

## **7.11 Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East Intention to Levy a Special Charge**

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**RESPONSIBLE OFFICER**      Director Environment & Infrastructure

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### **SUMMARY**

In June 2018, Councillors were briefed on a proposed Special Charge Scheme for the construction of Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East. Concerns were raised over the Council contribution required, which equated to 65% of total project cost. Due to budget pressures at the time, it was not financially viable for Council to continue with the project as proposed with it being necessary for the landowner/Council funding mix for this project be reviewed.

Affected landowners were advised of the inability of the project to progress and that a new questionnaire to determine support for the proposed Special Charge Scheme would be conducted after review of the landowner/Council funding mix had been carried out.

In February 2021 a new landowner questionnaire was conducted based on a revised project cost and funding mix. Landowners returned majority support for the project and were advised that it would be referred for inclusion in Council's Capital Expenditure Budget for the 2022/2023 financial year.

An early funding opportunity for Council's contribution to this project has recently been identified via funding available through the Federal Government Roads to Recovery allocation to Council and it is therefore proposed to bring the project forward to this financial year, subject to continued landowner support for the project.

Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East is not included on the list of roads endorsed by Council for construction under the Roads for the Community funding program, as other roads across the municipality were prioritised higher than this road. The funding available under the Roads for the Community program is only sufficient to fund the improvement of approximately 180 kms of Council's 750km unsealed road network.

This report recommends affected landowners be notified of Council's Intent to Levy a Special Charge for the construction of Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East.

### **RECOMMENDATION**

***That***

- 1. The affected landowners be advised of Council's intent to declare a special charge ("the special charge") at its meeting scheduled for 23 November 2021, or should this meeting not proceed then the next available Council meeting, for the purpose of defraying expenses associated with proposed improvement***

*works in Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East.*

2. *In accordance with Section 163 (3) of the Local Government Act 1989 Council specifies that the special charge*
  - (a) *Is proposed to be declared for the land in the “designated area” shown on the attached plan.*
  - (b) *Will be payable in respect of all rateable land within the designated area.*
  - (c) *Will be assessed and levied as set out in this resolution.*
  - (d) *Will remain in force for the period commencing on 1 July 2022 and concluding on 30 June 2032.*
3. *In accordance with Section 221 of the Local Government Act 1989 the special charge is also proposed to be declared in respect of land within the designated area which is not rateable land and is not Crown land.*
4. *It is recorded that assessment of the special charge is calculated on the following basis:*
  - (a) *\$21,889 per development unit.*
  - (b) *Plus financing cost of 3% per annum.*
  - (c) *100% on a development unit basis as follows.*
    - (i) *Special benefit where a dwelling or building is permitted.*
    - (ii) *The degree of special benefit having regard to the use or future use of the land.*
5. *The amount assessed, based on the assessment factors, is set out in the attached schedule of costs per property for the scheme.*
6. *If works do not commence within 12 months of declaration of the special charge scheme the financing cost rate applicable to landowners repaying the special charge over 10 years be reviewed, based on number of assessments involved, interest rate movements and the quantum of the project.*
7. *Should the financing cost rate change after review, a further report be submitted to Council at the time of commencing works to confirm the financing cost rate that shall apply to the proposed special charge, and those persons liable to pay the special charge over a 10 year period be notified of the revised financing rate.*
8. *In accordance with section 167 (4) of the Local Government Act 1989, landowners be offered an option to repay their charge as a lump sum payment. For landowners to undertake this option, full payment is to be made by 15 February 2023, and the proportion of the cost to finance this scheme*

*attributable to the property is to be deducted from the total charge.*

9. *Subject to any variation of the scheme under Section 166 of the Local Government Act 1989, the amount to be levied under the scheme exclusive of interest payable under Section 172 of the Local Government Act 1989 will be*
  - (a) *In total \$531,163 ("the amount to be paid"); comprising of \$461,863 for the cost of works and \$69,300 for financing cost.*
  - (b) *On each date specified under Section 167 of the Local Government Act 1989 as being the date on which the whole of rates and charges (other than special rates and charges) is due ("the due date") the amount represented by the formula:  $X/Y$  where X represents the amount to be paid and Y represents the number of due dates during the period which the scheme will remain in force.*
10. *The Chief Executive Officer be authorised to give public notice of the intent to declare the special charge in accordance with Section 163 (1A) and 223 of the Local Government Act 1989 in The Star Mail newspapers and on Council's Internet Website.*
11. *If required a consultation meeting comprising the Mayor and/or Deputy Mayor and/or Ward Councillor, be arranged to discuss any submissions received relating to this Special Charge.*
12. *If submissions are made*
  - (a) *Those submissions be considered, and any person (or their representative as specified in their submission) who has requested to be heard in support of his or her submission be heard, by a meeting of Council scheduled for 23 November 2021, or should this meeting not proceed then the next available meeting.*
  - (b) *Those persons making submissions be advised copies of their submissions will be made available at the Council meeting held when their submission is considered.*
13. *If no submissions are made, the matter be reported to Council at the meeting scheduled for 23 November 2021, or should this meeting not proceed then the next available meeting.*
14. *The Chief Executive Officer be authorised and directed to seek payment of and recover the special charge with any interest thereof .*

## **DISCLOSURE OF 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*.

## PROPOSAL

It is proposed to notify affected landowners of Council's intent to levy a special charge for the construction of Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East.

The proposed improvements works will provide the following benefits to involved landowners:

- Continued and safer vehicular access to and from properties abutting or gaining primary access via Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East;
- Improved stormwater drainage runoff control directed towards the road from abutting properties and protection of low side properties from stormwater runoff from the road;
- Enhanced physical and environmental amenity for abutting properties; and
- Special benefit to landowners of properties, within the designated area of the scheme, abutting or gaining primary access via the proposed works.

## RELATED COUNCIL DECISIONS

At its meeting on 24 September 2019, Council considered a report that included an addendum to Council's Special Rate and Charge Scheme Policy for Infrastructure improvement. The following recommendation was adopted:

*Clause 4.6 of Council's Special Rate and Charge Scheme Policy for Infrastructure Improvements be amended by removing the landowner ceiling for projects not listed as a priority to be funded by the Federal Government funding initiative.*

This report has been published on Council's website and is available by searching the Agenda for the 24 September 2019 Ordinary Meeting:

[https://www.yarraranges.vic.gov.au/Council/Council-meetings/Minutes-and-agendas?dlv\\_OC%20CL%20Public%20Meetings=%28pageindex=4%29](https://www.yarraranges.vic.gov.au/Council/Council-meetings/Minutes-and-agendas?dlv_OC%20CL%20Public%20Meetings=%28pageindex=4%29)

In June 2018, Council Forum considered a proposed Special Charge Scheme for the construction of Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East, however, the ability to support the construction was deferred subject to a review of the unsealed road network and overall project benefit to the broader community. It should be noted that this re-prioritisation lead to the business case for the Roads for the Community Initiative grant proposal.

## BACKGROUND

Wandin Creek Road (from Beenak Road south to Monbulk Seville-Road), Wandin East is a local road approximately 2.1km in length connecting Beenak Road to Monbulk-Seville Road. This road is not listed to be constructed under the Roads for the Community funding program as other roads across the municipality were prioritised higher than this road. The

funding available under the Roads for the Community program is only sufficient to fund the improvement of approximately 180 kms of Council's 750km unsealed road network.

The road services a variety of property types including Rural Business, Farm and Residential, with some properties being a combination of all three types.

In June 2018, Council Forum considered a proposed Special Charge Scheme for the construction of Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East.

Councillors raised concerns over the over the Council contribution required, which equated to 65% of total project cost recognising that due to financial constraints that it was not viable to proceed with the project as proposed and that a review of the landowner/Council funding mix for this project should occur for this project to be able to progress.

Affected landowners were advised of the inability of the project to progress and that a new questionnaire to determine support for the proposed Special Charge Scheme would be conducted after review of the landowner/Council funding mix had been carried out.

In February 2021 a new landowner questionnaire was conducted based on revised project costs and funding mix. Landowners were advised that:

- In accordance with Council Policy, the Council contribution to the project would amount to 34% of total cost. This comprises a 20% contribution in accordance with Council's policy as an incentive for landowners to become involved in the project and a further 14% contribution in recognition of the benefit to the wider community in the form of through traffic that is expected to use the constructed road.
- Landowners whose properties share a boundary with the road would be required to fund the balance (66%) of the costs for construction of the road

In order to increase the viability of the project the scope of works was amended as follows:

- 5m wide asphalt sealed road with road widening at bends.
- No major intersection improvements at Monbulk Seville Road. The project previously included intersection improvements at a considerable cost. These works are now intended to be reduced in scale to a standard intersection upgrade treatment as currently exists.

Landowners returned majority support for the project and were subsequently advised that it would be referred for inclusion in Council's Capital Expenditure budget for the 2022/2023 financial year.

An early funding opportunity for Council's contribution to be provided from the Federal Government Roads to Recovery allocation to Council for this project has recently been identified due to the need to defer rehabilitation of Melba Avenue, Lilydale (due to recent advice from the State Government that the level crossing is to be closed) and it is therefore proposed to bring the project forward to this financial year, subject to continued landowner support for the project.

The design for the project is complete, and the project is ready to proceed to the statutory phase.

The severe storm event of 9 and 10 June 2021 may have negatively impacted some landowners involved in this project. Should the proposed Special Charge Scheme proceed, repayment of the special charge would not commence until the 2022/23 financial year.

Those landowners who may be experiencing financial hardship will be informed that they may apply for assistance in accordance with Council's *Rate Recovery and Financial Hardship Policy*.

## **STRATEGIC LINKS**

The construction of local roads as a Special Charge Scheme meets the *Council Plan 2017-2021* 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 Rate and Charge Policy for Infrastructure Improvements* sets out in detail the procedures for managing Special Charge Schemes.

## **CONSULTATION**

In February 2021 landowners along Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East were surveyed to determine the level of support for a landowner funded Special Charge Scheme to construct the road. Results were as follows.

- 19 (79%) of landowners responded to the survey.

Of those landowners who responded to the survey:

- 13 (68%) supported the proposed Special Charge Scheme
- 6 (32%) opposed the proposed Special Charge Scheme

Landowners were advised that majority landowner support for the proposed Special Charge Scheme had been identified and that construction, subject to successful completion of the Special Charge Scheme Statutory Process, be referred to Council for consideration of its inclusion in the Capital Expenditure budget for the 2022/2023 financial year.

Due to Covid-19 implications, a traditional public meeting for the landowners along Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East was not considered prudent. As an alternative, a letter was mailed to landowners inviting them to view an on-line briefing presentation detailing the standard of works and the statutory processes required to implement a Special Charge Scheme. The briefing presentation is available for viewing on Council's website.

Those landowners unable to access the internet were advised that a copy of the presentation and functional design plans could be mailed to them on request.

## FINANCIAL IMPLICATIONS

Following detailed design for the project the estimated cost of works has been determined as \$699,793.

Council's contribution to the project is estimated to be \$237,930 (34% of project cost).

Council's contribution is proposed to be funded from the Federal Government's Roads to Recovery allocation to Council in this year's budget for pavement rehabilitation works in Melba Avenue. These works have been postponed due to the potential closure of the railway crossing on Melba Avenue as part of the State Government's level crossing removal works.

The landowner contribution to the project is estimated to be \$461,863 (66% of project cost)

This estimate has been prepared based upon previous works carried out throughout the municipality and includes a 10% contingency amount.

### ***Scheme Details***

<b>Estimated Scheme Cost</b>	<b>\$699,793</b>
<u>Less</u> Council's 34% Contribution as an incentive and in recognition of through traffic	\$237,930
<b>Balance of estimated cost to be recovered from landowners (excluding financing costs)</b>	<b>\$461,863</b>

Details of the calculation of special benefit and maximum total levy are set out in Attachment 1 – Special Benefit and Maximum Total Levy.

### ***Financing Costs***

Funding of the landowner component of the project is to be provided through loans. The financing cost rate is determined from Council's latest borrowings. The financing cost rate applicable is 3.0% based on latest borrowings rates for a ten-year period.

Financing costs are to be recovered from landowners who choose not to pay in full by 15 February 2023. Total landowners' estimated share for the works is \$461,863 plus an amount of \$69,300 for financing costs. These financing costs have been separately accounted for in the debt servicing budget.

### ***Period for Which Special Charge Remains in Force***

The special charge remains in force for the period commencing 1 July 2022 and concluding on 30 June 2032, or until paid in full, with any interest thereon.

### ***Date of Payment***

A notice pursuant to Section 167 (3) of the *Local Government Act 1989* shall be issued with payment due on 15 February 2023. If a person elects to pay general rates and charges by instalments or any other method available, the special charge will be paid in the same manner.

It is recommended the Chief Executive Officer be authorised and directed to seek payment of and recover the special charge with any interest thereon.

### ***Incentives for Prompt Payments***

No incentives will be offered for prompt payment prior to the prescribed date of payment.

### ***Variation***

The details and particulars of this special charge shall remain in force unless varied by Council in accordance with the *Local Government Act 1989*.

## **KEY ISSUES**

### ***Status of Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East***

A search of Council's records indicates that Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East has not previously been constructed to the satisfaction of Council under Section 163 of the *Local Government Act 1989* or under Division 10 of Part XIX or Part XIII of the *Local Government Act 1958*.

Council is therefore able to proceed with its intent to declare a special charge pursuant to Section 163 of the *Local Government Act 1989*.

### ***Power to Undertake Works***

Implementation of the works will be carried out under Sections 8 and 10 of the Local Government Act 2020 which identifies the role and powers of Councils.

### ***Nature and Purpose of Special Charge***

As a result of landowner consultation, significant support has been identified from landowners along Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East for implementing a Special Charge Scheme for sealing the road and drainage improvement works.

The purpose of the special charge is to improve safety, amenity and accessibility for landowners involved.

### ***Designated Area***

The special charge is proposed to be declared in respect of the properties within the designated area, being those properties that abut or gain primary access via Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East as shown in Attachment 2 – Designated Area.

These properties are considered to be naturally coherent in accordance with the Ministerial Guideline on Special Rates and Special Charges.



***Planning Policies***

The proposed works are to be carried out within the GWAZ1 – Green Wedge A Zone Schedule 1 of the Yarra Ranges Planning Scheme.

For this zone the planning scheme includes a purpose and objective. The proposed works are considered consistent with the purpose and objective of the zone.

In addition to zone objectives it is considered these works are consistent with the planning scheme requirements applied to works, specifically:

- Minimal impact to the natural environment and landscape; and
- Enhancement of visual amenity of the area.

The proposed works will not require vegetation removal. All works will be completed in compliance with Council's Code of Environmental Practice for Works on Council Managed Land.

A Cultural Heritage Management Plan is not required for the works.

***Description of Works***

Proposed works for Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East:

- Approximately 2100 metres asphalt road generally 5 metres trafficable width following the existing road formation.
- Localised road widening at bends.

These works are considered to be of an appropriate standard to service Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East, and are not in excess of the standard which would normally be adopted by Council for the improvement of a local road. No major intersection improvements at Monbulk Seville Road/Wandin Creek Road will be incorporated into the project.

***Special Charge Scheme***

A Special Charge Scheme has now been prepared for the above works, to allow Council to advise of its intent to declare a special charge.

Attached is a calculation of Special Benefit and Maximum Total Levy, a plan showing the designated area, estimate of cost of works and schedule of costs per property for road improvement works to Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East.

***Environmental Impacts***

The proposed works will not require vegetation removal. All works will be completed in compliance with Council's Code of Environmental Practice for Works on Council Managed Land.

A Cultural Heritage Management Plan is not required for the works.

The works will enhance environmental amenity, through the reduction in dust.

***Social Impacts***

Special Charge Schemes for road construction require sizeable contributions from abutting landowners. These contributions can lead to social and economic impacts for affected landowners. Council's *Special Rate and Charge Policy for Infrastructure Improvements* notes that those landowners with a demonstrated financial hardship may apply for assistance in accordance with Council's *Rate Recovery and Financial Hardship Policy*.

***Economic Impacts***

Refer to Social Impacts (above) for commentary on affected landowners and financial hardship.

The *Local Government Act 1989* recognises that a property receives a special benefit from construction of an abutting road. The economic benefit to an individual property is however difficult to quantify.

***Risk Assessment***

Construction of the road would provide the following benefits/risk reduction to landowners:

- Continued and safer vehicular access to and from properties abutting or gaining primary access via Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East;
- Improved stormwater drainage runoff control directed towards the road from abutting properties, and protection of low side properties from stormwater runoff from the road; and
- Enhanced physical and environmental amenity for abutting properties.

It is noted that this road has existed in its' current form for many years. If the proposed construction of the road does not proceed, no unacceptable or unmanageable risk would be experienced by Council.

**FURTHER CONSULTATION*****Public Notice***

Council is required to publish a public notice, a copy of which must be sent to each person who will be liable to pay the special charge, within three working days of the day on which the public notice is published. The public notice must state which persons have a right to

make a submission to the proposed declaration, and how those persons may make a submission. Submissions in writing must be lodged with the Council within 28 days of the day on which the public notice is published.

In addition, the public notice must contain an outline of the proposed declaration, set out the date on which it is proposed to make the declaration and advise that copies of the proposed declaration are available for inspection at Council's Community Links for at least 28 days after the publication of the notice.

It is recommended that Council authorise the publication of this statutory notice in The Star Mail local newspapers and on Council's internet website.

### **Submissions**

Council or a Delegated Committee of Council is required to consider any written submissions. These submissions should be received by Council by a date specified in the notice which is not less than 28 days after the publication of the above notice.

Persons making a written submission to Council are entitled to request to appear before Council or the Delegated Committee of Council to be heard in support of their written submission or be represented by a person specified in their submission.

It is recommended that a consultation meeting comprising the Mayor and/or Deputy Mayor and/or Ward Councillor, be arranged to discuss any submissions received relating to this Special Charge. Following this consultation meeting the normal process for submitters presenting to Council will apply.

It is recommended that persons making a written submission to Council be advised that:

- Submissions will be considered, and any person (or their representative as specified in their submission) who has requested to be heard in support of his or her submission be heard, by a meeting of Council scheduled for 23 November 2021, or should this meeting not proceed then the next available meeting; and
- Copies of submissions (excluding submitter's names and addresses) will be made available at the Council meeting when submissions are considered.

### **DECLARATION OF THE SPECIAL CHARGE**

It is recommended that Council at its meeting scheduled for 23 November 2021 or should this meeting not proceed then the next available meeting, following the consideration of any submissions, determine whether to adopt, amend or abandon the scheme. If Council adopts or amends the scheme, the special charge may then be declared.

The special charge is then levied by sending a notice under Section 163 (4) of the *Local Government Act 1989* to the persons liable to pay the charge.

Following the levying of the charge a person under Section 185 of the *Local Government Act 1989* aggrieved by the imposition of the special charge on that person, may within 30 days after the date of effective issue of the notice levying the charge, apply to the Victorian Civil and Administrative Tribunal for a review of the decision.

## CONCLUSION

It is recommended that Council advise the affected landowners of its intent to declare a special charge for Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East Improvement Works Special Charge Scheme in accordance with the provisions of the *Local Government Act 1989*.

## ATTACHMENTS

- 1 Special Benefit and Maximum Total Levy [↓](#)
- 2 Designated Area [↓](#)
- 3 Estimated Cost of Works [↓](#)
- 4 Schedule of Costs per Property [↓](#)

**Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road),  
Wandin East**

**Calculation of Special Benefit and Maximum Total Levy**

In accordance with Section 163 (2) of the Local Government Act and Ministerial Guidelines prepared relating to special rates and charges, Council is required to give consideration to special benefit received from properties external to the proposed special charge as compared to those that will be liable for the special charge.

Landowners involved in the scheme are not to be charged more than their proportional benefit for the proposed works (Maximum Total Levy).

The Maximum Total Levy equates to the product of the Benefit Ratio (R) and total cost of the works for which the special charge is being established.

Council is required to establish a Benefit Ratio calculated as follows:

$$\frac{\text{TSB (in)}}{\text{TSB (in)} + \text{TSB (out)} + \text{TCB}} = R$$

TSB (in) - is the estimated total special benefit for those properties that the Council proposes to include in the scheme.

TSB (out) - is the estimated total special benefit for those properties with an identified special benefit that the Council does not propose to include in the scheme.

TCB - is the estimated total community benefit.

R - is the benefit ratio.

**Properties included in the scheme - TSB (in)**

It is proposed to include 24 properties within the scheme which having regard to development result in 21.1 development units for those properties that abut or gain primary access via Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East. The criteria considered appropriate for differentiating between special benefit received by these properties compared to properties not included in the scheme and the broader community are as follows:

- works will provide continued and safer vehicular access to and from properties abutting or gaining primary access via Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East
- works take waters flowing from the lands or premises towards other lands or premises
- works take waters flowing towards the land or premises from other lands or premises
- works enhance the physical and environmental amenity of the land and local area.

TSB (in) is therefore calculated as having a result of 21.1.

Properties not included in the scheme receiving special benefit - TSB (out)

There are no other properties with an identified special benefit that Council does not propose to include in the scheme.

TSB (out) is therefore calculated as having a result of 0.

Community benefits – TCB

Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East acts as a collector road for the benefit of the broader community.

There is no community facility that may derive a special benefit from the works.

It is considered that a community benefit is applicable in this scheme and calculated by means of through traffic in accordance with Council Policy which has regard to total traffic use of the road compared to traffic use of abutting properties.

TCB is therefore calculated as having a result of 10.87 (rounded).

Maximum Total Levy

Having regard to "properties not included in the scheme receiving special benefit" and "community benefits", it is considered that the 24 landowners within the proposed special charge will receive 66 percent of the overall benefit as a Benefit Ratio (R) for the proposed scheme by applying the above factors to the Ministerial Guidelines formula.

The calculation of the Maximum Total Levy therefore equates to \$461,863 (cost of Scheme works less Council's 34% contribution for through traffic).

Having regard to Council's contribution towards the works, as per the Scheme Details, Council will not be seeking to levy more than the Maximum Total Levy, as required by section 163 (2A) of the Act.

**Manner of assessment and levy**

Pursuant to Council's Special Charge Scheme Policy the manner of assessment will take into account the following criteria:-

- all lands within the designated area, described above
- the zoning of those lands, their existing and potential use
- the special benefit to each of those lands
- the accessibility of the works for those lands.

The basis of apportionment has been formulated in accordance with Council's Special Rates and Charges Policy on a development unit basis as follows:

- (i) special benefit where a dwelling or building is permitted

- (ii) the degree of special benefit having regard to the use or future use of the land of the land.

Generally, lots will be charged one development unit where access to the property is primarily taken directly from Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East. Instances where a property takes primary access from an alternative road and has an additional abuttal to Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East as sideage or rearage, the property would then be generally charged one half of a development unit.

Wandin Creek Road services a variety of property types including Rural Business, Farm and Residential, with some properties being a combination of all three types.

Council's Schemes Policy notes that Council should consider potential uses of the relevant land and not just its current use, when contemplating the relevant contribution or proportion to be committed to the land.

In recognition that all land on the road, with the exception of the small allotment at 110 Wandin Creek Road, has the potential to be used for similar rural business purposes, all properties have been allocated charges in the same manner.

With regard to individual properties:

- 110 Wandin Creek Road  
This property levied 0.5 development units. The property is significantly smaller (0.185HA) in area than any other property involved in the scheme and is assessed as having little potential for rural business development.
- 62 Monbulk-Seville Road  
This property levied 0.1 development units. Primary access is gained via Monbulk-Seville Road with only partial (20%) sideage to Wandin Creek Road.
- 166 Wandin Creek Road  
This property levied 1.0 development units. Although this property comprises 3 parcels of land, advice from Council's Planning Services Department indicates that it is unlikely that a new dwelling would be supported on the two parcels of vacant land that form part of the property.
- 250 Wandin Creek Road  
This property levied 1.0 development units. Although this property comprises 2 parcels of land, the 2<sup>nd</sup> parcel is landlocked. Advice from Council's Planning Services Department indicates that it is unlikely that a new dwelling would be supported on the 2<sup>nd</sup> parcel of vacant land.
- 50 Aitken Road  
This property levied 0.5 development units. Primary access is gained via Aitken Road.

## ATTACHMENT 1. Special Benefit and Maximum Total Levy

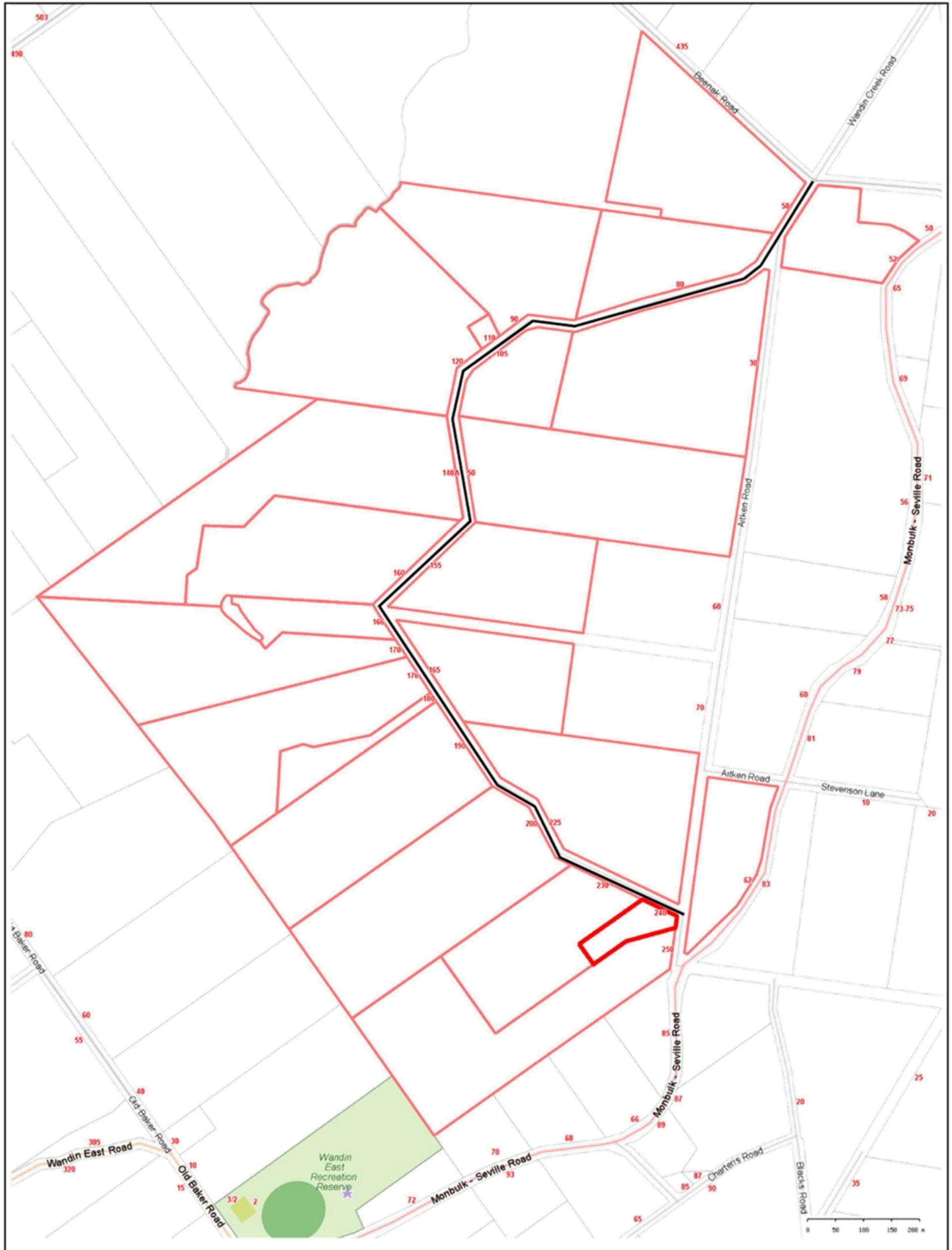
- 30 Aitken Road  
This property levied 0.5 development units. Primary access is gained via Aitken Road.
- 52 Monbulk-Seville Road  
This property levied 0.5 development units. Primary access is gained via Monbulk-Seville Road.

The basis of allocated charge to properties has been calculated from:-

- (a) \$21,889 per development unit.
- (b) plus financing cost of 3% per annum.

The special charge will be levied by serving on each person liable, a notice pursuant to Section 163 (5) of the Local Government Act 1989.





Yarra Ranges Council does not guarantee the accuracy of the information on this map. Any person using or relying upon such information does so on the basis that Yarra Ranges Council shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions on this map.

**Wandin Creek Road (from Beenak Road south to Monbulk Seville Road), Wandin East Proposed Special Charge Scheme**

Scale = 1:6000 @A3  
Plan Printed on 20/08/2021



## ATTACHMENT 3. Estimated Cost of Works

**SHIRE OF YARRA RANGES**  
**ENGINEER'S ESTIMATE**

REFERENCE NO:	DATE:	10-Aug-21
PROJECT:	<b>WANDIN CREEK ROAD WANDIN EAST SCS IMPROVEMENT WORKS</b>	
TOTAL SCHEME COSTS:		<b>\$699,793.15</b>
COUNCIL COSTS:		
TOTAL PROJECT COST:		<b>\$699,793.15</b>

Item	Description	Quantity	Unit	Rate	Amount
<b>1</b>	<b>SITE PREPARATION/PRELIMINARIES</b>				
1.1	Traffic control / roadwork warning and advisory signs, including all lights, barricades and traffic controllers required to conform to A.S. 1742.3 - 2019 for the duration of construction period.	1	Item	\$ 28,800.00	\$ 28,800.00
1.2	All works necessary to establish and maintain the site, inclusive of pedestrian safety and occupational health and safety, for duration of construction period to conform with Australian Standards.	1	Item	\$ 800.00	\$ 800.00
1.3	All works necessary to establish and maintain environmental management of the site inclusive of protective fencing, for duration of construction period, to conform with Australian Standards.	1	Item	\$ 700.00	\$ 700.00
<b>2</b>	<b>REMOVAL WORKS</b>				
	Removal and disposal of existing material as indicated on plans.				
2.1	Grubbing and clearing including taking up, removal and/or salvage of all existing redundant concrete, pipework, trees etc. as specified. This item includes removal and trimming of trees necessary to undertake the works.	1	Item	\$ 1,600.00	\$ 1,600.00
<b>3</b>	<b>EARTHWORKS</b>				
	Excavation including stripping and stockpiling of topsoil, shaping and trimming to design levels, compaction of subgrade and filling, (including all compaction tests) and				
3.1	Earthworks including excavation, forming, grading, boxing, filling, trimming, compaction of sub-grade, lowering of all private services, provision of access at existing driveway entrances, as directed and specified at per cubic metre of cut solid. The contractor is responsible for removal and disposal of surplus materials. This item includes salvaging and stockpiling of suitable topsoil for final reinstatement.	1	Item	\$ 5,200.00	\$ 5,200.00
<b>4</b>	<b>ROAD PAVEMENT</b>				
4.1	Grade and reshape existing pavement in preparation for base course road. Grading includes any widening for shoulders.	1	Item	\$ 3,600.00	\$ 3,600.00
4.2	Supply, place and compact 150mm compacted depth of 20mm Class 2 F.C.R. base course (quantity based on 2100 m x 6m wide)	12600	sqm	\$ 17.85	\$ 224,910.00

## ATTACHMENT 3. Estimated Cost of Works

SHIRE OF YARRA RANGES ENGINEER'S ESTIMATE					
REFERENCE NO:		DATE:		10-Aug-21	
PROJECT:		WANDIN CREEK ROAD WANDIN EAST SCS IMPROVEMENT WORKS			
TOTAL SCHEME COSTS:		\$699,793.15			
COUNCIL COSTS:					
TOTAL PROJECT COST:		\$699,793.15			

Item	Description	Quantity	Unit	Rate	Amount
4.3	Supply, place and compact 50mm compacted depth of 14mm Type H Asphalt (quantity based on 2100m x 5.5m)	11550	sqm	\$ 22.92	\$ 264,726.00
4.4	Supply, place and compact 40mm compacted depth of 20mm Class 2 F.C.R. Shoulders (qunatitiy based on 2100 m x 0.5m)	1050	sqm	\$ 8.20	\$ 8,610.00
5	Asphalt DRIVEWAY REGRADING				
5.1	Supply, place and compact 40mm compacted depth of 14mm Type H Asphalt driveway crossover as per detail on sheet 1	27	No.	\$ 275.00	\$ 7,425.00
6	LINE MARKING				
6.1	Installation of linemarking in thermoplastic as per plans (assume 1 intersection stat con)	1	Item	\$ 1,600.00	\$ 1,600.00
7	SIGNS				
7.1	Supply and install all signs as per plans (assume 25 signs)	1	Item	\$ 5,750.00	\$ 5,750.00
8	LANDSCAPING				
8.1	Topsoiling of disturbed areas with 75mm depth of approved salvaged topsoil.	4000	sqm	\$ 2.60	\$ 10,400.00
	SUB TOTAL (EX. GST)				\$ 564,121.00
9	PROVISIONAL ITEMS				
9.1	Earthworks - Cut to Fill as directed by Superintendent	200	m³	\$ 35.00	\$ 7,000.00
9.2	Earthworks - Import to Fill (type B material) as directed by Superintendent	100	m³	\$ 43.00	\$ 4,300.00
9.3	Yarra Ranges Rollover Kerb and channel to Council standard drawing SD/B1, including bedding	365	m	\$ 84.00	\$ 30,660.00
TOTAL CONSTRUCTION COST					\$606,081.00
Scheme preperation, supervision, administration etc. 5%					\$30,304.05
Engineer Consultants and other Costs					\$2,800.00
Tree Management (Arborist Assessment, Tree Offsets, Tree Removal)					\$0.00
Contingency sum 10%					\$60,608.10
TOTAL SCHEME COST					\$699,793.15

Items not forming part of Scheme		
TOTAL PROJECT COST		\$699,793.15



## ATTACHMENT 4. Schedule of Costs per Property

**Wandin Creek Road (from Beenak Road south to Monbulk-Seville Road), Wandin East  
Proposed Special Charge Scheme**

<b>PROJECT COST SUMMARY:</b>			<b>COUNCIL COST SUMMARY:</b>			<b>APPORTIONMENT SUMMARY:</b>		
Total Project Cost	\$699,793		Council 34% Contribution	\$237,930		Unit Ratio =	100%	
Less Council Cost only Items						Total Landowner Units =	21.10	
<b>Total Scheme Cost</b>	<b>\$699,793</b>					Total Council Units =	Nil	
<b>Total Council Contribution</b>	<b>\$237,930</b>		Total Council Scheme Cost	\$237,930		\$ / Unit =	\$21,889	
<b>Total Landowner Contribution</b>	<b>\$461,863</b>		Council Cost only Items	\$0				
<b>Financing Costs</b>	<b>\$69,300</b>		Total Council Project Cost	\$237,930				
DESCRIPTION	PROPERTY ADDRESS	ASSESSMENT NO.	DEVELOPMENT / BENEFIT UNIT	CHARGE FOR THE WORKS	ADJUSTED FOR CEILING	FINANCING CHARGE	TOTAL CHARGE	YEARLY CHARGE
Ca PTCA 47C PV	50 Wandin Creek Road	8013	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Part Lot 9 LP3236	62 Monbulk-Seville Road	13955	0.1	\$2,189	\$2,189	\$328.44	\$2,517.36	\$251.74
Lot 1 TP120283 C	80 Wandin Creek Road	14757	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Part Lot 2 PS8268	140 Wandin Creek Road	14760	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Lot 2 LP4572 Ca	160 Wandin Creek Road	14761	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Pl Lot 3 LP4572 S	166 Wandin Creek Road	14762	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Part Lot 3 LP4572	170 Wandin Creek Road	14763	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Lot 2 LP90106 Ca	176 Wandin Creek Road	14764	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Lot 1 LP76564 Ca	180 Wandin Creek Road	14765	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Lot 5 LP4572 Ca	190 Wandin Creek Road	14766	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Lot 6 LP4572 Ca	200 Wandin Creek Road	14767	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Part Lot 7 LP4572	240 Wandin Creek Road	14768	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Part Lot 7 LP4572	230 Wandin Creek Road	14769	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Lot 7A & Part Lot	250 Wandin Creek Road	14770	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Lot 8 LP4572 Ca	225 Wandin Creek Road	14771	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Lot 1 LP57553 Ca	165 Wandin Creek Road	14772	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Lot 2 LP131029 C	155 Wandin Creek Road	14773	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Lot 11 LP4572 Ca	50 Aitken Road	14774	0.5	\$10,945	\$10,945	\$1,642.18	\$12,586.81	\$1,258.68
Ca PT30 PWandin	105 Wandin Creek Road	14775	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Ca PTCA 30 PWa	30 Aitken Road	14776	0.5	\$10,945	\$10,945	\$1,642.18	\$12,586.81	\$1,258.68
Lot 5 PS333956 C	110 Wandin Creek Road	68058	0.5	\$10,945	\$10,945	\$1,642.18	\$12,586.81	\$1,258.68
Lot 3 PS333956 C	90 Wandin Creek Road	73957	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Lot 4 PS333956 C	120 Wandin Creek Road	73958	1.0	\$21,889	\$21,889	\$3,284.36	\$25,173.62	\$2,517.36
Part Lot 2 PS4364	52 Monbulk-Seville Road	81898	0.5	\$10,945	\$10,945	\$1,642.18	\$12,586.81	\$1,258.68
<b>Totals</b>			<b>21.10</b>	<b>\$461,863</b>	<b>\$461,863</b>	<b>\$69,300</b>	<b>\$531,163</b>	<b>\$53,116</b>