

6.2.2 Special Charge Scheme - Old Gembrook Catchment

Responsible GM: Peter Benazic
Author: Donna Bird

Recommendation(s)

1. That Council notes that following the issue of the notice of decision by Council to declare a special charge scheme on 21 February 2022, to part fund the construction of Durban Road, Old Gembrook Road and Sherriff Road Emerald, 2 submissions were received by Council in the prescribed 28 day submission period following advertising this decision. Details of the submissions are outlined in attachment 5 to this report.
2. That a special charge in accordance with Section 163 of the Local Government, 1989 (the Act) be declared as follows:
 - a. A special charge is declared for a period until the works have been completed and the scheme finalised.
 - b. The special charge be declared for the purposes of defraying any expenses incurred by Council in relation to the construction of Durban Road, Old Gembrook Road and Sherriff Road Emerald including sealed road pavement, kerb & channel and associated drainage and incidental works. Council considers that these works will be of special benefit to those persons required to pay the special charge, (and who are described in succeeding parts of this resolution).
 - c. The special benefit accruing to those properties to be levied is considered to include improved access, improved amenity and appearance, improved roadside drainage, reduced mud and dust, reduced erosion and lessened nuisance.
 - d. The following be specified as the area for which the special charge is declared:
 - i. All those properties described in attachment 4 of this report and as highlighted on the plan included as attachment 2.
 - e. The following be specified as the land in relation to which the special charge is declared:
 - i. All properties described in attachment 4 of this declaration.
 - f. The following be specified as the criteria which form the basis of the special charge so declared:
 - i. Those properties fronting, abutting or adjacent to the works.
 - g. The following be specified as the manner in which the special charge so declared will be assessed and levied:
 - i. Existing lots, either developed or vacant, that gain, or will gain, primary (vehicular) access from a road being constructed would generally be required to contribute one benefit unit.
 - ii. Existing lots, either developed or vacant, with side or rear abuttal to a road being constructed would generally be required to contribute one half benefit unit.
 - iii. Existing lots, either developed or vacant, that gain, or will gain, primary access and also have side or rear abuttal to roads being constructed would generally be required to contribute one benefit unit.
 - iv. Existing lots that have the potential to be further subdivided or developed may be allocated a multiple development benefit unit charge.
 - v. The special charge will be levied by sending a notice to the person who is liable to pay, pursuant to Section 163 (4) of the Local Government Act, 1989.

- h. The total cost of the works is the amount shown in attachment 4 of this report estimated at \$2,390,000.00.
- i. The total amount of the special charge to be levied is the amount shown in attachment 4 of this report estimated at \$ 378,000.00.
- j. Having regard to the proceeding parts of this resolution but subject to Sections 166(1) and 167(6) of the Local Government Act, 1989, it is recorded that:
 - i. The owners of the land described in columns A and B of the table in attachment 4 are estimated liable for the respective amounts set out in column F of the table in attachment 4 and;
 - ii. Such owners may, subject to any further resolution of Council pay the special charge in the following manner:
 - The charge will become due and payable within one month of the issue of the notice requesting payment pursuant to Section 167(3) of the Local Government Act, 1989.
 - The charge may be paid by:
 - Lump sum within one month of the issue of the notice without incurring interest, or
 - Quarterly instalments of principal and interest over a period of up to seven years.
 - Interest will not be charged for three months after the issue of the notice provided the person liable makes timely payment in accordance with the payment arrangements that may be agreed on by Council.
 - In accordance with Sections 167(6)(b) and 172 of the Act, the rate of interest which is payable on instalments is set at the 180 day bank bill rate as published in the Australian Financial Review plus one percent and reviewed every three months, (provided that it will not exceed the rate fixed by the Governor in Council by order of the purposes of Section 172(2A) in which case the rate of interest shall be the maximum rate fixed by the Governor in Council by order for the purposes of this section).
- k. There are no incentives for prompt payment, rebates or concessions associated with this special charge.

Attachments

1. SCS Process Checklist Old Gembrook Catchment [6.2.2.1 - 1 page]
2. Old Gembrook Catchment map [6.2.2.2 - 2 pages]
3. PROCIVIL P C 21017- CC P-01 - Old Gembrook Catchment, Emerald [6.2.2.3 - 13 pages]
4. Major Roads Program Special Charge Scheme SCS Apportionment Sheet Old Gembrook [6.2.2.4 - 5 pages]
5. Submissions Hearing Old Gembrook Catchment [6.2.2.5 - 2 pages]

Executive Summary

This report proposes to have a special charge declared to part fund the construction of Durban Road, Old Gembrook Road and Sherriff Road Emerald. It follows Council's resolution of 21 February 2022 to communicate its intention to declare a special charge for this purpose.

The Durban Road, Old Gembrook Road and Sherriff Road Emerald catchment is included in the Australian Government funded Sealing the Hills program. A recent survey of the property owners in the indicated roads in this catchment indicated 62% property owner support to contributing to a scheme from the responses received. Included property owners will receive special benefit as a result of the works including improved resident amenity, reduction in dust

and associated health issues, improved drainage, less wear and tear on vehicles, reduced road maintenance costs and overall improved liveability.

The preliminary estimated cost of the proposed works is \$2,390,000.00 of which \$378,000.00 is proposed to be funded via the proposed special charge contribution received from the included property owners. This will leave an approximate balance of \$2,012,000.00 to be funded from the Australian Government grant.

Property owner contributions have been assessed based on the benefit gained by each existing developed or vacant allotment, capped by Council at \$7,000 per benefit unit, (refer to benefit unit definition below). Council's special rates and charges policy provides for levies to be paid in quarterly instalments that include principle and interest. For the Sealing the Hills program it has been decided that a maximum 7-year payment period be adopted. The financial hardship provisions of this policy provide further relief to those owners demonstrating genuine financial hardship.

Following Council's resolution on 21 February 2022 included property owners were notified of the intention to declare a special charge by mail and by advertisement in the Pakenham Gazette and Hills Trader. 2 submissions were received in the prescribed 28 day submission period. Details of these submissions are outlined in attachment 5 of this report.

Background

The Old Gembrook catchment that includes Durban Road, Old Gembrook Road and Sherriff Road is included for construction in Council's Sealing the Hills program. The properties included are shown on the plan included as attachment 2 to this report.

A survey of the property owners within the scheme boundary, (total of 55), was undertaken asking if they were in support of contributing to a special charge scheme at a capped contribution rate of \$7,000 per benefit unit, with a benefit unit being defined as:

- Existing lots, either developed or vacant, that gain, or will gain, primary (vehicular) access from a road being constructed would generally be required to contribute one benefit unit (\$7,000) towards the cost of construction.
- Existing lots, either developed or vacant, with side or rear abuttal to a road being constructed would generally be required to contribute one half benefit unit (\$3,500) towards the cost of construction.
- Existing lots, either developed or vacant, that gain, or will gain, primary access and have side or rear abuttal to roads being constructed would generally be required to contribute one benefit unit (\$7,000) in total
- Existing lots that have the potential to be further subdivided or developed may be allocated a multiple development benefit unit charge.

Table 1. Questionnaire responses

	Number	Percentage
Total no. properties in scheme	55	100%
No. of responses received	39	70.9%
No. of responses supporting the scheme	34	87.2%
No. of responses opposing the scheme	5	12.8%

Following consideration of the survey responses a special charge scheme has been prepared to part fund the construction of Durban Road, Old Gembrook Road and Sherriff Road Emerald.

Following Council's resolution on 21 February 2022 affected property owners were notified of the intention to declare a special charge scheme.

Council received 2 written and heard submissions. Details of these submissions are outlined in attachment 5.

Policy Implications

The proposed special charge scheme has been developed in accordance with the provisions of the Local Government Act, Cardinia Councils Special Rate and Charge Policy and the adopted Sealing the Hills program. It is based on community benefit, health, safety, amenity and property owner support.

Section 163 of the Local Government Act provides that Council may not recover a greater portion of the cost of the works than calculated in accordance with the statutory 'benefit ratio' as set out in the previous notice of decision report presented to Council on 21 February 2022. Given that Council has capped the property owner contribution at \$7,000 per benefit unit, the proposed scheme is compliant.

Relevance to Council Plan

2.1 We support the creation of liveable spaces and places

2.1.5 Upgrade Council's road network to improve safety and connectivity while considering traffic demand and freight transport needs.

Climate Emergency Consideration

The Sealing the Hills project will consider climate emergency reduction measures such as:

- minimising tree removal through innovative road design
- use of LED lighting to reduce energy emissions
- utilising local contractors and local road & drainage construction materials to minimise travel
- investigating the reuse and use of recycled road construction materials

Consultation/Communication

A letter was sent in November 2021 to the property owners of Durban Road, Old Gembrook Road, Sherriff Road Emerald outlining specifics in relation to their inclusion in the Sealing the Hills program and the associated special charge scheme proposal.

As a consequent of Covid 19 restrictions, no face to face community consultation could be undertaken. However, property owners were provided with the opportunity to speak directly to the project engineering and special charge scheme staff and to view the preliminary construction plans and special charge scheme information online.

In December 2021 a questionnaire was mailed to property owners asking them to indicate their support/opposition to contributing to a special charge scheme at the capped rate of \$7,000 per benefit unit. As outlined above 39 questionnaire responses from 55 properties were received.

Following the Council resolution on 21 February 2022 where notice of decision was resolved to issue a notice of intention to declare a special charge, property owners were sent a letter and advertisements outlining the proposal placed in the Pakenham Gazette and Hills Trader, providing owners with the opportunity to make a submission or objection within the prescribed 28-day period.

Financial and Resource Implications

The scheme funding arrangements are as outlined in Table 2.

Table 2. Preliminary estimated cost of project

Total estimated cost of scheme	\$2,390,000.00
Total Council contribution (approx. 84.18%)	\$2,012,000.00
Benefiting property owner contribution (approx. 15.82%)	\$378,000.00

Note: the estimated project cost includes an allowance of 15% for design, supervision, and administration of the scheme.

The Australian Government \$150m grant will be used to fund Council's contribution.

Property owners will be offered the option of paying their contribution in full, or by quarterly instalments over 7-years. Instalment payments will include principle and interest, with interest calculated at the declaration of the scheme based on Council's borrowing rate at the time plus one percent.

Council will require the first payment, either in full or by instalment to be made within 6-months of the practical completion of the works.

Conclusion

That Council proceed to declare a special charge over the properties listed in attachment 4 to part fund the construction of Durban Road, Old Gembrook Road and Sherriff Road Emerald including a sealed road pavement, kerb and channel and associated drainage and ancillary works, generally in accordance with the concept plans included in attachments 3.

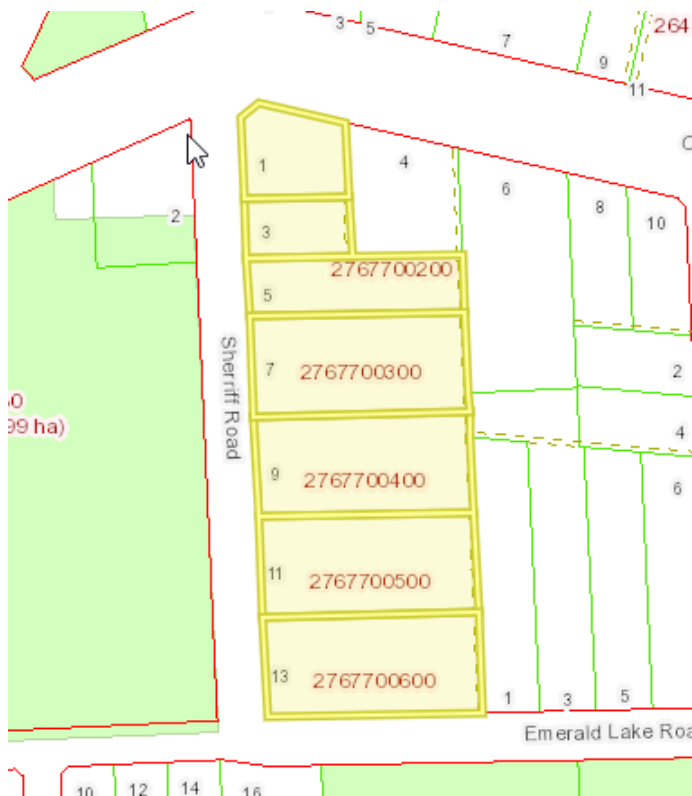
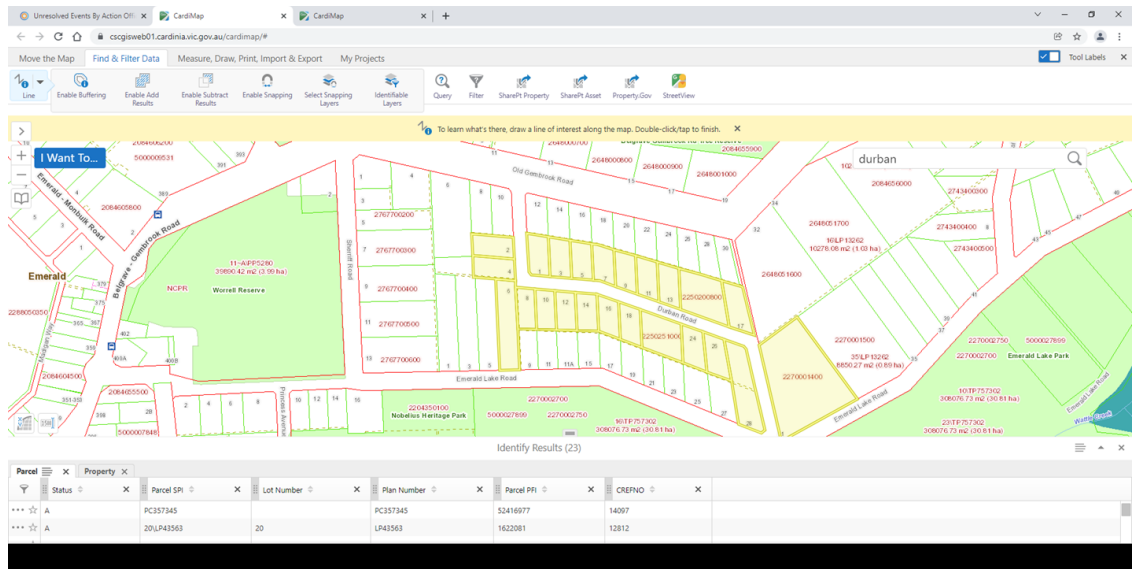
Sealing the Hills program Special Charge Scheme process checklist

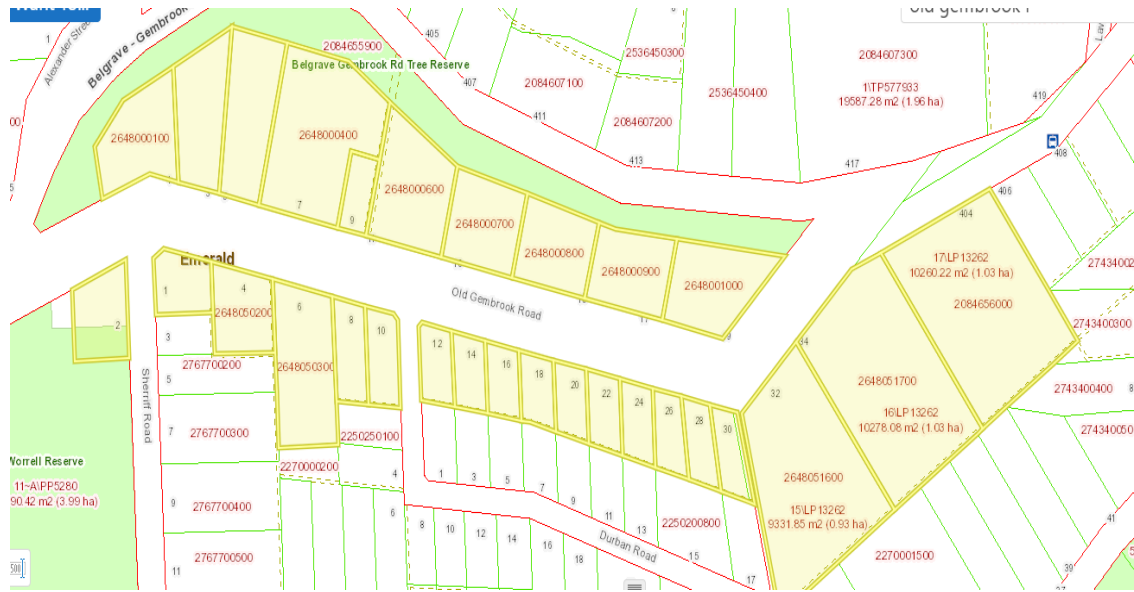


Special charge scheme projects (Section 163 Local Government Act)

Complete	Stage	Description
✓	Survey of landowners	Initial survey of property owners to assist in determining the need, associated issues and level of support for the proposed works and special rate/charge scheme.
✓	Approval to prepare scheme	Decision made to prepare scheme or to shelve project following consideration of the survey of property owners and feedback from the community. <ul style="list-style-type: none"> • If the decision is that the scheme should proceed, the engineering design is completed, and a detailed estimate and an apportionment of costs are prepared. • If a decision is made that the scheme should not proceed based on resident and community feedback, the affected residents are advised accordingly
✓	Intention to declare scheme	Report to Council providing information on proposed scheme including advice of impending advertising of scheme and declaration of charge. Report seeks Council approval by resolution to proceed with process.
✓	Advertisement and notification	The proposed scheme is advertised in the local newspaper and all affected property owners are notified by mail of proposed works, costs and contributions. This advertisement and notification indicate Council's intention to <i>declare</i> a scheme in a month's time and seeks submissions from affected property owners. Details of the scheme may be inspected at the shire offices.
✓	Submissions	From the time of advertising, property owners have 28 days (as set down by the Act) to lodge submissions, either in support or opposing the proposed scheme.
✓	Submissions review panel hearing	A Submissions Review Panel is convened (may be Council Committee or whole Council) and meets to consider submissions. Some submissions are written only. Submitters may also request to be heard before the committee. The panel makes a recommendation to Council regarding the scheme.
	Abandonment of scheme	The panel may recommend to Council that the scheme be abandoned. After considering the panel's report, Council may proceed to abandon the scheme following which property owners are notified and the scheme does not proceed.
✓	Declaration report	Alternatively, the panel may recommend to Council that the scheme proceed. After considering the panel's report, Council may proceed to <i>declare</i> the charges in accordance with its advertised intent. <ul style="list-style-type: none"> • After this the Finance Manager issues the levy notices and there is a formal charge placed on the property. • This is the final step in the process for Council to make a decision on the scheme
✗	Appeal	Property owners may lodge an application for review of Council's decision with the Victorian Civil and Administrative Tribunal (VCAT) within one month of issue of the levy notice. An appeal is listed, heard and determined by the tribunal and this process generally takes four to six months. Decisions made by VCAT are binding on all parties.
✗	Construction	Council may then proceed to construction. Tenders are invited and a contractor appointed to construct the works. Invoices are issued seeking payment of the declared contribution. Payment may be by instalments or lump sum. The social responsibility provisions of Council's Special Charge Policy provide for those facing financial difficulty.
✗	Final cost report	At the completion of the works the scheme is <i>finalised</i> and a report presented to Council.

Durban Rd, Old Gembrook Rd, Sherriff Rd



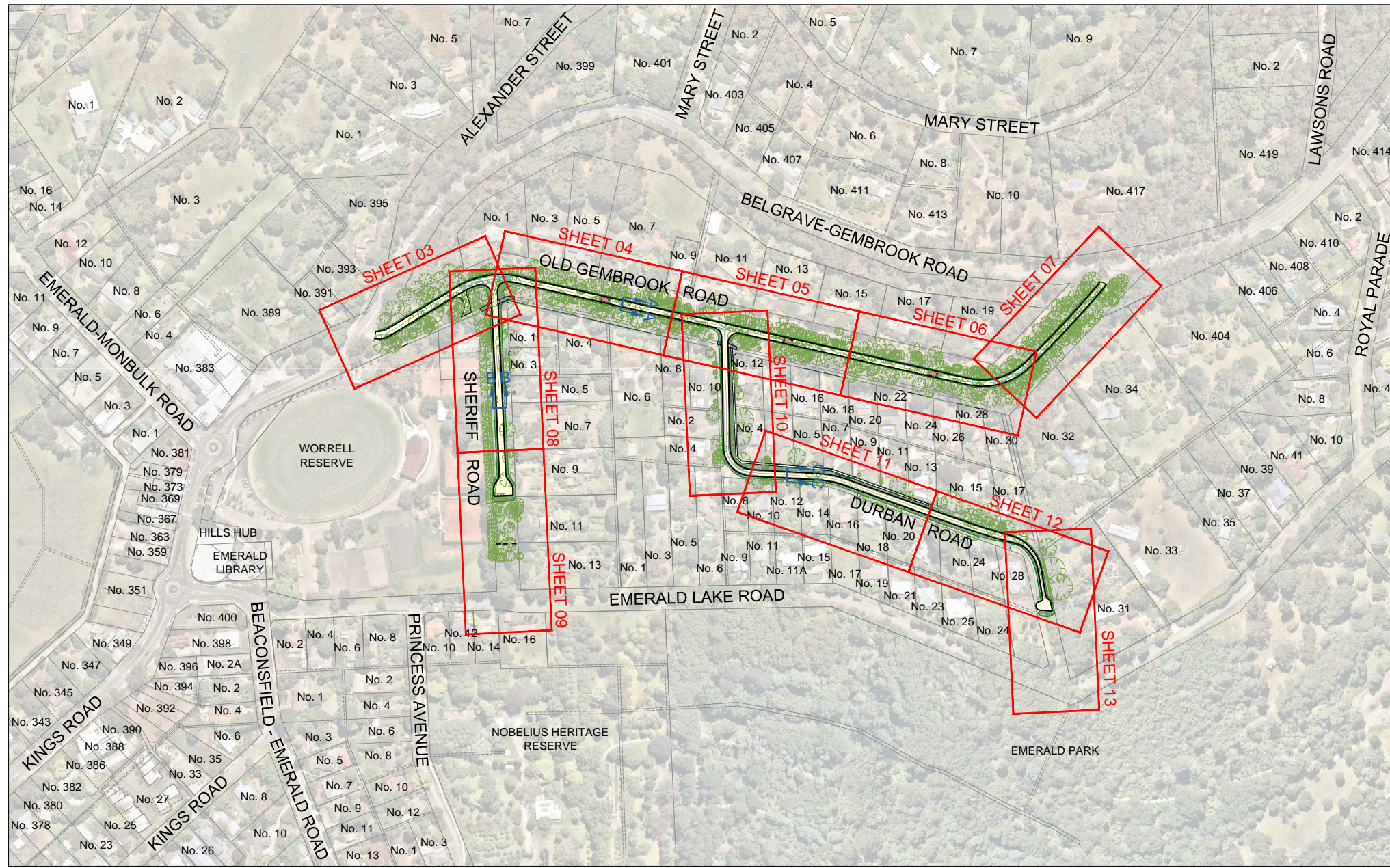


ROAD AND DRAINAGE RECONSTRUCTION WORKS

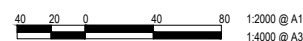
OLD GEMBROOK CATCHMENT, EMERALD




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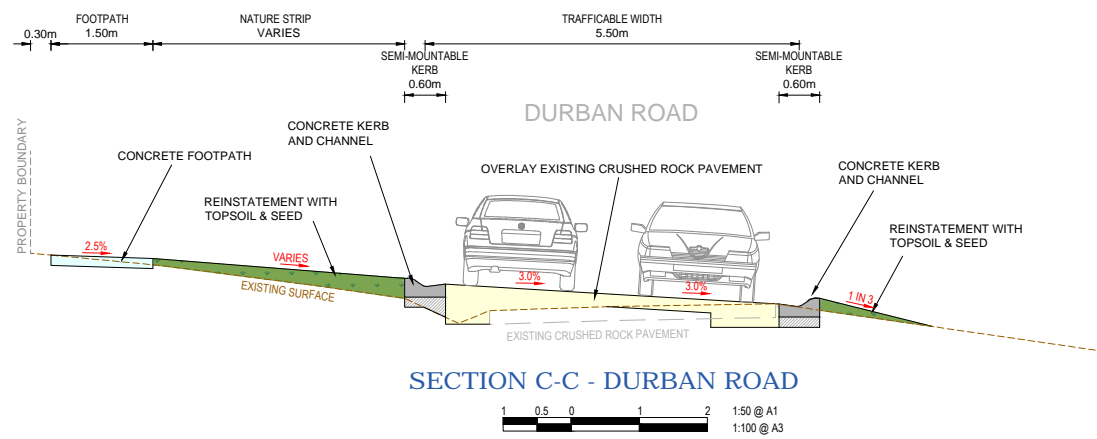
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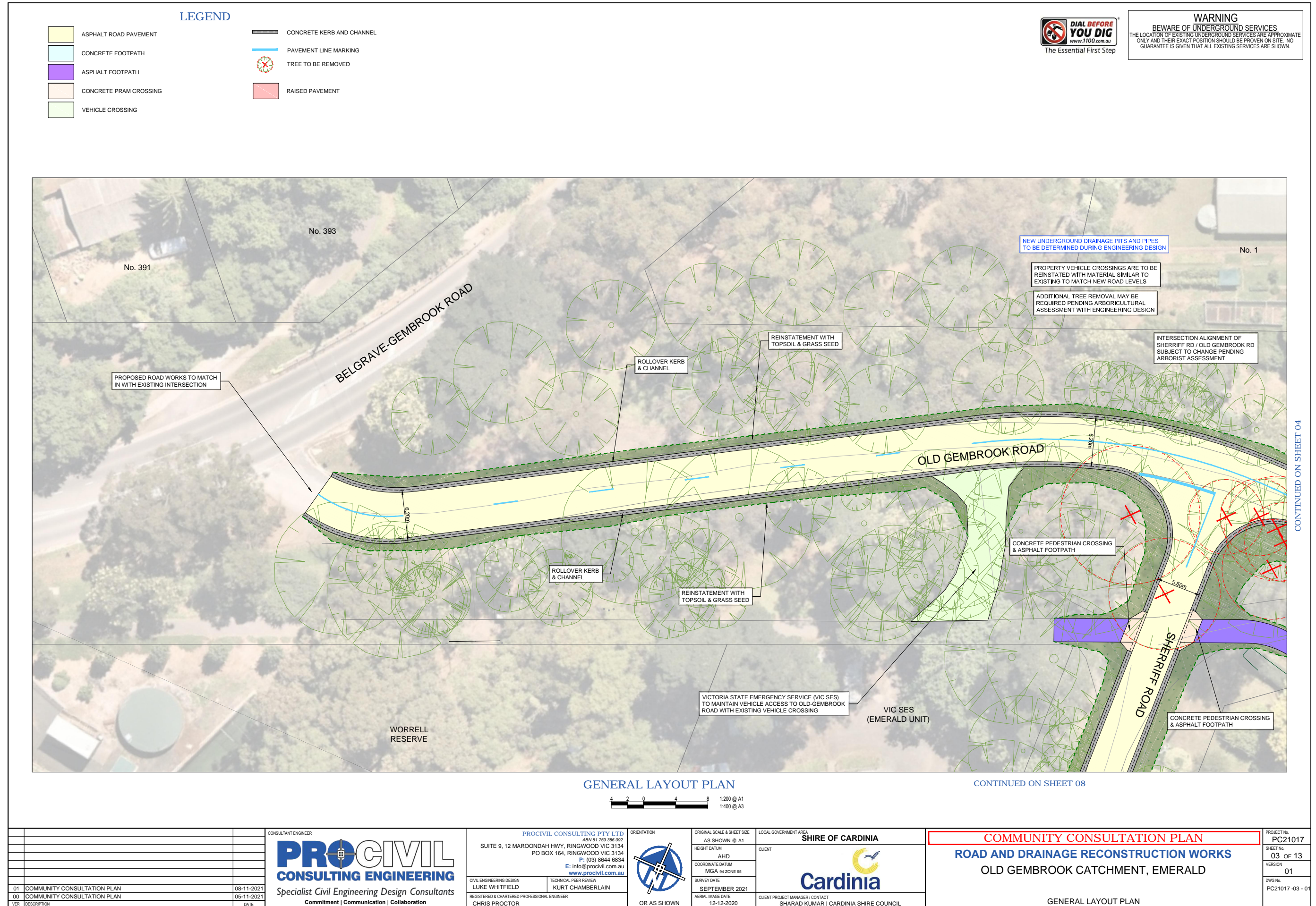
OVERALL PLAN



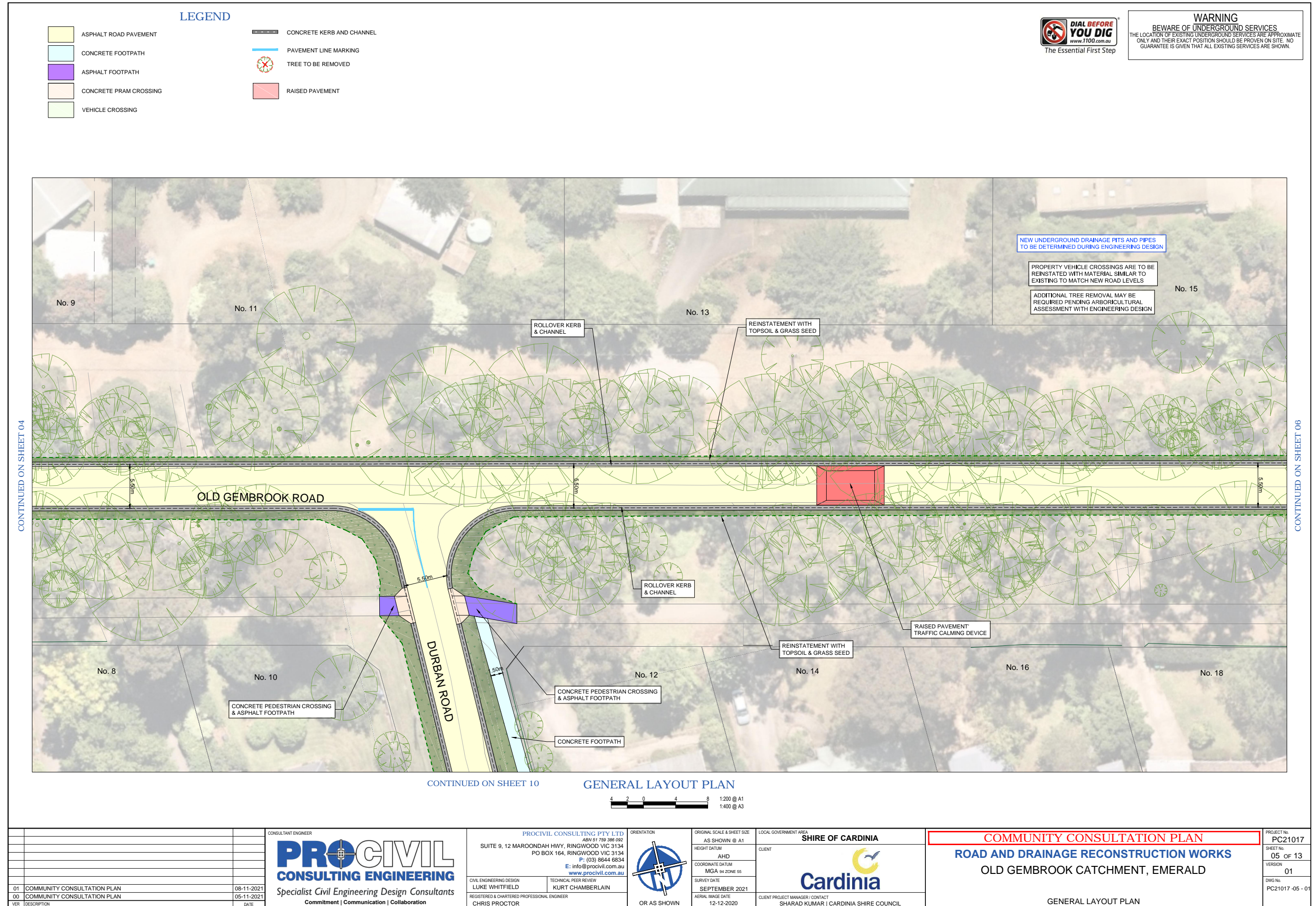
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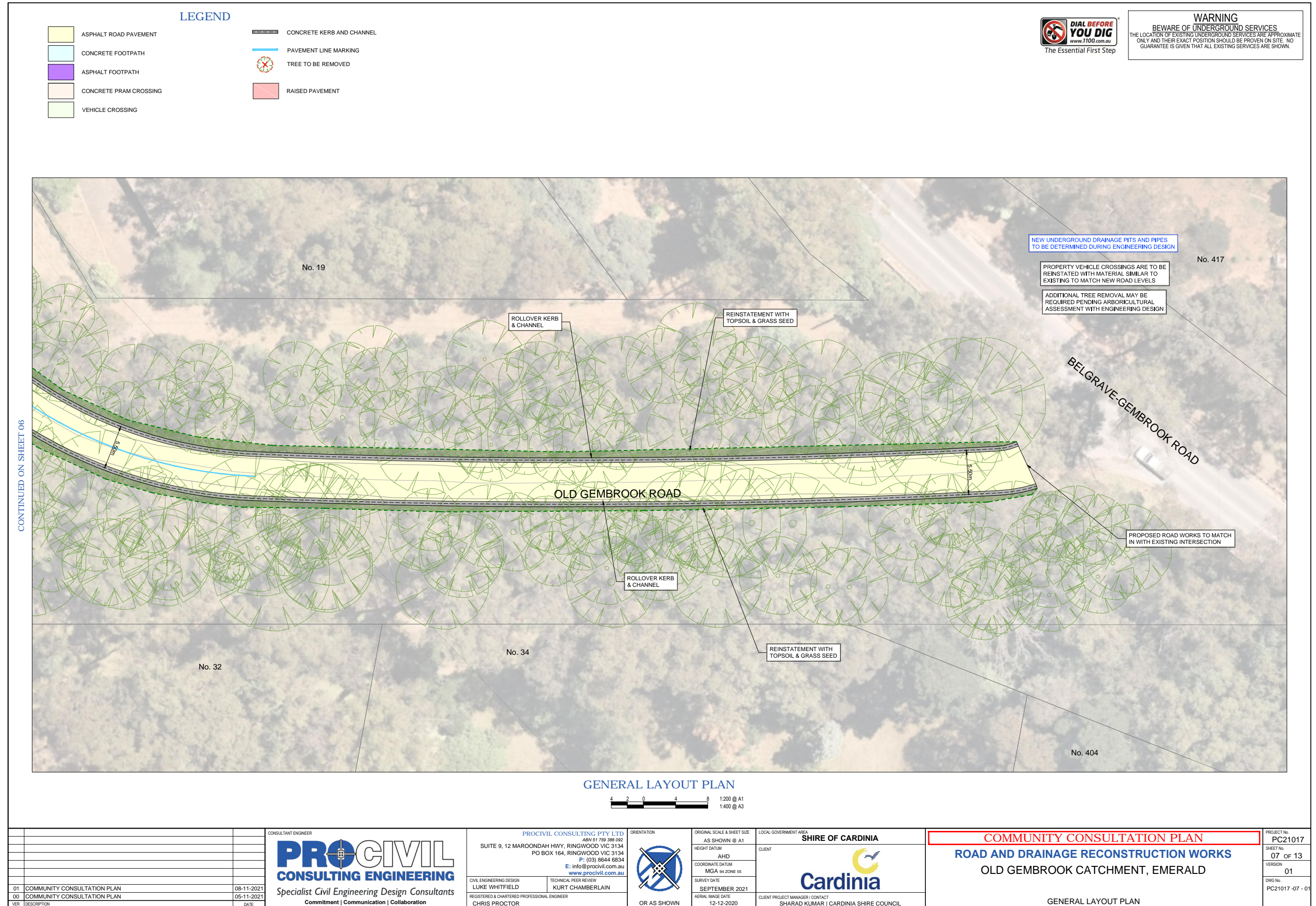
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GENERAL LAYOUT PLAN

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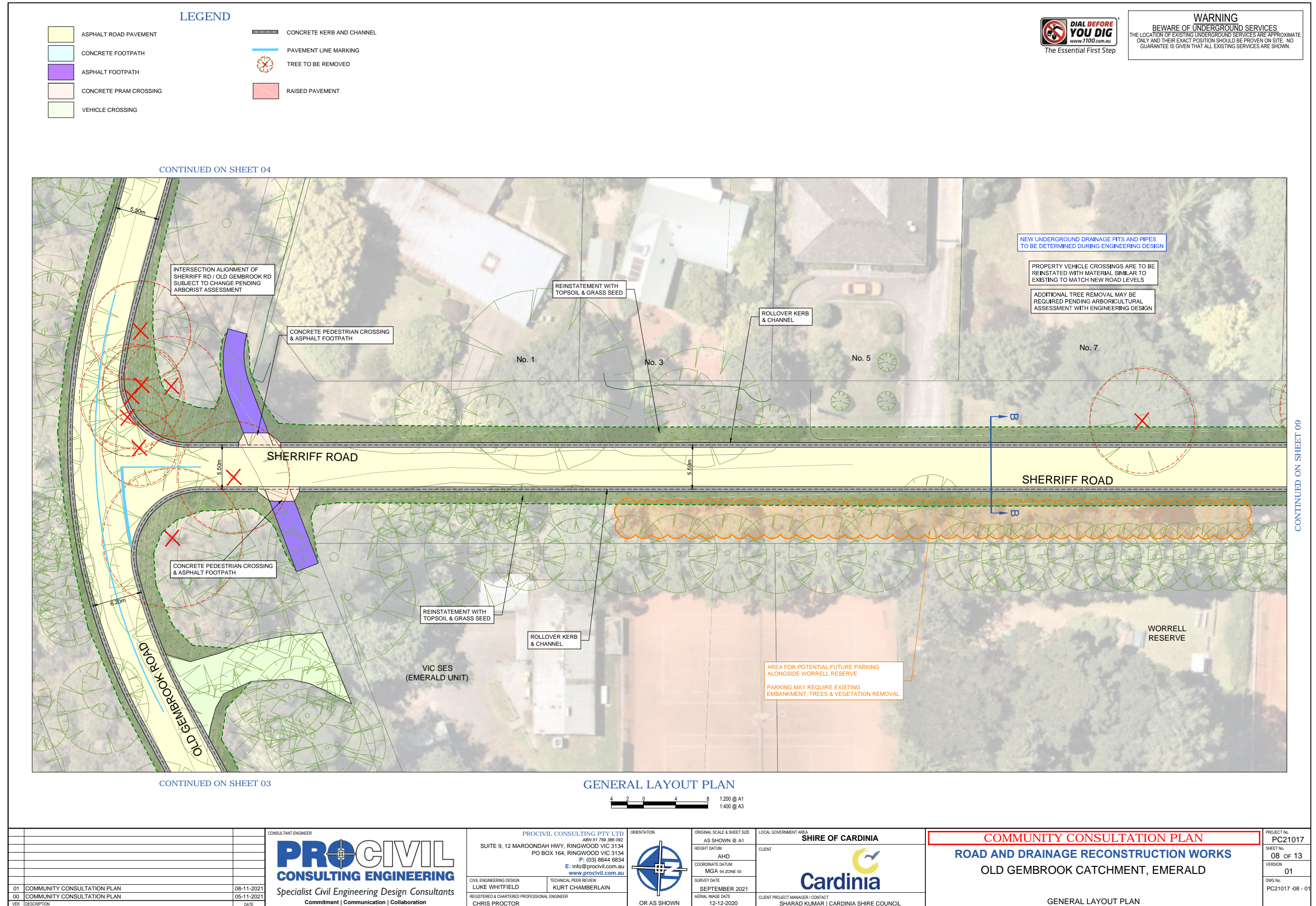
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GENERAL LAYOUT PLAN

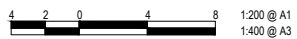


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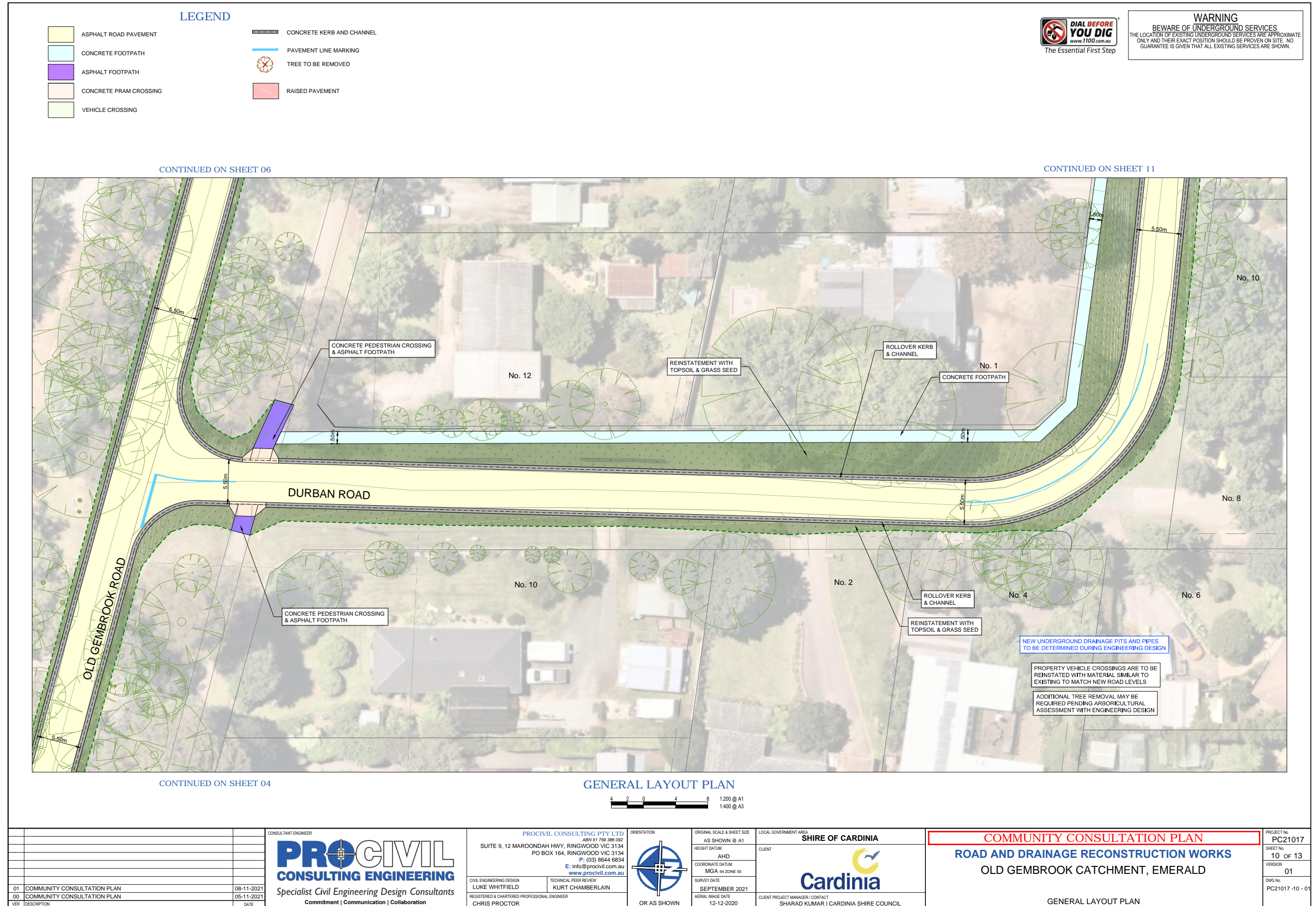


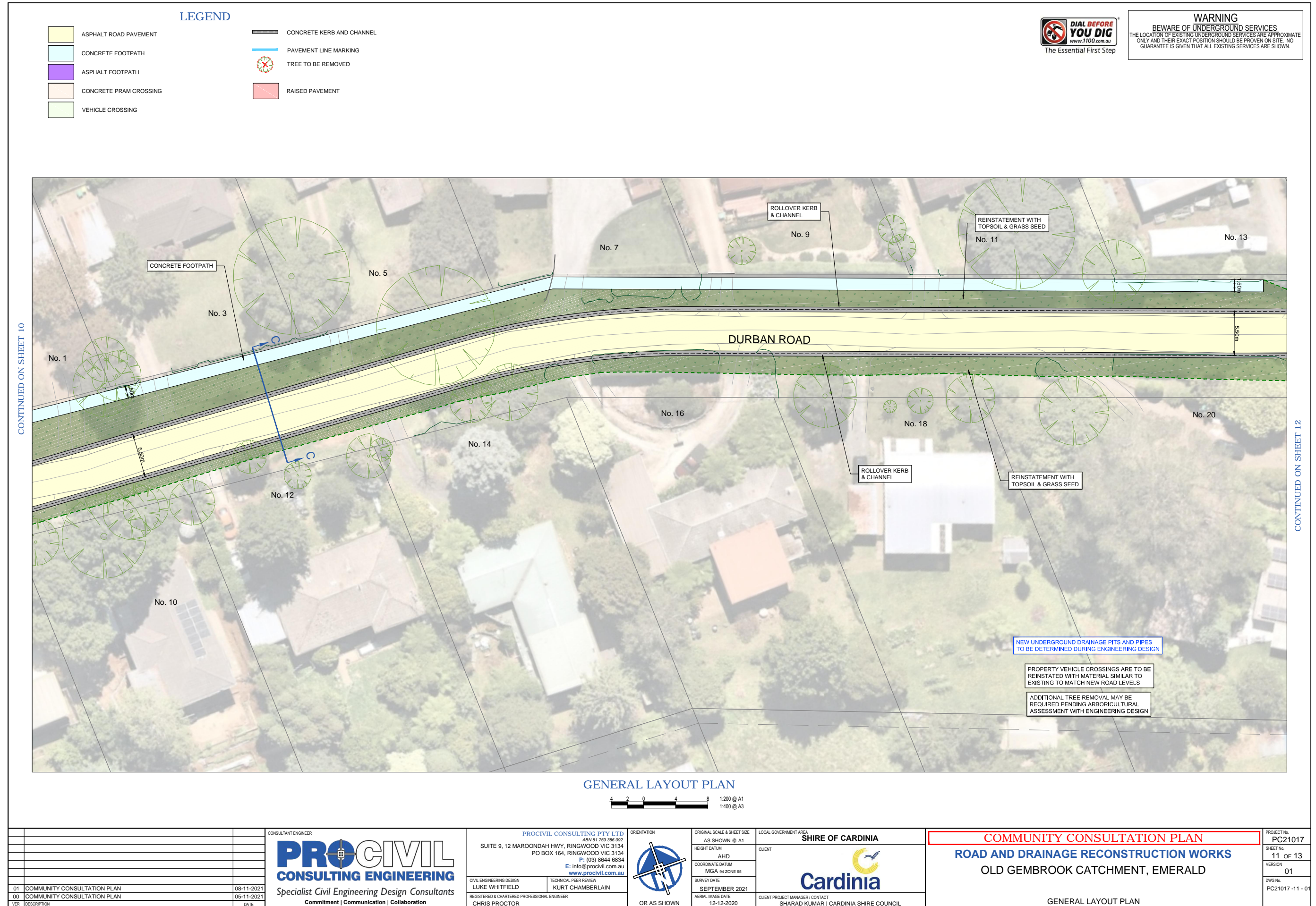


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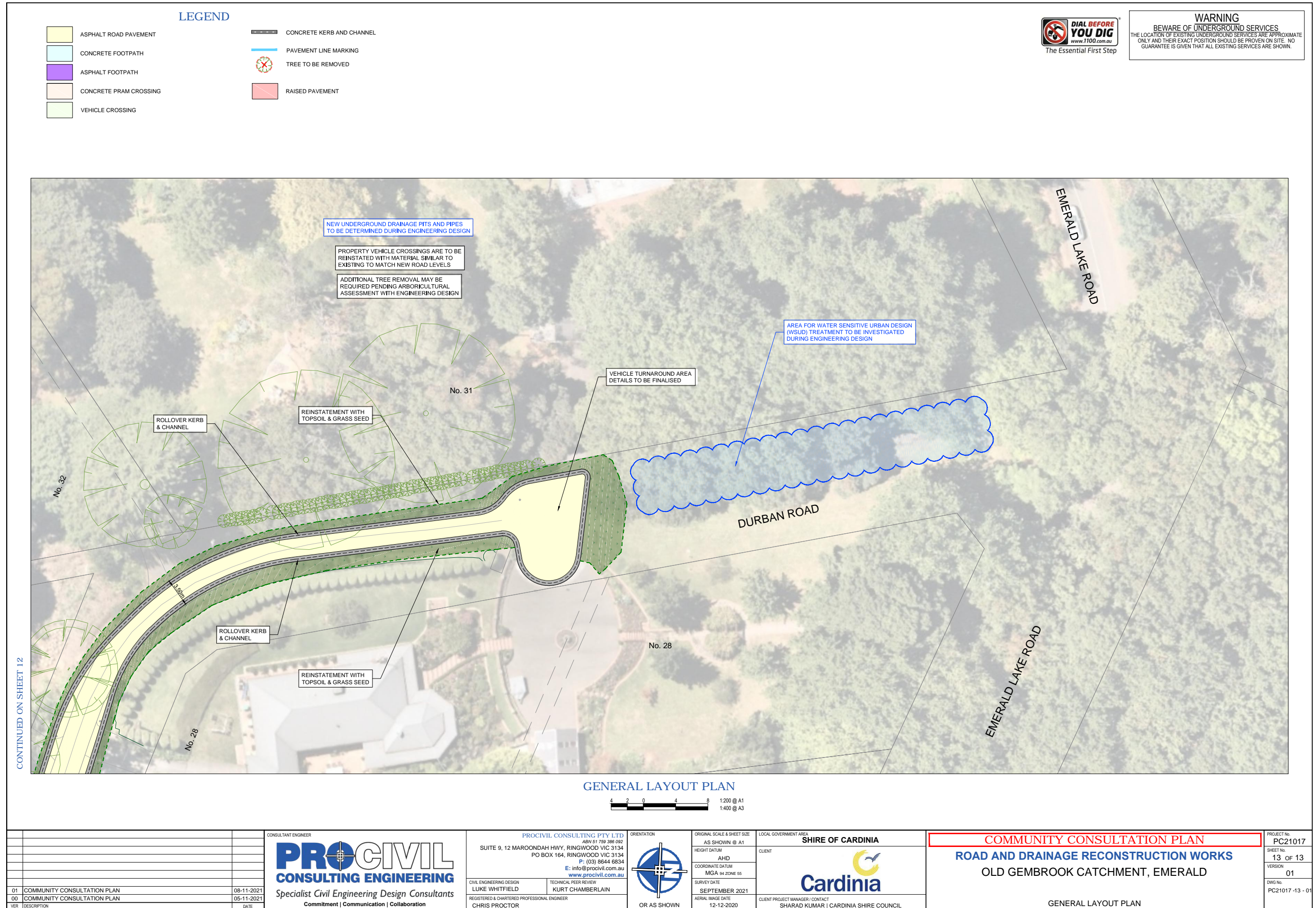
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CONSULTANT ENGINEER PROCIVIL CONSULTING ENGINEERING <i>Specialist Civil Engineering Design Consultants</i> Commitment Communication Collaboration		PROCVIL CONSULTING PTY LTD ABN 51 759 386 092 SUITE 9, 12 MAROONDAH HWY, RINGWOOD VIC 3134 PO BOX 164, RINGWOOD VIC 3134 P: (03) 8644 6834 E: info@procivil.com.au www.procivil.com.au		ORIENTATION OR AS SHOWN		ORIGINAL SCALE & SHEET SIZE AS SHOWN @ A1 HEIGHT DATUM AHD COORDINATE DATUM MGA 54 ZONE 55 SURVEY DATE SEPTEMBER 2021 AERIAL IMAGE DATE 12-12-2020		LOCAL GOVERNMENT AREA SHIRE OF CARDINIA CLIENT PROJECT MANAGER / CONTACT SHARAD KUMAR CARDINIA SHIRE COUNCIL		COMMUNITY CONSULTATION PLAN ROAD AND DRAINAGE RECONSTRUCTION WORKS OLD GEMBROOK CATCHMENT, EMERALD GENERAL LAYOUT PLAN		PROJECT No. PC21017 SHEET No. 12 OF 13 VERSION 01 DWG No. PC21017-12-01	
01	COMMUNITY CONSULTATION PLAN	08-11-2021											
00	COMMUNITY CONSULTATION PLAN	05-11-2021											
VER	DESCRIPTION	DATE											



Major Roads Program - Special Charge Scheme (SCS) Apportionment Sheet - Old Gembrook, Emerald Catchment
Road - Old Gembrook Road, Durban Road and Sherriff Road, Emerald

PROJECT COST SUMMARY	
Total Project Cost (Inc. Design, Supervision/Admin & Offset)	\$2,390,000.00
Total Council Contribution	\$2,012,000.00
Total Landowner Contribution	\$378,000.00
Financing Costs	\$33,075.00

COUNCIL COST SUMMARY	
Council 30% Contribution	\$717,000.00
Subsidy for costs above FedFund ceiling	\$1,295,000.00
Total Council Cost	\$2,012,000.00

APPORTIONMENT SUMMARY	
Unit Ratio =	100
Total Landowner Units =	54
Total Council Units =	Nil
\$ / Unit =	\$30,981.48
FedFund Ceiling \$/ Unit =	\$7,000.00

DESCRIPTION	PROPERTY ADDRESS	ASSESSMENT NO.	DEVELOPMENT / BENEFIT UNIT	CHARGE FOR THE WORKS	ADJUSTED FOR CEILING	FINANCING CHARGE	TOTAL CHARGE	YEARLY CHARGE
L44 LP43153	1 Durban Rd	2250200100	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L40 LP43153	2 Durban Rd	2250250100	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
CP100357	3 Durban Rd	2250200200	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L19 LP43563	4 Durban Rd	2250250200	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L25 LP43563 V8343 F738	5 Durban Rd	2250200300	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L1 TP194164	6 Durban Rd	2250250300	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L3 LP43563	7 Durban Rd	2250200400	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L17 LP43563	8 Durban Rd	2250250400	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L41 LP43153	9 Durban Rd	2250200500	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L18 LP43563	10 Durban Rd	2250250500	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L14 LP43563 V8444 F450	11 Durban Rd	2250200600	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L22 LP43563	12 Durban Rd	2250250600	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L16 LP43563	13 Durban Rd	2250200700	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L4 LP43563	14 Durban Rd	2250250700	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L24 LP43563	15 Durban Rd	2250200800	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L13 LP43563	16 Durban Rd	2250250800	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L23 LP43563	17 Durban Rd	2250200900	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L6 LP43563	18 Durban Rd	2250250900	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L5 LP43563	20 Durban Rd	2250251000	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L21 LP43563 V9010 F759	24 Durban Rd	2250251100	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L20 P43563	26 Durban Rd	5000030487	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
PC357345 V10374 F916	28 Durban Rd	2250251300	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L4 LP92491	1 Sherriff Rd	2648050100	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L5 LP92491	3 Sherriff Rd	2767700100	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L3 LP86386	5 Sherriff Rd	2767700200	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L11 TP121180	7 Sherriff Rd	2767700300	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L8 LP13262	9 Sherriff Rd	2767700400	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L7 LP13262	11 Sherriff Rd	2767700500	0.5	\$ 15,490.74	\$ 3,500.00	\$ 306.25	\$ 3,806.25	\$ 543.75
L1 LP119304	1 Old Gembrook Rd	2648000100	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L2 LP119304	3 Old Gembrook Rd	2648000200	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L2 LP86386	4 Old Gembrook Rd	2648050200	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L3 LP119304	5 Old Gembrook Rd	2648000300	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L1 PS441581	6 Old Gembrook Rd	2648050300	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L4 LP119304	7 Old Gembrook Rd	2648000400	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L2 LP43563	8 Old Gembrook Rd	2648050400	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L2 LP77813 V8684 F005	9 Old Gembrook Rd	2648000500	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
CP152951	10 Old Gembrook Rd	2648050500	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L5 LP119304	11 Old Gembrook Rd	2648000600	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L15 LP43563	12 Old Gembrook Rd	2648050600	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L6 LP119304 V9186 F538	13 Old Gembrook Rd	2648000700	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L7 LP43563	14 Old Gembrook Rd	2648050700	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L7 LP119304	15 Old Gembrook Rd	2648000800	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L8 LP43563	16 Old Gembrook Rd	2648050800	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L8 LP119304	17 Old Gembrook Rd	2648000900	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L9 LP43563	18 Old Gembrook Rd	2648050900	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L9 LP119304	19 Old Gembrook Rd	2648001000	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L10 LP43563	20 Old Gembrook Rd	2648051000	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L11 LP43563	22 Old Gembrook Rd	2648051100	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L12 LP43563	24 Old Gembrook Rd	2648051200	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L47 LP43153	26 Old Gembrook Rd	2648051300	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L46 LP43153	28 Old Gembrook Rd	2648051400	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L45 LP43153 V8357 F706; L1 TP5703 V10	30 Old Gembrook Rd	2648051500	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L15 LP13262	32 Old Gembrook Rd	2648051600	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L16 LP13262	34 Old Gembrook Rd	2648051700	1	\$ 30,981.48	\$ 7,000.00	\$ 612.50	\$ 7,612.50	\$ 1,087.50
L36 LP13262	31 Emerald Lake Rd	2270001400	0.5	\$ 15,490.74	\$ 3,500.00	\$ 306.25	\$ 3,806.25	\$ 543.75
Total			54	\$ 1,673,000.00	\$ 378,000.00	\$ 33,075.00	\$ 411,075.00	\$ 58,725.00

Notes
 Total project cost includes 15% design/supervision/admin allowance
 Financing charge estimated on 5% interest paid in quarterly installments over a 7 year repayment period

Resident Response to the SCS

Property Address	For	Against	No response
1 Durban Rd	1		
2 Durban Rd	1		
3 Durban Rd			1
4 Durban Rd	1		
5 Durban Rd	1		
6 Durban Rd	1		
7 Durban Rd	1		
8 Durban Rd			1
9 Durban Rd	1		
10 Durban Rd	1		
11 Durban Rd	1		
12 Durban Rd			1
13 Durban Rd	1		
14 Durban Rd	1		
15 Durban Rd			1
16 Durban Rd			1
17 Durban Rd		1	
18 Durban Rd	1		
20 Durban Rd	1		
24 Durban Rd			1
26 Durban Rd	1		
28 Durban Rd	1		
Total	15	1	6
1 Sherriff Rd	1		
3 Sherriff Rd		1	
5 Sherriff Rd	1		
7 Sherriff Rd			1
9 Sherriff Rd	1		
11 Sherriff Rd		1	
Total	3	2	1
1 Old Gembrook Rd	1		
3 Old Gembrook Rd	1		
4 Old Gembrook Rd	1		
5 Old Gembrook Rd			1
6 Old Gembrook Rd	1		
7 Old Gembrook Rd			1
8 Old Gembrook Rd	1		
9 Old Gembrook Rd	1		
10 Old Gembrook Rd	1		
11 Old Gembrook Rd	1		
12 Old Gembrook Rd	1		
13 Old Gembrook Rd	1		
14 Old Gembrook Rd			1

22

6

15 Old Gembrook Rd			1
16 Old Gembrook Rd	1		
17 Old Gembrook Rd			1
18 Old Gembrook Rd	1		
19 Old Gembrook Rd	1		
20 Old Gembrook Rd	1		
22 Old Gembrook Rd	1		
24 Old Gembrook Rd	1		
26 Old Gembrook Rd			1
28 Old Gembrook Rd		1	
30 Old Gembrook Rd		1	
32 Old Gembrook Rd			1
34 Old Gembrook Rd			1
31 Emerald Lake Rd			1
Total	16	2	9

27

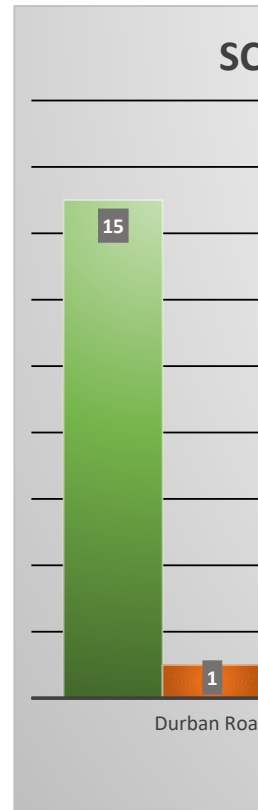
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Overall Total	34	5	16
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Individual Roads Graph

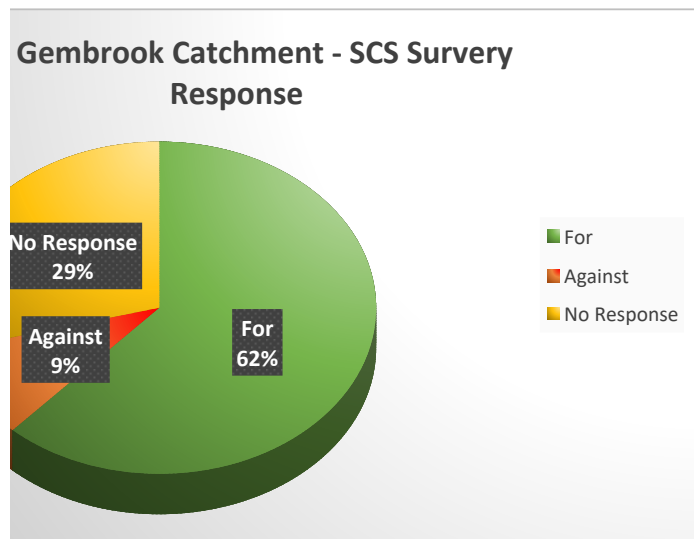
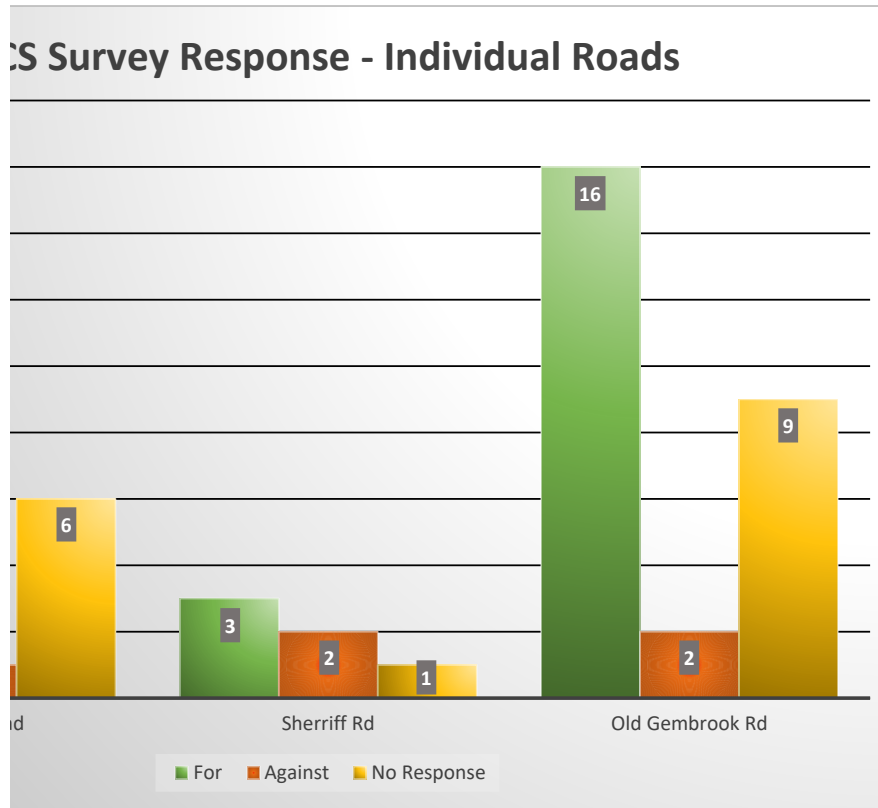
Road	For	Against	No Response
Durban Road	15	1	6
Sherriff Rd	3	2	1
Old Gembrook Rd	16	2	9



Overall response for Catchment

For	34
Against	5
No Response	16





Confidential: for Councillors only

Minutes – consideration of submissions to Old Gembrook Catchment Special Charge Scheme

Meeting:	Old Gembrook Catchment	Date	Friday, 1 April 2022		
Chair	Dan Hammond	Location	Online		
Minute taker	Donna Bird	Start	2pm	End:	2.30pm
Participants	Peter Benazic, Cr Jeff Springfield, Dan Hammond, Nicole Alvares, Donna Bird				
Apologies					
Meeting outcome statement	Local Government Act 1989 Section 223 hearing to consider submissions for Old Gembrook Road Emerald Special Charge Scheme. (Note full copies of submissions together with a summary distributed to all participants)				

Item	Subject/submitter	Summary	Officer comments	Committee recommendation
1.	Review scheme	The existing road construction plans show the road ending at the boundary of 11 Sherriff Road	As approximately 25 trees would need to be removed to continue the road to cover the frontage of No. 11 Sherriff Road, and arborist reports states trees are structurally sound, Council should retain the original scope of works for this project.	That Council provide a narrow above grade driveway connection to service the property.
2.	Review apportionment, Council contribution and plan of submitters	The owners of No. 11 Sherriff Road have been asked to contribute a 0.5 benefit unit (\$3500)	Whilst the owners of No. 11 Sherriff Road will still benefit from the road being sealed, as Council are not sealing the full frontage a half benefit unit should still be charged.	As per officer comments
3.	Linda and Greg Webb	The owners of No. 11 Sherriff Road would like the construction to continue to cover the full frontage of his property	There is a significant vegetation overlay and as there would be approximately 25 trees that would need to be removed	That Council provide a narrow above grade driveway connection to service the property.

			original scope of works should be maintained	
4.	James and Glenda Jackman	Concerned about providing car parking for Worrell Reserve users	Plans have been updated confirming that parking will not be provided and trees will not be removed	As per officer comments
5.				
6.				
7.	Committee's recommendation to Council	<ol style="list-style-type: none"> 1. That Council proceed to declare a special charge scheme for the construction of Durban Road, Old Gembrook Road and Sherriff Road Emerald 2. The submitters be advised accordingly, and the recommendations made with respect to their submissions 3. Council proceed to prepare details design plans for the construction of Durban Road, Old Gembrook Road and Sherriff Road Emerald 		