of the Year Award' at the Victoria in Bloom Awards.

These awards recognise and reward the great work of gardening enthusiasts living in public or community housing. It's a way of saying thanks to renters for their hard work to create and maintain amazing gardens that contribute to the communities they live in.

Dekoda discovered gardening just three years ago and recruits his friends for assistance to develop new patches and play an active role in gardening and maintaining a vibrant and healthy community. Well done, Dekoda.

## 6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

**Moved: Cr Cox**

**Seconded: Cr Higgins**

*That the Minutes of the Council Meeting held Tuesday 9 May 2023, as circulated, be confirmed.*

**The motion was Carried unanimously.**

## 7 DISCLOSURE OF CONFLICTS OF INTEREST

*In accordance with Chapter 7, Rule 4, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

There were no disclosures of conflicts of interest made for this meeting.

*In accordance with Chapter 3, Rules 57 and 59, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

### QUESTION 1

**Kathy Austin of Montrose, asked:**

*While most people are feeling inflation pressure and Victoria already has a \$10 million daily interest debt, we obviously need to know how any extra council works will be funded.*

*Q1 - Please explain exactly where the funding will come from for any implementation of the urban design frameworks in our shire.*

*Q2. If rate increases are involved, please explain exactly how much per year and for how many years the increases will be charged.*

*Thanks you.*

**Amanda Kern, Acting Director Planning and Sustainable Futures:**

*Thank you for your question Kathy.*

*Currently many of the actions in the UDF are unfunded, this was made clear in reports to Council last year. If the Urban Design Frameworks are endorsed there will be opportunity to advocate for external funding such as State and Federal Government grant funding streams or fund through Councils capital works program. If no funding is secured, then the projects will not go ahead.*

*An individual project does not determine the proposed rate increase, but rather the approved rate increase sets the maximum available funds available to deliver prioritised projects in any given year.*

### QUESTION 2

**Anonymous asked:**

*It was reported that the meeting held on Tuesday 11th April was closed due to people in the public gallery ignoring the mayor's ruling not to film the proceedings. On review the actual council's recorded footage at the beginning, where the mayor clearly instructs the public : "Anyone not wishing to be filmed can report to a member of the governance team to my right" is missing.*

*QUESTION: Why was this important, and relevant footage/audio removed?*

**Andrew Hilson, Director Corporate Services:**

*Thank you for your question.*

*A review of the recording has confirmed that the Mayor did not make mention of "Anyone not wishing to be filmed" at the Council Meeting on 11 April 2023.*

*No edits to the recording for this meeting have occurred.*

### **QUESTION 3**

**Tammi Rose, Chief Executive Officer:**

*We received a third Question to Council from an anonymous member of the community regarding 20-minute neighbourhoods. As previously advised, any questions about this topic have been previously answered. Please refer to Council's website for further information.*

### **SUBMISSIONS FROM THE PUBLIC**

#### ***Hooning and Speeding – Mount Dandenong***

Paul Vonic provided Councillors with an update on the hooning and speeding drivers on Ridge Road and Osprey Road, Mount Dandenong.

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

### **9 PETITIONS**

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

There were no Petitions received for this meeting.



## 10 BUSINESS PAPER

### 10.1 YR-2022/944 - 59 Morris Road, Upwey

#### SUMMARY

The application proposes to introduce a commercial plant nursery use to a residential area, within the existing outbuilding on the site. Three car parking spaces are designated, setback one metre from the front boundary to accommodate customer parking and provide an area for nursery deliveries and picks-up. The applicant anticipates that no more than five members of the public will be on site at any one time and no more than twenty persons over an entire day.

There are amenity concerns with the scale of the commercial use operating in a residential setting, safety concerns regarding the customer vehicle access and egress. There are also concerns with the impact of inadequate car parking provision on the site, as well as the location of carparking in the front setback and the offsite traffic safety risks and impacts on the street network to support the use.

The proposal is inconsistent with a number of planning policies relating to non-residential uses in residential areas and out of centre development.

Sixteen objections and sixteen letters of support were received.

It has been assessed that given a number of particular site constraints, officers conclude that the site is not suitable for what is proposed. Overall, the application is considered to be inconsistent with the Yarra Ranges Planning Scheme and as such, it is recommended that the application be refusal.

*In accordance with Governance Rule 58, Nicci Foster, on behalf of the applicant, spoke in objection to the recommendation included in the officer report.*

*In accordance with Governance Rule 58, Rebecca Atherton spoke in support to the recommendation included in the officer report.*

**Moved: Cr Fullagar**

**Seconded: Cr McAllister**

*That Council resolve to refuse Planning Application YR-2022/944 for Use of a plant nursery and reduction of car parking requirements at 59 Morris Road, Upwey and issue a Notice of Refusal subject to the grounds in Attachment 1 to the report.*

**The motion was lost.**

The Mayor moved a motion alternate to that printed in the agenda.

**Moved: Cr Child**

**Seconded: Cr Cox**

*That Council resolve to approve Planning Application YR-2022/944 for Use of a plant nursery and reduction of car parking requirements at 59 Morris Road, Upwey and issue a Notice of Decision subject to the grounds in Attachment 1 to the report.*

Amended Plans

1. *Before the use starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and form part of the permit. The plans must be drawn to scale with dimensions and a digital copy must be provided. The plans must be generally in accordance with the plans submitted with the application (Prepared by Tapir Design, Sheets 1-6, dated 29/11/2022) but amended to show the following:*
  - a. *The location of a standard left turn only sign located at the exit, within the front site boundary;*
  - b. *The existing concrete vehicle crossing labelled as such and dimensioned as 3.0 metres (scaled) wide with splays at the kerb;*
  - c. *The plan notation to widen (or reconstruct) the existing concrete vehicle crossing to 4.0 metres to be deleted;*
  - d. *Car spaces moved closer to the existing vehicle crossing and shortened to 4.9 metres long with wheel stops shown on the plans;*
  - e. *The swept path details deleted from the plans;*
  - f. *Car spaces and accessways notated to be constructed with a sealed surface.*
  - g. *Three car parking spaces labelled as 'visitor parking';*
  - h. *A Landscaping Plan in accordance with Condition 3.*

Layout Not Altered

2. *The use as shown on the endorsed plans must not be altered or modified (unless the Yarra Ranges Planning Scheme specifies a permit is not required) without the prior written consent of the responsible authority.*

Landscape

3. *Before the use commences, a permanent screen of trees and shrubs must be planted along the Morris Road frontage directly abutting the proposed car parking area and along the common boundary to 61 Morris Road from the frontage to the shed to provide an effective visual screen to the satisfaction of the responsible authority.*
4. *The landscaping must be maintained to the satisfaction of the responsible authority, including replacing any dead, diseased or damaged plants within a reasonable timeframe of becoming aware of the dead, diseased and/or damaged plants.*

Business Operation plan

5. *Before the use starts, a Business Operation Plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and form part of the permit. The plan must include:*
- a. *Measures designed to ensure the orderly arrival and departure of customers.*
  - b. *Communication strategy and method to ensure communication with customers that exit from the site is 'left turn only'.*
  - c. *Details of the customer appointment system to ensure that no more than three vehicles are present on site at any one time.*
  - d. *Details of the booking system for all deliveries to the site are to be managed and to ensure all deliveries are conducted outside of appointment bookings.*
  - e. *Details of waste disposal.*
  - f. *Signage posted on site to clearly outline 'sales by appointment only'.*
  - g. *Measures to control noise emissions from the premises.*
  - h. *Number of customers on site at any one time.*
  - i. *Noise and amenity mitigation strategy.*
  - j. *Loading and Unloading Vehicle Delivery Strategy to include, but not limited to:*
    - i. *Only be carried out within the boundaries of the site, immediately adjacent to the areas identified on the endorsed plans;*
    - ii. *Not disrupt the circulation or parking of vehicles on the land; and*
    - iii. *Not be conducted from Morris Road or the Road Reserve;*
    - iv. *Deliveries must only occur between 9.00 am and 2:00 pm Monday to Friday (other than public holidays).*
    - v. *No deliveries on a Saturday, Sunday or public holiday.*
    - vi. *No more than two deliveries per week; and*
    - vii. *Delivery vehicles must not exceed a standard utility vehicle, no trucks or similar type vehicles is permitted to be used for deliveries.*

#### Hours of Operation

6. *Unless with the prior written consent of the responsible authority, the use must only operate between the hours of:*
- a. *Monday to Friday (other than public holidays) - 9.00 am to 5.00 pm.*
  - b. *Saturday – 9.00 am to 4.00 pm.*
  - c. *No trading on Sunday's and public holidays.*

#### Number of Staff

7. *Unless with the prior written consent of the responsible authority, no more than two (2) staff who are residents of the dwelling may operate the use at any time.*

### Number of Customer Vehicles

8. *Unless with the prior written consent of the responsible authority, no more than three (3) customer vehicles may be present on the land at any time.*

### General Amenity

9. *The use must be managed so that the amenity of the area is not detrimentally affected including through the:*
  - a. *Transportation of materials, goods or commodities to or from the land.*
  - b. *Appearance of any building, works or materials.*
  - c. *Emission of noise, artificial light, smell, fumes, smoke, vapour, steam, soot, ash, dust, water, waste products, grit or oil.*
  - d. *Presence of vermin.*

*All to the satisfaction of the Responsible Authority.*

### Exposed Storage

10. *Goods, machinery, bulk garden equipment/materials (other than individually packaged garden supplies) must not be stored or left exposed outside a building to the satisfaction of the responsible authority.*

### Street Tree Protection

11. *Before the use starts, a tree protection barrier/fence must be installed around the street tree(s) located on the Morris Road reserve and remain in place until all works on site are carried out and completed to the satisfaction of the Responsible Authority.*

### Carparking

12. *Prior to the use commencing, the car parking spaces and vehicular access ways shown on the endorsed plan must be sealed and drained incorporating Water Sensitive Urban Design elements to the satisfaction of the Responsible Authority.*
13. *Prior to the use starting, the construction of all civil works within the site must be fully completed and subsequently inspected and approved by a suitably experienced at the arrangement and expense of the owner/developer. This person must supply written certification that the works have been constructed in accordance with this permit and to relevant standards to the satisfaction of the Responsible Authority.*
14. *The car parking spaces, vehicular access ways and drainage approved by this permit are to be maintained and must not be obstructed or made inaccessible to the satisfaction of the Responsible Authority.*
15. *The customer car parking areas must be clearly marked by a sign reading 'customer car parking' with the letters at least 50 millimetres high to the satisfaction of the responsible authority.*
16. *Vehicles associated with the permitted use, at all times must exit the site in a forward direction.*

### Construction Management Plan

17. *Before the use starts, a Construction Management Plan (CMP) for the carpark construction, to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The CMP must specify how the environmental and construction issues associated with the development will be managed and must address the following as applicable:*
- a. *A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services, preferred routes for trucks delivering to the site, queuing/sequencing, excavation and swept-path diagrams.*
  - b. *The location for the parking of all construction vehicles and construction worker vehicles during construction.*
  - c. *Construction times, noise and vibration controls.*
  - d. *Delivery of materials including times for loading/unloading, unloading points, expected frequency and details of where materials will be stored and how concrete pours would be managed.*
  - e. *Proposed traffic management signage indicating any inconvenience generated by construction.*
  - f. *Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site.*
  - g. *Restoration of any Council assets removed and/or damaged during construction.*
  - h. *Protection works necessary to road and other infrastructure (limited to an area reasonable proximate to the site).*
  - i. *Remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site).*
  - j. *Traffic management measures to comply with the relevant Australia Standard.*
  - k. *All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.*
  - l. *Discharge of any polluted water.*
  - m. *Erosion control measures.*
  - n. *Sediment control measures.*

*All construction works must be carried out and implemented in accordance with the endorsed Construction Management Plan at all times to the satisfaction of the responsible authority. The responsible authority may amend the endorsed Construction Management Plan from time to time.*

### No Damage to Council Assets

18. *Council's assets must not be altered or damaged in any way except with the prior written consent of the responsible authority.*

Drainage

19. *Prior to the commencement of the use, piped drainage must be constructed to drain all impervious areas incorporating Water Sensitive Urban Design features, to the satisfaction of the Responsible Authority.*

Signage

20. *No signage is to be erected on site except for signage which meets the exemptions under Clause 52.05 Signs.*

Permit Expiry

21. *This permit will expire if:*
- a. *The use does not start within two years of the date of this permit, or*
  - b. *The use is discontinued for a period of two years.*

*The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of expiry of permit.*

**The motion was lost.**

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

**Moved: Cr McAllister**

**Seconded: Cr Child**

*That the debate on this matter, YR-2022/944 - 59 Morris Road, Upwey, be deferred until the 13 June 2023 Council Meeting to allow for sufficient time to consider the proposed condition in the alternate motion and addresses residents' concerns.*

**The motion was Carried unanimously.**

## 10.2 CT7063 – Provision of Fire Slashing Services

### SUMMARY

This report summarises the evaluation process, seeks Council approval to progress contract approval for the provision of Fire Slashing Services. The project is for annual fire slashing of Council owned and/or managed roadsides, fire access tracks, unused road reserves, general reserves and other land.

The objective is to:

- manage fire risk to road users and the surrounding landscape;
- ensure sight lines and road clearance envelopes are managed in accordance with Council objectives; and
- ensure fire risk is managed within reserves and other areas.

Sensitive Bushland Reserves are excluded from this project.

The initial contract term is for three years, with the option to extend the contract for a minimum period of one month and a maximum of 36 months.



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

**Moved: Cr McAllister**  
**Seconded: Cr Higgins**

*That*

1. *Council awards the tender for CT7063 Provision of Fire Slashing Services for an initial three-year contract term, with a combined first year lump sum price of \$995,599.00 exclusive of GST and a total estimated lump sum price for the full contract term of six (6) years of \$6,639,040.92 exclusive of GST (\$7,302,945.01 inclusive of GST and all extension options) to the following:*
  - (a) *Group 1, Area 1: I & P Yeoman Slashing Pty Ltd*
  - (b) *Group 1 Areas 2 & 5: Fern Earthmoving Pty Ltd*
  - (c) *Group 1 Areas 3 & 4 and Group 2: Bells Civil Excavations Pty Ltd*
2. *Council note*
  - (a) *an error in the wording on page 123 of the report, relating to fence to fence slashing, and*
  - (b) *that the wording be amended to read "Where accessible, all grass shall be cut with side arm or box slasher for fence to fence slashing, in areas other than batters and table drains"*
3. *The Director of Planning and Sustainable Futures be delegated authority to sign the contract documents.*
4. *The Director of Planning and Sustainable Futures be delegated authority to extend the contract term by a minimum of one month to a maximum of 36 months for each contract on the terms set out in the original contract.*
5. *The confidential attachment to this report remains confidential indefinitely as it relates to matters specified under Section 3(1) (g)(i), (g)(ii) of the Local Government Act 2020.*

**The motion was Carried unanimously.**

## 10.3 Mt Dandenong Preschool

### SUMMARY

During the June 2021 storms the Mount Dandenong Preschool received substantial damage due to a fallen tree. The building was deemed unusable, and the kindergarten program was relocated to a vacant building at Olinda Primary School. Following the storm, council officers have undertaken a needs analysis, explored site options and sought the assistance of the Department of Education (DE) and the Victorian School Building Authority (VSBA) to investigate funding and support to rebuild the preschool.

Following strong advocacy, Council received confirmation in October 2022 that the Mount Dandenong Primary School had been approved by the Minister of Education as the preferred location for the reinstatement of a new preschool building. Ministerial approval covered building an enhanced preschool facility including a multi-purpose community space and consulting room to support other community services.

The damaged preschool, located at 1345 Mount Dandenong Tourist Rd, remains in the hands of Council's insurer awaiting an agreed settlement to be reached enabling subsequent demolition. This site is Crown Land managed by Council on behalf of the Department of Energy, Environment and Climate Action (DEECA) and reserved for infant welfare purposes only.

It is recommended that Council endorse the preschool development on the primary school site as the preferred location. It is also recommended that Council formally cease land management and any landholder agreement for 1345 Mount Dandenong Tourist Road, Mount Dandenong.

**Moved: Cr Fullagar**  
**Seconded: Cr Higgins**

*That Council*

- 1. Endorse the relocation and redevelopment of Mount Dandenong Kindergarten onto the Mount Dandenong Primary School site with a Kinder Plus model;*
- 2. Support a \$400,000 contribution to the development of the facility to secure space for a 'Kinder Plus' service; and*
- 3. Endorse the recommendation to notify Department of Energy, Environment and Climate Action of council's intention to cease the Committee of Management landholder arrangement for 1345 Mount Dandenong Tourist Road, Mount Dandenong.*

**The motion was Carried unanimously.**

## 10.4 Financial Hardship & Rate Recovery Policy

### SUMMARY

The current Rate Recovery and Financial Hardship Policy was adopted by Council on 22 March 2022.

An amendment to this policy has been developed to provide Council with a policy framework to provide financial relief to individuals and businesses after amendments to Rating provisions in the *Local Government Act 1989* (the Act) received royal assent in August 2022 and will commence on 20 June 2023.

**Moved: Cr Todorov**

**Seconded: Cr Fullagar**

*That Council approves the amended Rate Recovery and Hardship Policy.*

**The motion was Carried unanimously.**

## 10.5 Melbourne East Regional Sport and Recreation Strategy Update 2022-2032

### SUMMARY

The Melbourne East Regional Sport and Recreation Strategy (MERSRS) was developed in 2016, to provide the eastern region Councils with a collaborative approach to regional facility provision for sport and recreation. The 2016 MERSRS resulted in several key projects being delivered for Yarra Ranges including the development of the AFL Centre of Excellence at Kilsyth Recreation Reserve, planning and development of the Warburton Mountain Bike Destination project, as well as the development of the Eastern Region Trails Strategy.

A review of the MERSRS has been undertaken to ensure it remains contemporary and responds to the ever-changing sport and recreation landscape.

The reviewed MERSRS highlights key opportunities for Yarra Ranges including:

- The delivery of the Warburton Mountain Bike Destination project;
- Consideration of an Urban Aquatics Facility;
- Support and advocate for the Yarra Ranges Regional Equestrian Park proposed by a third party (or private consortium); and
- Consideration of a regional sports precinct to cater for a number of sports including multiple cycling disciplines.

The MERSRS also provides direction for regional level planning, collaboration, club development and advocacy.

The MERSRS has been presented to, and endorsed by, the Eastern Region Group of Council's, and this report seeks Council endorsement.

**Moved: Cr Todorov**

**Seconded: Cr McAllister**

*That Council adopt the Melbourne East Regional Sport and Recreation Strategy 2022-2032.*

**The motion was Carried unanimously.**

## 10.6 CT7134 - Construction of Chirnside Urban Park

### SUMMARY

This report summarises the evaluation process and seeks Council approval for the construction contract for the Chirnside Urban Park Project.

The project will provide a regional level playspace with a multi-level structure and play elements for all ages and abilities. It will seek to enhance the existing wetlands area to integrate with other proposed activity areas. The project also includes an accessible car park and public toilet amenities building.

A public open tender process was undertaken in accordance with the Local Government Act and council's procurement policy.

Tenders closed on 31<sup>st</sup> March 2023 and ran for a period of 34 days, and eight (8) submissions were received.

The evaluation panel recommends the tender from The Trustee for Burma Family Trust t/as Warrandale Industries Pty Ltd be accepted for a total lump sum price of \$3,761,415.68 (exclusive of GST and inclusive of tender options, cost saving initiatives and provisional sums).

This item has been included in the public agenda to facilitate openness and transparency in Council's decision making. A confidential attachment has been included with the report which contains commercially sensitive information that is not to be disclosed whilst the meeting is open to the public.

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

**Moved: Cr Higgins**

**Seconded: Cr Cox**

*That*

- 1. Council awards the tender from The Trustee for Burma Family Trust t/as Warrandale Industries Pty Ltd for CT7134 Construction of Chirnside Urban Park for the total lump sum price of \$3,761,415.68 exclusive of GST, inclusive of tender options and provisional sums and (\$4,137,557.25 inclusive of GST).*
- 2. The Director Built Environment & Infrastructure be delegated the authority to sign the contract documents.*
- 3. The confidential attachment to this report remains confidential indefinitely as it relates to matters specified under section 3(1)(g)(i),(g)(ii) of the Local Government Act 2020.*

**The motion was Carried unanimously.**

## 10.7 CT5515 - Annual Supply of Works, Services & Products - Extension of Contract

### SUMMARY

The purpose of this report is to seek approval for an extension of the following Contract CT5515, Annual Supply of Works, Services and Products currently held by numerous entities, until 30 June 2024:

The contractors provide essential work and services on Council assets to ensure that the assets are maintained appropriately and continue to deliver an acceptable level of service to the community. This report outlines the current contract arrangements, financial and service delivery responsibilities and principles for the proposed new contract should the extension be approved.

The contracts are scheduled to conclude on 30 June 2023.

**Moved: Cr Fullagar**  
**Seconded: Cr Higgins**

*That Council*

- In accordance with Council's Procurement Policy and the existing Terms and Conditions of Contract CT5515 Annual Supply of Works, Services and Products approves and delegates to the Director Built Environment and Infrastructure authority to negotiate an extension to the contract to 30 June 2024 with the existing Contractors:*

*Plant and Equipment*

- Anterior Civil (ABN: 41 078 779 469)
- Bells Civil Excavations Pty Ltd (ABN: 62 169 307 939)
- CA & JK Dargie Contracting Pty Ltd (ABN: 41 141 618 724)
- D & L Excavations Pty Ltd (ABN: 83 093 289 528)
- Dallum Constructions (ABN: 85 364 980 639)
- Downer Edi Works Pty Ltd (ABN: 66 008 709 608)
- Fern Earthmoving Pty Ltd (ABN: 28 081 358 796)
- Taylor Northgate Lodge Pty Ltd (ABN: 94 050 462 345)
- Jotomex Civil Contracting Pty Ltd (ABN: 72 161 928 436)
- Kalow Holdings Pty Ltd (ABN: 51 006 811 641)
- R & J KENT & CO PTY LTD (ABN: 30 006 592 490)
- Michael L Beard & Bronwyn L Carr (ABN: 54 725 195 735)
- State Plant Hire Pty Ltd (ABN: 48 071 212 292)
- Yarra Ranges Fire Management (ABN: 97 140 738 996)

### Asphalting

- Jotomex Civil Contracting Pty Ltd (ABN: 72 161 928 436)
- Prestige Paving Pty Ltd (ABN: 84 140 970 912)
- The Trustee For M May Family Trust t/a May Asphalting Group Pty Ltd (ABN: 72 450 624 025)
- M May Family Trust t/a Pro Pave Asphalt Services (ABN: 17 276 185 439)

### Asphalt Supply

- Boral Construction Materials Group (ABN: 15 000 028 080)
- Downer Edi Works Pty Ltd (ABN: 66 008 709 608)

### Quarry Products

- Boral Construction Materials Group (ABN: 15 000 028 080)
- Casacir Pty Ltd (ABN: 41 090 245 284)
- Castella Quarries Pty Ltd (ABN: 97 138 449 316)
- Dandy Premix Quarries t/as Yarra Valley Quarries (ABN: 57 125 332 989)

### Concrete Products

- A&V Creative Concrete Pty Ltd (ABN: 98 947 414 573)
- Foley Services Pty Ltd (ABN: 96 102 222 579)
- G & E & M D'Alessandro Concreting Pty Ltd (ABN: 12 093 355 581)
- Jotomex Civil Contracting Pty Ltd (ABN: 72 161 928 436)
- Prestige Paving Pty Ltd (ABN: 84 140 970 912)
- Ultimate Group Australia Pty Ltd (ABN: 86 132 170 622)

### Turf Services

- Amgrow Pty Ltd (ABN: 81 100 684 786)
- Globe Growing Solutions (ABN: 75 001 429 714)
- State Wide Turf Services (ABN: 49 529 929 272)
- AJ & RM UHR Henry t/as Turf, Drainage & Irrigation (ABN: 73 389 665 389)

### Sports Ground Drainage and Irrigation

- Aquatek Sports Field Drainage Pty Ltd (ABN: 18 005 811 585)
- Chapman & Rivett (Vic) Pty Ltd t/as Century Rain (ABN: 95 008 083 592)
- EJs Plumbing Pty Ltd (ABN: 83 088 398 770)

### Plumbing Services

- EJs Plumbing Pty Ltd (ABN: 83 088 398 770)
- New Plumbing Solutions (ABN: 79 261 981 649)

### Drainage

- Anterior Civil (ABN: 41 078 779 469)

- *Black Hole Enterprises Pty Ltd (ABN: 52 108 875 350)*
- *CSA Specialised Services Pty Ltd (ABN: 11 757 908 807)*
- *Dallum Constructions (ABN: 85 364 980 639)*
- *Foley Services Pty Ltd (ABN: 96 102 222 579)*
- *ITS Pipetech (ABN: 49 115 288 527)*
- *Jotomex Civil Contracting Pty Ltd (ABN: 72 161 928 436)*
- *M Tucker & Sons Pty Ltd (ABN: 14 007 193 811)*
- *Toxfree Australia Ltd (ABN: 31 127 853 561)*
- *Veolia Water Network Services Pty Ltd (ABN: 21 124 372 050)*
- *Environmental Services Group Pty Ltd (ABN: 43 145 149 971)*
- *Interflow Pty Ltd (ABN: 3400563208)*

Pit Lids

- *R & R Grating (ABN: 34 000 563 208)*
- *SVC Products Pty Ltd (ABN: 96 004 279 458)*

Supply of Pipes

- *Cadia Group Pty Ltd (ABN: 36 165 578 156)*

2. *Authorise the Chief Executive Officer to sign the extension contracts on behalf of Council.*

**The motion was Carried unanimously.**



## 10.8 CT5391 - Annual Supply - Mowing, Tractor Slashing & Brush Cutting

### SUMMARY

This report seeks approval for an extension of Contract CT5391, Annual Supply - Mowing, Tractor Slashing & Brush Cutting by three companies, until 30 June 2024:

The contractors provide essential work and services on Council open space assets to ensure that the assets are maintained appropriately and continue to deliver an acceptable level of service to the community. This report outlines the current contract arrangements, financial and service delivery responsibilities and principles for the proposed new contract should the extension be approved.

The contracts are scheduled to conclude on 30 June 2023.

**Moved: Cr McAllister**  
**Seconded: Cr Fullagar**

That Council

1. *In accordance with Council's Procurement Policy and the existing Terms and Conditions of Contract CT5391 Annual Supply - Mowing, Tractor Slashing & Brush Cutting, approves and delegates to the Director Built Environment and Infrastructure authority to negotiate an extension to the contract to 30 June 2024 with the existing Contractors:*
  - *Yarra Ranges Fire Management (ABN: 97 140 738 996)*
  - *Yarra Ranges Contracting (ABN: 73 075 330 077)*
  - *Land Management Systems Pty Ltd (ABN: 33 082 231 481)*
2. *Authorise the Chief Executive Officer to sign the extension contracts on behalf of Council.*

**The motion was Carried unanimously.**

## **11 COUNCILLOR MOTIONS**

*In accordance with Chapter 3, Division 4, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.*

There were no Councillor motions listed on the agenda for this meeting.

## **12 ITEMS THROUGH THE CHAIR**

### **12.1 Short Term Accommodation**

Cr McAllister requested an update on short term accommodation within the municipality come to Forum in the immediate future. Noting Mornington Peninsula Shire Council and Port Phillip Council have both recently had decision go through the chamber.

## **13 REPORTS FROM DELEGATES**

Cr Fullagar

- Attended the Eastern Transport Coalition on the 18 May 2023 via videoconference.
- Chaired, in the absence of Cr Todorov, the Health and Wellbeing Advisory Group meeting held on 18 May 2023 at the Yarra Ranges Council Civic Centre.

Cr Todorov

- Attended the Australia Local Government Women's Association National Conference on 17 May to 20 May 2023 at Cape Schanck Resort, Mornington Peninsula. Cr Skelton also attended the Conference.

## 14 DOCUMENTS FOR SIGNING AND SEALING

### SUMMARY

It was requested that the following document be signed and sealed:

#### ***Letter Under Seal – Ian Furness***

A letter under seal has been prepared in recognition of Ian Furness who is retiring after 22 years of service with Yarra Ranges Council, working as a Parks Maintenance Crew Member.

**Moved: Cr Child**

**Seconded: Cr Higgins**

*That the following listed document be signed and sealed:*

*Letter Under Seal – Ian Furness*

**The motion was Carried unanimously.**

## 15 INFORMAL MEETING OF COUNCILLORS

**Moved: Cr Child**

**Seconded: Cr Cox**

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

**The motion was Carried unanimously.**

## 16 URGENT BUSINESS

There was no Urgent Business received for this meeting.

## 17 CONFIDENTIAL ITEMS

*In accordance with section 66(2)(a) of the Local Government Act 2020.*

There were no Confidential Items listed on the agenda for this meeting.

**18            DATE OF NEXT MEETING**

There being no further business the meeting was declared closed at: 9.07 pm.

Confirmed this day, Tuesday, 6 June 2023.

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**Councillor Jim Child (Mayor)**

