

Council Meeting

Agenda

Tuesday, 11 July 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>

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The Minutes produced after each Council Meeting form the official record of the decisions made by Yarra Ranges Council.

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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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YARRA RANGES COUNCIL

**AGENDA FOR THE 585TH COUNCIL MEETING TO BE HELD ON TUESDAY
11 JULY 2023 COMMENCING AT 7.00PM IN COUNCIL CHAMBER, CIVIC
CENTRE, ANDERSON STREET, LILYDALE AND VIA VIDEOCONFERENCE**

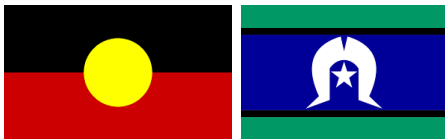
1. MEETING OPENED

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
Ryrie Ward: Fiona McAllister
Streeton Ward: Andrew Fullagar
Walling Ward: Len Cox

CHIEF EXECUTIVE OFFICER & DIRECTORS

Chief Executive Officer, Tammi Rose
Acting Director Built Environment & Infrastructure, Kim O'Connor
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 David Eastham.

5. MAYORAL ANNOUNCEMENTS

6. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Council Meeting held Tuesday 27 June 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 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.

CT7092 - STREET AND PARK LITTER BIN TENDER

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

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 attachments 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

The purpose of this report is to present the findings of the Tender Evaluation Panel for tender CT7092 Street & Park Litter Bin Collection & Maintenance Service which closed on 11 May 2023, and to seek approval to award Contract CT7092 Street & Park Litter Bin Collection & Maintenance (Contract) to the preferred tenderer as per the recommendations within the Confidential Yarra Ranges CT7092 Street & Park Litter Bin Collection & Maintenance Service Recommendation Report.

The award of the contract in July 2023 is required to ensure that the transition of services can be appropriately managed for a commencement of service on 1 October 2023.

RECOMMENDATION

That

- 1. That Council enter into a contract with WM Waste Management Services for the Street and Park Litter Bin Collection and Maintenance Service for an initial period of two (2) years with no extension options for a total sum of \$2,762,206.73 excluding GST.***

2. ***The Director Planning and Sustainable Futures be delegated the authority to finalise negotiations and sign the contract documents.***
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 award Contract CT7092 Street and Park Litter Bin Collection and Maintenance Service.

A tender process was undertaken to assist in establishing a new contract for the collection and maintenance of the Street and Park Litterbin service.

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 industry experts, probity, and procurement consultants, in addition to Council's representatives.

A copy of the recommendation report is in confidential Attachment 1.

Options considered

WM Waste Management Services Pty Ltd provided several innovative offers in its tender response which were evaluated as part of the submission. Please refer to the confidential attachment for details of the options considered in Attachment 2.

Recommended option and justification

Landfill Disposal Site

- The tender called for the contractor to undertake the disposal of waste to Council's contracted disposal site at Hampton Park Landfill, which was costed and included within the tender. An alternative option was proposed where the contractor delivers the material destined for landfill to the Lysterfield Recovery & Waste Transfer Station.

On review of this option, the TEP has determined that taking up the option of the material being delivered through the Lysterfield Recovery & Waste Transfer Station would reduce transport emissions and reduce transport costs to see best value to the community.

FINANCIAL ANALYSIS

To ensure best value for our community, the contract has been set for a fixed two-year term with no extension periods. This is to allow for a full review to be undertaken on the service to identify what impacts the new State Government's Container Deposit Scheme, which commences on 1 November 2023, will have on the service levels and collection frequencies.

The contract pricing for Street & Park Litter Bin Collections is based on schedule of rates for the contract term with Indices and Transport rate adjustments, which include CPI.

The Landfill disposal cost is covered by Council and does not form part of this contract.

For further financial information, refer to the confidential Cost Summary document in confidential Attachment 3.

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 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 Government's Recycle Victoria – A New Economy Policy.

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

SUSTAINABILITY IMPLICATIONS

Economic Implications

Economic impacts were considered throughout the evaluation process associated with this tender whilst considering the various options proposed.

Social Implications

Local and social sustainability was considered as part of the evaluation process and was evaluated in accordance with the overall qualitative evaluation. The preferred tenderer has a strong local presence supporting local community. To improve the amenity of community spaces, there has been an increase in the scheduled cleaning requirements of the street and park litter bins with a full clean four times a year as well as the normal wipe down of bins when required at time of emptying.

Environmental Implications

Waste Management and Resource Recovery Services are a key part of Council's Community Waste and Resource Recovery Plan which represents a vision for Yarra Ranges community working together towards a Circular Economy, minimising waste sent to landfill – avoiding waste, reusing and rehoming items where possible, sorting recycling well and minimising waste. The Contract includes specifications and obligations to ensure services are provided whilst considering environmental impacts and reducing greenhouse gases. The proposal from the preferred tenderer to use an alternative disposal site reduces travel distances and emissions.

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 Community Waste Resource Recovery Plan.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

Due to differing litterbin collection service types being undertaken across councils and differing contract timeframes, a joint procurement collaboration model was deemed not viable.

Innovation and continuous improvement were reviewed as part of the evaluation process, these can be seen through the options that were proposed under this tender.

RISK ASSESSMENT

WM Waste Management has a broad approach to providing various forms of waste collection services, these include: Hard waste collections, green waste collections, private and commercial waste skip bin collections, commercial front lift bin collections, mattress collection and recycling as well as operation of Recovery & Waste Transfer Stations.

The Resource Recovery Team will manage this contract to ensure compliance with contract specifications and service requirements.

The preferred tenderer WM Waste has submitted a tender that fully complies with all aspects of the contract; therefore no further negotiations are required allowing the contract to be swiftly executed. Operational requirements that arose out of the tender submission were agreed by the TEP to be managed as part of the contract award.

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*.

Each member of the project team completed a Conflict of Interest Declaration at project commencement. This included the TEP.

Prior to receipt of tender documents, each TEP member was required to update their Conflict of Interest Declaration or submit a nil return. There were no conflicts declared.

ATTACHMENTS TO THE REPORT

1. Recommendation Report – Confidential
2. Options Considered – Confidential
3. Cost Summary – Confidential

Confidential Item

Confidential Item

Confidential Item

RUE DE GARE AND PROSPECT ROAD, WANDIN NORTH SPECIAL CHARGE SCHEME FINAL COST

Report Author: Special Charge Scheme Officer
 Responsible Officer: Director Built Environment & Infrastructure
 Ward(s) affected: Chandler;

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

This report presents to Council for approval the final cost of works for the Rue De Gare and Prospect Road, Wandin North Road Improvement Works Special Charge Scheme.

RECOMMENDATION

That

- 1. Council approve the Final Cost of Works (Attachment 1) associated with the Rue De Gare and Prospect Road, Wandin North Special Charge Scheme with no variation in the landowner apportionment costs.**
- 2. Landowners included in the Special Charge Scheme be advised of the result of the final costing of the scheme.**

RELATED COUNCIL DECISIONS

At the meeting held on the 26 March 2019, Council declared a Special Charge Scheme for the construction of Rue De Gare and Prospect Road, Wandin North.

DISCUSSION

Purpose and Background

Council's *Special Charge Scheme Policy for Infrastructure Improvements* recommends that upon completion of the final costing of the project that a report be presented to Council advising:

- That the works are complete, and costs finalised.
- Of the final apportionment costs to liable property owners.
- Of the details of any variation between the original estimate and final costing.

The *Local Government Act 1989 (Section 165)* requires that where there have been savings achieved with a special rate or special charge, Council must make a refund which is proportionate to the contributions received by the Council, to the current owners of the relevant land.

Recommended option and justification

This report recommends that Council approve the Final Cost of Works (Attachment 1) associated with the Rue De Gare and Prospect Road, Wandin North Special Charge Scheme, with no variation in the landowner apportionment costs.

FINANCIAL ANALYSIS

Works have been formally completed for the improvement of Rue De Gare and Prospect Road, Wandin North, as proposed to landowners.

Rue De Gare and Prospect Road, Wandin North	Project Estimate	Actual Cost	Saving (Overrun)
Total Cost of Works	\$1,031,640	\$786,084	\$245,556
Council Costs			
Footpath (<u>ex Scheme</u>)	\$74,950	\$57,110	\$17,840
Council SCS Costs			
Council's 20% Contribution (broader community benefit)	\$191,338	\$145,795	\$45,543
Contribution for landowner costs over Federal Funding ceiling of \$7,000 per Residential Development Unit	\$126,007	\$209	\$125,798
Contribution for works abutting rail trail reserve (280m)	\$207,654	\$158,227	\$49,427

Contribution for Council Reserve 35 Prospect Road	\$9,191	\$7,004	\$2,187
Intersection Improvements Warb Hwy/Rue De Gare	\$20,000	\$15,239	\$4,761
Total Council Scheme Costs	\$554,190	\$326,474	\$227,716
Total Council Project Costs	\$629,140	\$383,584	\$245,556
Landowner Costs			
Costs per individual Residential Development Unit (Federal Government Ceiling)	\$7,000	\$7,000	Nil
Total Landowner Costs (excluding financing costs)	\$402,500	\$402,500	Nil

The Special Charge Scheme has been completed at a cost saving of \$227,716 compared to the initial scheme estimate.

The methodology for determining the apportionment of costs for the scheme is as follows:

1. Estimate of Cost is established.
2. Council costs for any external works (to the scheme) are deducted from the Estimate of Cost (Footpath construction).
3. A calculation of broader community benefit is determined as a percentage of the sum of Estimate of Cost less Council cost for external works.
4. Council contribution for intersection works, works abutting the Rail Trail Reserve and Council Reserve at 35 Prospect Road are calculated.
5. A sub-total is established of Estimate of Cost less costs for external works and less Council contribution for broader community benefit, intersection works and works abutting Rail Trail Reserve and Council Reserve at 35 Prospect Road.
6. The sub-total is then apportioned amongst landowners.
7. If the costs per Residential Development Unit exceeds the Federal Government ceiling amount of \$7,000, a further contribution is made by Council on the basis that should there be any savings achieved in delivering the scheme compared to the Estimate of Cost, that this subsidy will be first reduced before any savings would become available to landowners.

This same process is then applied in the distribution of the actual costs incurred for the scheme.

Council scheme costs have reduced by \$227,716.

As the actual landowner costs exceed the Federal Government ceiling amount of \$7,000 per development unit, the actual costs to landowners will not vary.

APPLICABLE PLANS AND POLICIES

The construction of local roads as a Special Charge Scheme meets the *Council Plan 2021-2025* strategic objective of Quality Infrastructure and Liveable Places. Local road construction also has benefits related to the strategic objective of a Vibrant Economy, Agriculture and Tourism.

Council's *Special Charge Scheme Policy for Infrastructure Improvements* sets out in detail the procedures for managing Special Charge Schemes.

RELEVANT LAW

Special Charge Schemes for Infrastructure Improvements are implemented under the special charge provisions of the *Local Government Act 1989*.

SUSTAINABILITY IMPLICATIONS

Economic Implications

As the actual landowner costs still exceed the Federal Government ceiling amount of \$7,000 (per Residential Development Unit), these costs will not vary.

Social Implications

See comments (above) under Economic Implications.

Environmental Implications

Environmental implications of the works were considered when Council declared the Special Charge Scheme.

COMMUNITY ENGAGEMENT

Landowners were advised at the time that the Special Charge Scheme was declared that, if there are any savings when final costing of works are determined upon completion of the scheme, the savings will be reapportioned, and the landowner component of the savings will then be passed onto landowners.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

Council's funding for the Special Charge Scheme was sourced from the Federal Government's Roads for the Community Initiative.

RISK ASSESSMENT

Risk assessment of the works was considered when Council declared the Special Charge Scheme.

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. Final Cost of Works

Rue De Gare & Prospect Road, Wandin North

FINAL COST OF WORKS

Contract number CT5961

In accordance with Section 163 Local Government Act 1989, a special charge for the construction of

Rue De Gare & Prospect Road, Wandin North
has been levied by council. Works have now been completed.**PROJECT DETAILS:**

The date of commencement of works in situ	25-Oct-19
The date of final completion of works	7-Apr-21
The estimated cost of the project (excl. Financing & GST)	\$1,031,640.00
comprising : Landowner component (before Council ceiling subsidy)	\$528,506.93
Landowner component (after Council ceiling subsidy)	\$402,500.00
Landowner Financing Cost (5% for 10 years)	\$100,625.00
Landowner Total Cost	\$503,125.00
Council Sole Responsibility (Reserves, Footpath, Intersection)	\$311,795.07
Council Share of Chargeable Component (20% contribution)	\$191,338.00
Council subsidy for Ceiling in accordance with Council Policy	\$126,006.93
Council Total Cost	\$629,140.00

Estimated apportionment distribution of landowner costs:

Development units Ratio	100%	Development units	57.50
Frontage metres Ratio	0%	Frontage metres	0

Preliminary apportionment of estimated cost before application of Council ceiling amount:

	Works	Financing	Total
Development units @ per unit	\$9,191.42	\$1,750.00	\$10,941.42
Frontage metres @ per metre	\$0.00	\$0.00	\$0.00

Ceiling cost for landowners in accordance with Council Policy \$7,000

Final apportionment of estimated cost after application of Council ceiling amount:

Development units @ per unit	\$7,000.00	\$1,750.00	\$8,750.00
Frontage metres @ per metre	\$0.00	\$0.00	\$0.00

Additional Council Costs (to be deducted from above Landowner Total Cost) comprising:

Council cost for reduction in landowner charges following submissions (0 units)	\$0.00
\$0.00	

SUMMARY OF CONSTRUCTION COSTS

Contract sum (excl. GST)	\$671,064.00
<u>Contract Variations:</u>	
Additions (excl. GST)	\$51,104.00
Deductions (Provisional Items and % of Ag Drains)	-\$62,890.00
Other works and charges (included in the scheme)	
Ancillary Works (excl. GST)	\$17,902.68
Design, supervision and administration	\$108,903.02
Total Project Cost:	\$786,083.70

ACTUAL COSTS:**Council Costs**

Council Sole Responsibility (Footpath)	\$57,110.00
Council Share of Chargeable Component (20% contribution)	\$145,794.74
Council contribution (Reserves Abuttal, Intersection Works)	\$180,469.49
Council subsidy for Ceiling in accordance with Council Policy	\$209.47
Sub total	\$383,583.70
** Council cost for reduction in landowner charges following submissions (0 units)	\$0.00
Council Total Cost	\$383,583.70

Landowner Costs

Landowner component (before Council ceiling subsidy) (including ** above)	\$402,709.47
Landowner component (after Council ceiling subsidy)	\$402,500.00
Landowner Financing Cost (5% for 10 years)	\$0.00
Landowner Total Cost	\$402,500.00

Preliminary apportionment of actual landowner cost before application of Council ceiling amount:

	Works	Financing	Total
Development units @ per unit	\$7,003.64	\$0.00	\$7,003.64
Frontage metres @ per metre	\$0.00	\$0.00	\$0.00

Final apportionment of actual landowner cost after application of Council ceiling amount:

Development units @ per unit	\$7,000.00	\$0.00	\$7,000.00
Frontage metres @ per metre	\$0.00	\$0.00	\$0.00

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

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

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. 20 June 2023 - Council Briefing;
2. 20 June 2023 - Council Forum; and
3. 20 June 2023 - Review of Complex Planning Matters

Informal Meeting of Councillors

Public Record



Meeting Name:	Council Briefing	
Date:	20 June 2023	Start Time: 6.07pm Finish Time: 6.14pm
Venue:	Council Chamber, Civic Centre, Anderson Street, Lilydale and via video conference	
Attendees:	Councillors:	Jim Child, Sophie Todorov, Andrew Fullagar, Tim Heenan, Johanna Skelton and Richard Higgins
	Via Zoom:	Fiona McAllister
	CEO/Directors:	Tammi Rose, Kath McClusky, Jane Price, Hjalmar Philipp, and Andrew Hilson
	Officers:	Gina Walter, Sarah Candeland, Allison Southwell
Apologies	David Eastham, Len Cox	
Disclosure of Conflicts of Interest:	Nil	
Matter/s Discussed:	This briefing covered the following items of business to be considered at the 27 June 2023 Council Meeting.	
	10.1	2023-2024 Budget for Adoption
	10.2	Council Report - YR-2019/418 - 28 Central Avenue Mooroolbark
	10.3	YR-2022/1106 - Hereford Road, Mount Evelyn - Planning Report
	10.4	CT7094 Hard Waste Collection & Disposal
	10.5	Rural Advisory Committee proposed amendments to Terms of Reference and opening of all positions to expressions of interest
	10.6	The Voice Referendum
	10.7	Audit and Risk Management Committee Bi-Annual Report
	10.8	Audit and Risk Management Committee - Independent Member Appointment
	10.9	Active Recreation for People Plan – Community Consultation
	10.10	Campbell Road, Crosley Street and Pilmer Road, Healesville Variation of Special Charge
	10.11	EOI6105 7039 Station Street, Seymour Street, Britton Road, Seville - Road improvement works SCS
	10.12	CEO Review 2023
Completed By:	Gina Walter	

Informal Meeting of Councillors

Public Record



Meeting Name:	Council Forum	
Date:	20 June 2023	Start Time: 7.01pm Finish Time 9.38pm
Venue:	Council Chamber, Civic Centre, Anderson Street, Lilydale and via video conference	
Attendees:	Councillors:	Jim Child, Andrew Fullager, Sophie Todorov (exited the Chamber 7:50 – returned 7:55), Richard Higgins, Johanna Skelton and Tim Heenan
	Via Zoom:	Len Cox and Fiona McAllister (exited the Chamber 8:37 – returned 8.44)
	CEO/Directors:	Tammi Rose, Andrew Hilson, Jane Price, Hjalmar Philipp and Kath McClusky
	Officers:	Sarah Candeland, Gina Walter, Ben Waterhouse, Nathan Islip and Allison Southwell
	Via Zoom:	Helen Forster, Alison Fowler, Alanna Ford, Ben Champion and Penni Thomas
Apologies	David Eastham	
Disclosure of Conflicts of Interest:	Nil	
	2.1	Action and Agreement Record from 6 June 2023
	2.2	Councillor Discussion Time
	2.3	2023-2024 Budget – Draft
	2.4	Draft Housing Strategy Update
	2.5	Reopening of the Public Galley
	3.0	For Noting
	3.1	Contract Approvals and Variations May 202
	3.2	Indicative Forum & Council Meeting Schedule
	4	Mayor & CEO Update
	5	General Business
	6	Late Items and Urgent Business
Completed By:	Gina Walter	

Informal Meeting of Councillors

Public Record



Meeting Name:	Review of Complex Planning Matters	
Date:	20 June 2023	Start Time: 5.31pm Finish Time: 6.07pm
Venue:	Council Chamber, Civic Centre, Anderson Street, Lilydale and via video conference	
Attendees:	Councillors:	Jim Child, Sophie Todorov, Andrew Fullagar, Johanna Skelton, Richard Higgins (from 5.47pm) and Tim Heenan
	Via Zoom:	Fiona McAllister (from 5.38pm)
	CEO/Directors:	Tammi Rose (from 5.34pm), Jane Price, Kath McClusky, Hjalmar Philipp and Andrew Hilson
	Officers:	Gina Walter, Sarah Candeland, Mindy McCubbin, Bumeke Jayasinghe Amanda Kern, Allison Southwell and Nathan O'Shaughnessy
	Via Zoom:	David Young
Apologies	David Eastham, Len Cox	
Disclosure of Conflicts of Interest:	Nil	
Matter/s Discussed:	1.2	YR – 2019/418 – 28 Central Avenue Mooroolbark - Council Report
	1.2	YR – 2022/1106 - Hereford Road, Mount Evelyn – Planning Report
Completed By:	Gina Walter	

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 25 July 2023 commencing at 7.00pm, at Council Chamber, Civic Centre, Anderson Street, Lilydale and 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.