



Cardinia

MINUTES OF GENERAL COUNCIL MEETING

MONDAY, 17 JUNE 2019

MINUTES OF GENERAL COUNCIL MEETING

held in the Council Chambers, 20 Siding Avenue, Officer
on Monday, 17 June 2019

The meeting commenced at 6.00pm to consider a confidential matter 'In Camera'
and was adjourned at 6.10pm to reconvene at 7pm

PRESENT: Mayor, Graeme Moore, Chairman

Councillors, Carol Ryan, Collin Ross, Ray Brown, Jeff Springfield, Leticia Wilmot, Brett Owen

Messrs Carol Jeffs (CEO), Peter Benazic (GMIE), Tracey Parker (GMLC), Jenny Scicluna (GMCPP), Tom McQualter (EMOC), Doug Evans (MG)

OPENING PRAYER

Almighty God we humbly request that you bestow your blessings upon this Council, direct and prosper our deliberations to the advancement of your glory and to the betterment of the peoples of Cardinia Shire. Amen.

ACKNOWLEDGEMENT OF TRADITIONAL LANDOWNERS

The Cardinia Shire Council respectfully acknowledges that we are on the traditional land of the Bunurong and Wurundjeri people and pay our respects to the elders past, present and future.

APOLOGIES:

Crs Jodie Owen and Michael Schilling

CONFIRMATION OF MINUTES OF MEETINGS

Moved Cr C Ryan Seconded Cr J Springfield

THAT MINUTES OF THE FOLLOWING MEETINGS BE CONFIRMED-

- General Council Meeting 20 May 2019
- Special Council Meeting 27 May 2019
- Town Planning Committee 3 June 2019

Cd.

DECLARATION OF PECUNIARY AND OTHER INTERESTS

Cr Ray Brown declared a conflict of interest in Item 1 on the Agenda.

Cr Brown having declared a conflict of interest in this matter left the Council Chamber at this stage

1 PAKENHAM HERITAGE AMENDMENT C242 PANEL REPORT RECOMMENDATIONS

FILE REFERENCE INT1940653

RESPONSIBLE GENERAL MANAGER Tracey Parker

AUTHOR Genna Walkley

RECOMMENDATION

That:

1. Council resolves to adopt the recommendations (1 to 5 and 6b) of the Cardinia Amendment C242 Panel Report and modify the documentation for the Planning Scheme Amendment C242.
2. Council resolves to adopt the modified Amendment C242 to the Cardinia Planning Scheme under Section 29 of the *Planning and Environment Act 1987* and submit to the Minister for Planning for approval under Section 31 of the *Planning and Environment Act 1987*.

Attachments

- | | |
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| 1 Planning Scheme Amendment C242 Post-Panel Documents | 70 Pages |
| 2 Cardinia Pakenham Structure Plan Heritage Review (May 2019 Version) | 212 Pages |
| 3 Cardinia C242 Panel Report | 63 Pages |

EXECUTIVE SUMMARY

The Amendment is required to implement the recommendations from the *Pakenham Structure Plan Heritage Review, February 2018 (revised July 2018)*, ensuring that the protection of the Pakenham Activity Centre's cultural, aesthetic and architectural heritage by applying heritage controls to a number of places and precincts. Protecting the municipality's heritage places will assist in understanding Cardinia Shire's past, and enrich the residents of Pakenham's present and protect places for future generations.

The Amendment includes the eight individual places, one group listing and three precincts from the Pakenham Activity Centre to the Schedule to Clause 43.01 Heritage Overlay. The Amendment inserts the *Pakenham Structure Plan Heritage Review (May 2019)* (Heritage Review 2019) as a reference document at Clause 21.02; and updates the Cardinia Residential Heritage Precincts Incorporated Plan by varying the Schedule to Clause 72.04 Incorporated Document with the three proposed Pakenham Precincts.

The Amendment was placed on public exhibition from Thursday 9 August 2018 to Friday 7 September 2018 and during this time, 34 submissions were received. Two submissions requested clarification of the Amendment. Three Submissions support and seek no changes to the

Amendment. Two submissions requested changes to the Amendment and have been resolved. 27 submissions oppose the Amendment and remain unresolved. All submissions were referred to an independent planning panel to be appointed by the Minister for Planning. The Panel hearing was held on 27 to 28 March 2019 at Cardinia Shire Council.

On 30 April 2019, the Panel report was received with a number of minor changes recommended to the Amendment.

Officers support the Panel's recommendations and in response to this, it is recommended that the following changes are made to the amendment:

- A reduction to the extent of the Heritage Overlay mapping for two properties
- Update the citation for St James Village Precinct in the Heritage Review 2018 (May 2019)
- Update two exemptions for a planning permit in the Cardinia Residential Heritage Precincts Incorporated Plan; and
- Revise both the Henty Street and James Street Precincts

All of the recommended changes have been made to the Amendment documents.

BACKGROUND

The Amendment was initiated by Action 82 from the Pakenham Structure Plan, which was implemented into the Cardinia Planning Scheme in March 2017 by Amendment C211. The heritage places and precincts identified by the Amendment, were previously identified by the *Pakenham Structure Plan inter-war and post-war heritage study, May 2013*.

A review of the 2013 study was undertaken during 2017, and completed in 2018 and analysed the recommendations and identified places and precincts of the 2013 study. This process either re-affirmed or reduced the significance of the place or precinct. The methodology used in the study was underpinned by the nationally accepted heritage guidelines, The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Heritage Significance (1999).

Amendment C242 is required to implement the recommendations from the *Pakenham Structure Plan Heritage Review, February 2018 (May 2019)*, ensuring the protection of the Pakenham Activity Centre's cultural, aesthetic and architectural heritage by applying heritage controls to the places and precincts listed below.

The Amendment introduces permanent Heritage Overlay's for the places and precincts listed in the study and includes updating the Heritage Overlay Schedule and an Incorporated Document.

Specifically, the Amendment:

- Amends the Schedule to Clause 43.01 Heritage Overlay to apply the Heritage Overlay to the addresses listed below.
- Amends the Cardinia Planning Scheme maps no. 14HO, 15HO and 17HO to include the proposed heritage places and precincts listed below.
- Inserts the *Pakenham Structure Plan Heritage Review (May 2019)* as a reference document at Clause 21.02-6.
- Updates the Cardinia Residential Heritage Precincts Incorporated Plan varying the Schedule to Clause 72.04 Incorporated Document with the three proposed Pakenham Precincts.

Before the Panel Recommendations the Amendment applied to the following Individual places, Group listings and Precincts. An '*' identifies the Heritage Overlays (HO) that are to be modified as a result of the recommendations of the Panel that is discussed later in this report.

Individual places

Proposed HO Number	Address
H0279	18A Henry Street, Pakenham
H0281	49 James Street, Pakenham
H0283	39 Main Street, Pakenham
H0284	62 Main Street, Pakenham
H0285	84 Main Street, Pakenham
H0286*	90-92 Main Street, Pakenham
H0288*	1-7 Station Street, Pakenham
H0290	23 Rogers Street, Pakenham

Group listing

Proposed HO Number	Addresses included in Group Listing
H0287	11, 14, 17 & 5-19 Rogers Street, Pakenham

Precincts

Proposed HO Number	Precinct Name	Addresses included in Precinct
H0291*	St James' Village Precinct	1-23 Dame Pattie Avenue, Pakenham 2-18 Dame Pattie Avenue, Pakenham
H0292*	Henty Street Precinct	3-10 Henty Street, Pakenham
H0293*	James Street Precinct	5-21 James Street, Pakenham 6-32 James Street, Pakenham 1 Snodgrass Street, Pakenham

The Amendment will protect Pakenham Activity Centre's culturally and locally significant, aesthetic and architectural heritage by applying heritage controls to properties and areas of significant value within Pakenham. Protecting the municipality's heritage places will assist in understanding Cardinia Shire's past, and enrich the residents of Pakenham's present and protect places for future generations.

The heritage overlay applies the Victorian Government's policies and reflects our objectives to protect historically significant buildings, precincts, trees, structures and places. These places and precincts contribute to the neighbourhood character and the historical richness of the area.

A Heritage Overlay requires a planning permit to undertake improvements or works for things such as (on rare occasions, internal controls can apply - but none are proposed as part of this Amendment) external alterations, build a front fence, demolishing a property, painting the property and significant tree removal.

The Heritage Overlay does not discourage development, rather retaining heritage properties adds to the character and charm of an area. Heritage buildings can be readapted for new uses and can provide the opportunity to increase density, scale and height in developments, while maintaining the heritage character and façade.

With the loss of a significant amount of heritage in the 1970's and 1980's, particularly in Main St, and most recently in James Street, protecting the remaining heritage within the Pakenham Activity Centre is important.

As an extra protective measure, interim controls have been implemented via Amendment C231 (expires 31 August 2019) which protects the properties and precincts identified in Amendment C242, as the amendment process to apply the permanent heritage controls is lengthy.

The Panel Report

The Panel hearing for Planning Scheme Amendment C242 was held on 27 and 28 March 2019 at Cardinia Shire Council, with Council and five (5) submitters requesting to be heard at the Panel hearing. The submitters raised the following concerns with the Amendment:

- Heritage protection conflicting with structure planning objectives that encourage the redevelopment of the activity centre at greater intensity and scale
- The adequacy of consultation with property owners
- Unreasonable financial impacts, development constraints and permit requirements
- Whether the heritage significance of places warrants protection
- The inconsistent approach adopted whereby Council owned properties were excluded from the Amendment.

The Panel considered that *"the threshold set in the 2013 Heritage Study for the delineation of precincts was too low, and that this resulted in areas with insufficient integrity to warrant inclusion in the HO being incorporated. The 2018 Heritage Review and the authorisation process for the Amendment resulted in a more discerning approach.*

The Panel considered the 2018 Heritage Review, which built on and refined previous assessments, provides a sound basis for the Amendment. It was prepared by a reputable heritage expert and used the widely accepted methodologies and criteria set out in Planning Practice Note 1 Applying the Heritage Overlay, August 2018 (PPN01).

The development of Pakenham has been characterised by buildings modest in both scale and materials. The Panel notes that the rarity of older buildings in Pakenham has the effect of elevating the significance of the places that survive so they reach the threshold of local significance for inclusion in the HO."

The Panel endorses Council's position and the assessments that the Heritage Overlay should apply to most of the places as exhibited, with some exceptions as listed below in their recommendations.

The Panel report was provided to Council on 30 April 2019 and released to the public on Tuesday 28 May 2019.

The Panel report provides the following recommended changes:

The Panel recommends that Cardinia Planning Scheme Amendment C242 be adopted as exhibited subject to the following:

- 1. Reduce the extent of the curtilage of the Heritage Overlay for the following places:*
 - *HO288 1 Station Street to apply only to the 1957 two storey building on the corner*
 - *HO286 90-92 Main Street to apply to the shop and dwelling plus three metres of land adjoining the buildings but not the remainder of the property.*
 - *Update the overlay map, the place citation and the schedule to the Heritage Overlay accordingly.*
- 2. Revise the citation for HO291 St James' Village Precinct to:*
 - *replace reference to Criterion G (association with a community or cultural group) with Criterion H (association with a person/persons) to recognise the association with the St James Anglican Parish and more recently with Benetas, rather than a particular person.*
 - *include the 2013 Study table of housing with an update to note the different housing types*
 - *refer to aluminium rather than vinyl over-cladding.*

3. Amend the Cardinia Residential Heritage Precincts Incorporated Plan to add an exemption from permit requirements for the replacement of asbestos with a material of similar appearance.
4. Exclude 6 Henty Street from the Henty Street Precinct. Update the mapping of HO292 Henty Street Precinct, the schedule to the Heritage Overlay, the citation and the Cardinia Residential Precinct Incorporated Plan accordingly.
5. Revise HO293 James Street Precinct to:
 - exclude 6-18 James Street
 - designate 11 and 28 James Street as non-contributory.
 - exclude 21 James Street (individual HO228) from the James Street Precinct map in the Cardinia Residential Precinct Incorporated Plan accordingly.
 - Update the mapping, the schedule to the Heritage Overlay, the Cardinia Residential Precinct Incorporated Plan and the place citation accordingly.

The recommendations of the Panel are supported by Council officers as it provides greater clarity to property owners on how heritage properties or properties adjoining heritage sites are to design and respond to heritage elements at the planning permit application stage. The additional and clarified exemptions for non-contributory and contributory places within the Precincts, as identified by the Incorporated Plan would be appropriate to avoid triggering unnecessary permit applications.

Panel Further Recommendations for Future Work

These additional recommendations by the Panel are considered to be outside the scope of Amendment C242, and therefore have been identified as requiring additional work via a separate process or future work:

Additional recommendations by the Panel	Response
<p>Recommendation 6: Review the drafting of the following exemptions from permit requirements in the Cardinia Residential Heritage Precincts Incorporated Plan to ensure they achieve the intended purpose:</p> <ol style="list-style-type: none"> a) the floor area of outbuildings b) the height of additions to non-contributory buildings in Pakenham. 	<p>6a) Requires further review to ensure the exemption for outbuildings is achieving its intended purpose.</p> <p>6b) Council has reviewed and updated the Incorporated Document to ensure consistency across all precincts for contributory and non-contributory properties by removing reference to the Pakenham Precincts in these specific exemptions. The reviewed and updated exemptions for contributory and non-contributory places within the Precincts, as identified by the Incorporated Plan are appropriate to avoid triggering unnecessary permit applications</p>
<p>Recommendation 7: Reassess the heritage values of the Pakenham Kindergarten and, if appropriate, apply a Heritage Overlay through a separate Amendment process.</p>	<p>Requires further strategic work and further consideration by the Senior Leadership Team and Council.</p>
<p>Recommendation 8: Consider including all Council and other publicly owned properties assessed as having heritage significance in the Heritage Overlay in future heritage amendments.</p>	

<p>Recommendation 9: Consider providing guidance about the transition in built form at interfaces between new development and heritage places in the Activity Centre Zone or Urban Design Framework to be proposed in Amendment C228.</p>	<p>Will be addressed as part of Planning Scheme Amendment C228 Pakenham Activity Centre.</p>

Changes to the Amendment

The Amendment documents have been updated to reflect the recommendations of the Panel.

This has resulted in:

- the reduction to the extent of the Heritage Overlay mapping for two properties,
- updated the citation for St James Village Precinct in the Heritage Review 2018 (May 2019 version),
- updated the exemptions (as per recommendation nos. 3 and 6b) for a planning permit in the Cardinia Residential Heritage Precincts Incorporated Plan, and
- revised both the Henty Street and James Street Precincts.

Next steps

We are at **Stage 4** of the Planning Scheme Amendment Process as detailed below in Figure 1.

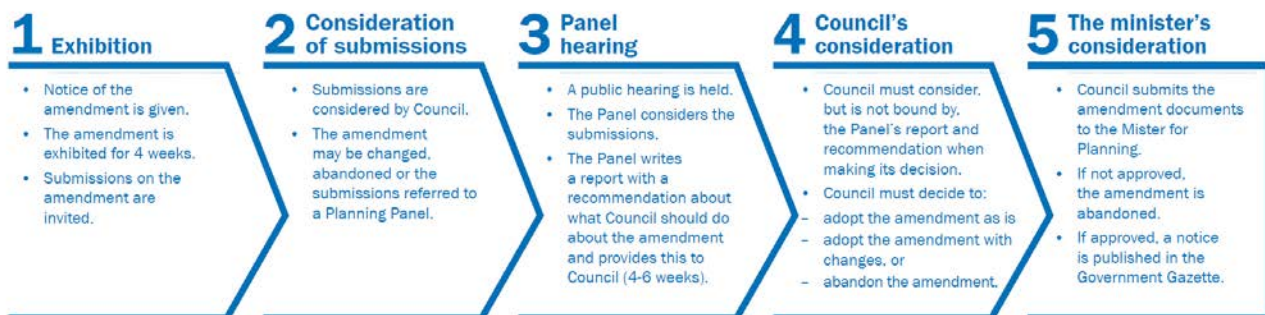


Figure 1. Steps in the Planning Scheme Amendment process

Following adoption of the modified amendment documentation, Council officers will prepare the final documents and submit these to the Minister for Planning for Approval (**Stage 5**). Approval timeframes of the Amendment cannot be confirmed and are subject to processes undertaken by DELWP.

POLICY IMPLICATIONS

Plan Melbourne 2017-2050 - Metropolitan Planning Strategy

Plan Melbourne is the Metropolitan Planning Strategy for Melbourne and sets the vision for and guides Melbourne's growth through the year 2050. It identifies heritage as being relevant to the Pakenham Activity Centre by preserving heritage while the next generation of growth is planned to complement existing communities and create attractive new neighbourhoods.

The relevant directions and policies of Plan Melbourne are as follows:

- Direction 4.4 of Plan Melbourne to 'Respect Melbourne's heritage as we build for the future'
- Policy 4.4.1. 'Recognise the value of heritage when managing growth and change' – 'with all three levels of government sharing responsibility for protecting Melbourne's post-settlement

cultural heritage, decision making must be consistent and credible and be based on clear and widely accepted heritage conservation principles and practices’.

Planning Policy Framework

Clause 15.03 *Heritage* of the Planning Scheme encourages the conservation of places of natural, environmental, aesthetic, historic, cultural, scientific or social significance as a means of maintaining and enhancing Victoria’s image and cultural growth.

The amendment supports the objectives of these policies by including the identified heritage places and precincts into the Schedule to the Heritage Overlay and the three precincts into the Incorporated Plan, which provides various planning controls.

Local Planning Policy Framework

Clause 21.01 identifies ‘the protection and enhancement of areas and places of heritage significance’ as a key issue for the municipality.

Clause 21.02-6 Post-contact heritage ‘provides for the protection and appropriate management of sites of heritage significance’.

Clause 81.01 Cardinia Shire Pakenham Structure Plan 2017 is an incorporated document which guides the development in the Pakenham Town Centre and specifically mentions the protection and preservation of Heritage properties.

The implementation of this amendment will ensure Cardinia Shire’s heritage places are preserved, protected and managed now and into the future.

RELEVANCE TO COUNCIL PLAN

The proposed amendment fulfils the following objective and actions from the Council Plan.

3. Our Environment

3.5. Balanced needs of development, the community and the environment.

- Action 3.5.1. Review the Municipal Strategic Statement and the Cardinia Planning Scheme regularly to ensure it continues to meet Council objectives.
- Action 3.5.2. Plan for the development of the urban growth area with a mix of residential, commercial, employment, recreational and community activities to meet the needs of our growing community in a sustainable way.
- Action 3.5.3. Provide for the sustainable development of rural townships while taking into account their existing character and community needs.

CONSULTATION/COMMUNICATION

The Amendment was placed on public exhibition from Thursday 9th August 2018 to Friday 7 September 2018. At the conclusion of the public exhibition period 34 submissions were received plus two responses from referral authorities.

All submitters have received email or letter notification of the release of the Panel report and will receive the outcome of this General Council Meeting 17 June 2019.

FINANCIAL AND RESOURCE IMPLICATIONS

The Amendment has been funded out of the operating budget of the Strategic Planning department 2018-2019. The application of the Heritage Overlay and Incorporated Provisions for Heritage Precincts provides a clear policy framework to assist Council planners when assessing and making decisions on applications in the Pakenham Activity Centre.

CONCLUSION

The changes made to the Amendment recommended by the Panel (1 to 5 and 6b) include a reduction to the extent of the Heritage Overlay mapping for two properties, update the citation for St James Village Precinct in the Heritage Review 2018 (May 2019 version), update the exemption for a planning permit in the Cardinia Residential Heritage Precincts Incorporated Plan, and revise both the Henty Street and James Street Precincts. All changes have been made to the Amendment documents (Attachment 1).

The approval of Amendment C242 will protect and conserve the heritage properties located in or directly adjoining the Pakenham Activity Centre for future generations. Therefore, it is recommended that Council resolve to adopt the modified Amendment C242 to the Cardinia Planning Scheme under Section 29 of the Act and submit to the Minister for Planning for approval under Section 31 of the Act.

1 PAKENHAM HERITAGE AMENDMENT C242 PANEL REPORT RECOMMENDATIONS

Moved Cr Ross seconded Cr Ryan

That:

1. Council resolves to adopt the recommendations (1 to 5 and 6b) of the Cardinia Amendment C242 Panel Report and modify the documentation for the Planning Scheme Amendment C242.
2. Council resolves to adopt the modified Amendment C242 to the Cardinia Planning Scheme under Section 29 of the *Planning and Environment Act 1987* and submit to the Minister for Planning for approval under Section 31 of the *Planning and Environment Act 1987*.

Cd

Cr Brown returned to the Council Chamber at this stage having taken no part in the discussion or voting on the Item.

2 CARDINIA PLANNING SCHEME AMENDMENT C244 - PAKENHAM PARKING OVERLAY

FILE REFERENCE INT1940696

RESPONSIBLE GENERAL MANAGER Tracey Parker

AUTHOR Celeste Grossi

RECOMMENDATION

That:

1. Council adopts the updated *Pakenham Parking Precinct Plan 17 June 2019* in accordance with Attachment 2.
2. Council adopts Amendment C244 to the Cardinia Planning Scheme with changes under Section 29(1) of the *Planning and Environment Act 1987* generally in accordance with Attachment 4.
3. Council submits adopted Amendment C244 to the Minister for Planning for approval under Section 31(1) of the *Planning and Environment Act 1987*.
4. Council advise all submitters to Amendment C244 of Council's resolution.

Attachments

1	Copy of Council's Response to Submissions	3 Pages
2	Pakenham Parking Precinct Plan - Final	75 Pages
3	Pakenham Parking Precinct Plan - Tracked Changes	57 Pages
4	Planning Scheme Amendment C244 Documents	29 Pages
5	Panel Report - Cardinia Planning Scheme Amendment C244 - Pakenham Parking Overlay	16 Pages

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider the recommendations of the Ministerial Planning Panel and adoption Amendment C244 to the Cardinia Planning Scheme.

The Pakenham Parking Precinct Plan (PPPP) was initially prepared following concerns raised by the community during the preparation of the Pakenham Structure Plan (March 2017). Council first adopted the PPPP in December 2017. An updated version was adopted on 21 May 2018 following community consultation.

A key action of the PPPP is to apply a Parking Overlay to the commercial areas of the Pakenham Activity Centre. Accordingly, on 21 May 2018, Council also resolved to seek Ministerial authorisation to prepare and exhibit Amendment C244 to the Cardinia Planning Scheme.

Amendment C244 was exhibited from 4 October to 6 November 2018. Six submissions were received: one submission did not object and sought no change; one submission sought a change; four submissions opposed the Amendment.

At its meeting on 18 February 2019 Council considered all submissions and resolved to make changes to Amendment C244 and refer all submissions to an independent Ministerial Planning Panel for consideration.

The Panel considered all written submissions and Council's response to those submissions and has provided its report to Council. The Panel recommends Amendment C244 be adopted as exhibited with changes.

Council officers have considered the Panel Report and recommend that Amendment C244 is adopted with changes outlined in this report and summarised in the conclusion, and is then submitted to the Minister for Planning for approval.

BACKGROUND

During the preparation of the *Pakenham Structure Plan, March 2017*, the community raised concerns about traffic movement and insufficient car parking supply within the Pakenham Activity Centre. As a result, the *Pakenham Parking Precinct Plan (PPPP)* was prepared by Salt3 Traffic Engineers in conjunction with Council officers and a community reference group. Council first adopted the PPPP in December 2017. An updated version was adopted on 21 May 2018 following community consultation.

A key action of the PPPP is to apply a Parking Overlay to the commercial areas of the Pakenham Activity Centre. Accordingly, on 21 May 2018, Council also resolved to seek Ministerial authorisation to prepare and exhibit Amendment C244 to the Cardinia Planning Scheme.

The Pakenham Activity Centre is located close to the designated growth area of outer south-east Melbourne, and is expected to experience strong growth as identified in the *Pakenham Structure Plan (2017)*. In response to this growth, additional strategies and controls are needed to manage the impacts of expected new development, including addressing the forecast car parking implications.

What does Amendment C244 do?

Amendment C244 seeks to implement the objectives of the PPPP by introducing a Parking Overlay into the Cardinia Planning Scheme and applying Schedule 1 to the Parking Overlay to the Pakenham Activity Centre. These controls will provide greater statutory guidance for applicants and planners relating to car parking infrastructure within the activity centre.

The proposed Schedule 1 to the Parking Overlay includes a statutory mechanism for Council to collect financial contributions which are to be paid in lieu of providing car parking spaces. The funds collected through this financial contribution scheme must be used to upgrade Council owned public car parking facilities.

The proposed Parking Overlay will also assist Council to better manage the car parking assessment process for new developments.

Exhibition and Submissions

Amendment C244 was exhibited from 4 October to 6 November 2018. Six submissions were received: one submission did not object and sought no change; one submission sought a change; four submissions opposed the Amendment.

Post exhibition changes to the Amendment

In response to submissions, changes were made to the *Pakenham Parking Precinct Plan, May 2018* and the Amendment documents. Changes were also made in response Victorian Planning Provisions that had been amended via Amendment VC148, as well as some other minor corrections. As the changes were minor in nature, the intent of the documents did not change.

Council considered all submissions at its meeting on 18 February 2019. A copy of Council's consideration and response to submissions is contained in Attachment 1.

Council resolved to:

- Endorse the following changes to the PPPP and the Amendment Documents.
 - Inclusion of appendix 1 and 2 in the PPPP which were not provided in the current adopted version;
 - Minor formatting and typographical changes to the PPPP;
 - Updating of Section 2 of the PPPP in accordance with Amendment VC148;
 - Inclusion of details in the PPPP on the Principal Public Transport Network Area as introduced by Amendment VC148;
 - Noting in the PPPP Action Plan that Actions 3 and 12 have now been completed;
 - Amended wording in Section 7 of the PPPP which provides additional information and actions to strengthen the role of enforcement within the Pakenham Activity Centre;
 - Inserting a new Section 2.2.5 in the PPPP to acknowledge existing car parking credits and how they will be taken into consideration; and
 - Inserting a requirement for an empirical car parking demand assessment to be submitted as part of an application for a permit under Clause 45.09 in the Schedule 1 to Clause 45.09.
- Refer all submissions to an independent Ministerial Planning Panel for consideration.

The Ministerial Planning Panel and Report

Directions Hearing

The Panel held a Directions Hearing on 22 March 2019 which was attended by Council officers and no submitters.

Council Officers advised the Panel that, in addition to the changes that were resolved by Council, a further change had been made to the Amendment Documents to correct the exhibited Parking Overlay Map which had incorrectly included residentially zoned properties on the corner of Henry Street and Slattery Place.

The Panel advised Council officers that it had not received a 'request to be heard' from any submitter.

On 1 April 2019, Planning Panels Victoria advised Council that the Panel would consider all submissions, and Council's response to those submissions, 'on the papers' as the submitters had not made a request to be heard. Accordingly, no Panel Hearing was held.

Panel Report

Council received the Panel Report on 29 April 2019, and DELWP made it public on 27 May 2019. The Panel Report can be found at attachment 5.

Issues raised by submissions

The Panel summarised the issues requiring consideration as follows:

- **Private parking** (Increased number of cars parking in private car parks due to car parking waivers)
- **Nexus** (Nexus and identification of projects to be funded to proper planning purposes)
- **Empirical analysis** (Empirical analysis of car park utilisation and predicted demand)
- **Column B rates in clause 52.06** (Application of Clause 52.06 Column B car parking rates)
- **Recognition of prior car parking payments**

- **Parking permits** (Parking permit for traders and staff)
- **Exemption of not for profit organisations**

In summary, in its consideration of these issues, the panel made the following conclusions and recommendations.

Increased number of cars parking in private car parks due to car parking waivers

The Panel was satisfied that the Amendment will facilitate appropriate consideration of whether car parking waivers should be allowed, will ensure improved car parking will be provided, and that Council's undertaking to improve enforcement in private car parks will encourage turnover. The Panel recommended no change to the Amendment.

Nexus and identification of projects to be funded to proper planning purposes

In relation to properly identifying projects to be funded by cash contributions, the Panel concluded that it is not adequate for the proposed schedule 1 to make reference to Figure 16 (previously Figure 3) in the PPPP, or "other initiatives in Pakenham Activity Centre outlined in the Pakenham Parking Precinct Plan", as this is unacceptably vague and could allow for the PPPP to be changed without a planning scheme amendment and change the whole nature of the cash-in-lieu scheme. The Panel concluded that this does not accord with Planning Practice Note 57 - The Parking Overlay. The Panel therefore recommended that specific projects to be funded by cash contributions be listed in the proposed schedule 1. Officers' response to this recommendation is discussed in the next section of this report.

Planning Practice Note 57 - The Parking Overlay requires that projects must demonstrate nexus to proper planning purposes. The Panel concluded that Actions 7, 8 and 9 of the PPPP, relating to the James Street and Drake Place car park upgrades, satisfy this nexus. These three projects are depicted Figure 16 (previously Figure 3) of the PPPP. The Panel recommended that these three Actions should be specifically listed as projects in the proposed schedule 1. Officers' response to this recommendation is discussed in the next section of this report.

In relation to 'other projects' in the PPPP relating to pedestrian movements and electrical bike charging stations, the Panel stated that these meet the nexus principle of the Practice Note for 'proper planning purposes', but because these are listed for future consideration when the PPPP is reviewed in 5 years' time, should not be included as specific projects in the proposed schedule 1 at this time. Officers' response to this discussion is discussed in the next section of this report.

Empirical analysis of car park utilisation and predicted demand

The Panel supported Council's response which was to amend the Amendment C244 to include a requirement in the proposed schedule 1 for an empirical assessment of car park utilisation and predicted demand to be submitted with permit applications. The Panel recommended no further change to the Amendment.

Application of Clause 52.06 Column B car parking rates

The Panel supported Council's application of Column B car parking rates, stating that it is the correct rate to be applied as set-out by Clause 52.06 and the Practice Note. The Panel recommended no change to the Amendment.

Recognition of prior car parking payments

The Panel concluded that Clause 52.06-7 provides for sufficient consideration of car parking payments made in the past and noted that Council had added text from Clause 52.06-7 regarding this matter in Section 8.2 of the PPPP. The Panel recommended no further change to the Amendment.

Parking permits for traders and staff

The Panel noted that the PPPP states that Council will consider providing parking permits to traders and staff to enable them to park for longer time periods closer to their premises. The panel recommended no change to the Amendment.

Exemption of not for profit organisations

The Panel stated that there is nothing in the Amendment that will impose costs on the not for profit organisation or its clients and that the PPPP recommends that Council considers paid parking in the activity centre at the five year review of the Plan but that will be subject to a future process. The Panel also stated that if the not for profit organisation sought to redevelop the site and provided on-site parking as required by the planning scheme, a cash contribution would not be required. The Panel recommended no change to the Amendment.

Other matters raised by the Panel

References within the proposed schedule 1 to Clause 45.09

The Panel stated that the two references in the application requirements and decision guidelines to Clause 45.09 should rather be to Clause 52.06. It was recommended that these two references be reviewed. Officers' response to this recommendation is discussed in the next section of this report.

Administrative corrections

The panel recommended that:

- The notation on proposed Parking Overlay maps 14, 15 and 17 be amended from PO to PO1.
- The header in the PPPP be revised to ensure the correct date is entered.
- The pagination of the PPPP is checked to ensure figure and table numbers and titles are in the correct position.

Officers' response to this recommendation is discussed in the next section of this report.

Response to the Panel Report

Response to the Panel's recommendations

All recommendations of the Panel are accepted.

The reference and administrative corrections to the proposed schedule 1 and the PPPP that were raised by the Panel have been made to the Amendment Documents as recommended.

Officers' agree that listing Actions 7, 8 and 9 of the PPPP in the proposed Schedule 1 to Clause 45.09 as specific projects that can be funded by cash contributions, will provide more transparency and clarity to those who are required to make cash-in-lieu payments. This approach aligns more closely with Planning Practice Note 57 - The Parking Overlay.

As per the Panel's recommendations, the Amendment documents have been changed by replacing the generic dot-points at section 5.0 of the proposed Schedule 1 to Clause 45.09 with Actions of the Pakenham Parking Precinct Plan (June 2019) as specific projects, as follows:

- *Action 7: Upgrade the Council owned James Street Car Park as Stage 1 (ensuring that the any upgrade allows for the development of the site for commercial, at the ground floor, providing for decked car parking on top) lighting improvements and ongoing maintenance.*
- *Action 8: Upgrade the Council owned Drake Place car park, undertaking lighting improvements and ongoing maintenance.*
- *Action 9: Progress conceptual planning and design for the James Street and Drake Place car park sites and prepare cost estimates for financial contributions.*

Response to the Panel's discussion on 'other projects'

The Panel also discussed 'other projects' in the PPPP relating to pedestrian movements and electrical bike charging stations. The Panel concluded that these could be projects that meet the principle of nexus for 'proper planning purposes' required by the Planning Practice Note 57 - The Parking Overlay, but stated that as these are listed for future consideration when the PPPP is reviewed they should not be included in the proposed schedule 1 as projects.

Officers agree with the Panel's comments, accept that it is only electrical bike charging stations that are listed for future consideration when the PPPP is reviewed in five years' time. Although not listed as an explicit Action of the PPPP, the content of the exhibited Amendment Documents (the PPPP,

the Explanatory Report, and proposed Schedule 1) made clear Council's intention to use cash contributions to fund other projects relating to other parking improvement measures, such as pedestrian movements.

To ensure that these other parking improvement measures can be achieved, text in the PPPP has been amended to be more explicit about funding improved pedestrian connections and way-finding signage, access to public transport, cycle paths and end-of-trip facilities. A new Action 10 has been included in the PPPP to provide complete clarity as follows:

- *Action 10: Through future cash in lieu contributions, deliver improved access to public transport, pedestrian connections and wayfinding signage, cycling paths and lanes, and end of trip facilities*

Action 10 has also been added to Section 5.0 of the proposed Schedule 1 to Clause 45.09 as a specific project, as follows:

- *Action 10: Deliver improved access to public transport, pedestrian connections and way-finding signage, cycling paths and lanes, and end of trip facilities.*

This will ensure cash in lieu contributions can be used to fund the delivery of other parking improvement measures that aim to reduce congestion in Main Street by:

- identifying where Council owned car parks are located on the periphery of the activity centre
- encouraging use of Council owned car parks to reduce reliance on car parking within high demand and high occupancy areas.
- reducing car parking dependency by encouraging alternative transport options.
- providing safe and accessible pedestrian connections to and from Council owned car parks.

Action 10 is also important to ensure that smaller parking improvement projects can be undertaken in the interim as funds become available through the cash in lieu scheme rather than waiting until a large fund is built up to deliver the larger actions. This will allow the Pakenham Activity Centre to see some benefit of the funds in the short term.

Given the above, it is considered that Action 10 is for 'proper planning purposes' and accords with both the Panel Report and Planning Practice Note 57 - The parking Overlay.

The revised Amendment C244 Documents are included as Attachment 4.

Next Steps

We are at the final stage 4 of the Planning Scheme Amendment process.

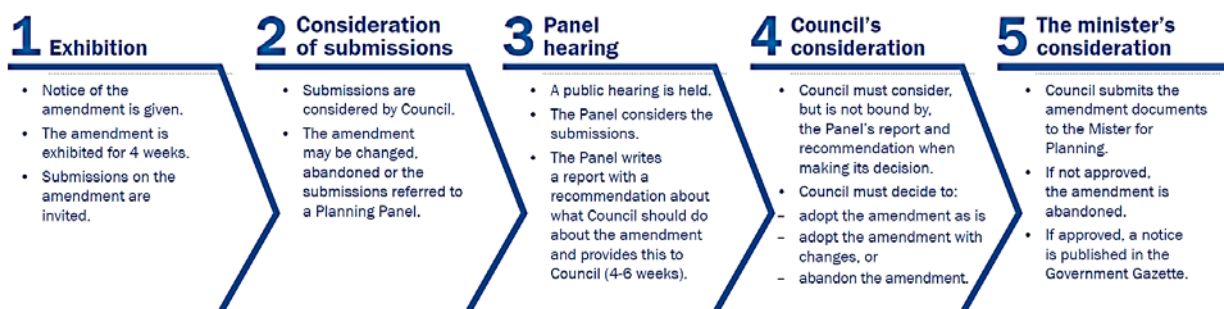


Figure 1. Steps in the Planning Scheme Amendment process

As detailed in Figure 1 above, after considering the Panel Report and its recommendations, Council must decide whether to:

- abandon the amendment;
- adopt the amendment with changes; or
- adopt the amendment with no changes.

If Council resolves to adopt the Amendment with changes as recommended, officers will finalise the Amendment Documents and submit these to the Minister for Planning for Approval (Stage 5). Ministerial Approval timeframes cannot be confirmed and are subject to DELWP's internal processes.

POLICY IMPLICATIONS

A full strategic assessment of Amendment C244 against all relevant policies can be found in the Explanatory Report in Attachment 4.

RELEVANCE TO COUNCIL PLAN

The following key actions within the 2018-19 Council Plan are relevant:

Section 3 Our Environment is relevant of which the objective is: *we will continue to plan and manage the natural and built form environment for present and future generations.*

- *Action 3.2.3 Develop transport networks that incorporate effective public transport.*
- *Action 3.5.2 Plan for the development of the urban growth area with a mix of residential, commercial, employment, recreational and community activities to meet the needs of our growing community in a sustainable way.*

Section 3 Our Economy is relevant, of which the objective is: *we will create and support local employment and business opportunities for our community and the wider region.*

- *Action 4.1.2 Support the development of existing and new businesses within the Shire.*
- *Action 4.1.4 Plan the development of Officer and Pakenham town centres.*
- *Action 4.3.3 Advocate for the delivery of small and large scale projects that enhance and drive economic activity.*

Section 5 Our Governance is relevant, of which the objective is: *we will consult with the community, as appropriate, in an open and accountable way to help in the key direction of Council.*

- *Action 5.3.1 Make financial decisions that achieve the objectives of Council and long term financial sustainability.*
- *Action 5.3.2 Make financial decisions that are fair and ethical and balance the costs and benefits between present and future generations.*

CONSULTATION/COMMUNICATION

All submitters have received either email or post notification of the release of the Panel Report.

FINANCIAL AND RESOURCE IMPLICATIONS

The Amendment process has been funded by the operating budget of the Policy, Design and Growth Area Planning Department.

There is no statutory mechanism in the planning scheme at present to allow Council to generate funds to improve and increase the parking inventory in the Pakenham Activity Centre. A parking overlay is required to allow Council to collect financial contributions to fund the construction of car parking facilities and improvements.

CONCLUSION

Amendment C244 will provide greater statutory guidance for applicants and planners relating to car parking infrastructure within and around the Pakenham Activity Centre. The proposed Schedule 1 to the Parking Overlay includes a statutory mechanism for Council to collect financial contributions which are to be paid in lieu of providing car parking spaces. The funds collected through this financial contribution scheme must be used to construct new public car parking facilities and improvements to existing public car parks, as well as measures to address other parking issues.

As confirmed by the Panel Report, the Amendment is strategically justified. In addition to some minor corrections, the Panel Report recommends a change to the Amendment whereby specific actions contained in the *Pakenham Parking Precinct Plan (June 2019)* are listed in the proposed Schedule 1 to Clause 45.09 as the projects that will be funded by the cash in lieu contributions. All recommendations of the Panel are accepted.

Based on the Panel Report's discussion on projects and nexus, to clarify that cash in lieu contributions will fund other improvements that help reduce car parking dependency and improve access to and from Council owned car parks located on the periphery of the activity centre, an additional action has been added to both the *Pakenham Parking Precinct Plan (June 2019)* and the proposed Schedule 1 to Clause 45.09.

It is recommended that Council adopts Amendment C244 to the Cardinia Planning Scheme as exhibited, subject to the following changes:

Post-exhibition changes endorsed on 18 February 2019 by Council:

- Inclusion of appendix 1 and 2 in the PPPP which were not provided in the current adopted version;
- Minor formatting and typographical changes to the PPPP;
- Updating of Section 2 of the PPPP in accordance with Amendment VC148;
- Inclusion of details in the PPPP on the Principal Public Transport Network Area as introduced by Amendment VC148;
- Noting in the PPPP Action Plan that Actions 3 and 12 have now been completed;
- Amended wording in Section 7 of the PPPP which provides additional information and actions to strengthen the role of enforcement within the Pakenham Activity Centre;
- Inserting a new Section 2.2.5 in the PPPP to acknowledge existing car parking credits and how they will be taken into consideration; and
- Inserting a requirement for an empirical car parking demand assessment to be submitted as part of an application for a permit under Clause 45.09 in the Schedule 1 to Clause 45.09.

Pre-Panel changes submitted to the Panel at the Directions Hearing on 22 March 2019:

- Correction of the exhibited Parking Overlay Map to remove the residentially zoned properties on the corner of Henry Street and Slattery Place which had been incorrectly included.

Post-Panel changes in accordance with Panel recommendations:

- In the proposed schedule 1, the two references in the application requirements and decision guidelines are amended to refer to Clause 52.06 rather than Clause 45.09.
- Notation on the proposed Parking Overlay map is amended from PO to PO1.
- The header in the Pakenham Parking Precinct Plan is amended to show the correct date, being the date of Council's adoption of the updated Plan (17 June 2019).
- Pagination of the Pakenham Parking Precinct Plan is updated so that figure and table numbers and titles are shown in the correct position.
- Replace the generic dot-points at section 5.0 of the proposed Schedule 1 to Clause 45.09 with Actions of the Pakenham Parking Precinct Plan (June 2019) as specific projects, as follows:
 - Action 7: Through future cash in lieu contributions upgrade the Council owned James Street Car Park as Stage 1 (ensuring that the any upgrade allows for the development of the site for commercial, at the ground floor, providing for decked car parking on top) lighting improvements and ongoing maintenance.

- Action 8: Through future cash in lieu contributions, upgrade the Council owned Drake Place car park, undertaking lighting improvements and ongoing maintenance.
- Action 9: Progress conceptual planning and design for the James Street and Drake Place car park sites and prepare cost estimates for financial contributions.

Post-Panel changes in addition to Panel recommendations:

- Amending the PPPP to be more explicit about using cash in lieu contributions for improved pedestrian connections and way-finding signage, access to public transport, cycle paths and end-of-trip facilities.
- Adding new Action 10 the PPPP, as follows:
 - Action 10: Through future cash in lieu contributions, deliver improved access to public transport, pedestrian connections and wayfinding signage, cycling paths and lanes, and end of trip facilities
- At section 5.0 of the proposed Schedule 1 to Clause 45.09 include the following Action of the Pakenham Parking Precinct Plan (June 2019) as a specific project:
 - Action 10: Deliver improved access to public transport, pedestrian connections and way-finding signage, cycling paths and lanes, and end of trip facilities.

2 CARDINIA PLANNING SCHEME AMENDMENT C244 - PAKENHAM PARKING OVERLAY

Moved Cr L Wilmot Seconded Cr J Springfield

That:

1. Council adopts the updated *Pakenham Parking Precinct Plan 17 June 2019* in accordance with Attachment 2.
2. Council adopts Amendment C244 to the Cardinia Planning Scheme with changes under Section 29(1) of the *Planning and Environment Act 1987* generally in accordance with Attachment 4.
3. Council submits adopted Amendment C244 to the Minister for Planning for approval under Section 31(1) of the *Planning and Environment Act 1987*.
4. Council advise all submitters to Amendment C244 of Council's resolution.

Cd.

3 ADOPTION OF BUDGET 2019-2020

FILE REFERENCE INT1940869

RESPONSIBLE GENERAL MANAGER Tom McQualter

AUTHOR Scott Moore

RECOMMENDATION

That Council having advertised the Budget for the financial year 2019-20 and considered the submissions received resolves as follows:

1. The Budget as presented for the financial year 2019-20 be adopted, with the following amendments:

- IYU Recreation Reserve Athletics Facility – brought forward three years;

From	to	Amount \$
2022-23	2019-20	150,000
2023-24	2020-21	3,750,000
2024-25	2021-22	1,200,000
Total		5,100,000

- Officer District Park Masterplan Implementation – deferred three years;

From	to	Amount \$
2019-20	2022-23	200,000
2020-21	2023-24	1,800,000
2021-22	2024-25	2,700,000
Total		4,700,000

- Worrell Reserve - \$234k increase in 2019-20 for high ball nets (\$36k), oval lighting (\$180k) and coaches boxes (\$18k);
- Officer Recreation Reserve - \$62k increase in 2019-20 for high ball nets (\$36k) and AFL goal posts (\$26k);
- Officer Recreation Reserve Pavilion - \$70k increase in 2019-20;
- Cockatoo Community Centre - \$44k grant now Council funded;
- Fees and charges wording amendments – public event bookings and public market space hire – now ‘only for commercial or for-profit organisations’.
- The amount which Council intends to raise by general rates and the annual service charges be amended to be declared as \$96,664,763.21 and calculated as follows:
General Rates \$81,264,646.21
Garbage Charge \$12,431,592.00
Green Waste Charge \$2,968,525.00
or such further amount as is lawfully levied as a consequence of this resolution;

- Each differential rate be amended to be determined by multiplying the capital improved value of each rateable land (categorised by the characteristics described in the Budget document) by the relevant cents in the dollar of the Capital Improved Value of each property indicated in the following table:

Type	\$/CIV
Base Rate	0.002777
Agricultural Land	0.002083
Urban Rate	0.002945
Urban Vacant Land	0.006363
Urban Commercial and Industrial	0.004030
Urban Agricultural Land	0.002361
Lakeside Residential	0.003001
Lakeside Vacant Land	0.006484

2. The Chief Executive Officer be authorised to give public notice of the adoption of such budget;
3. All person that lodged submissions be thanked for their interest and a written response be forwarded to all submitters advising that the budget has been adopted with amendments and responding to the matters raised in their individual submissions;
4. A general rate be declared in respect of the 2019-20 financial year and that the general rate be raised by the application of differential rates;
5. In accordance with section 4(4) of the Recreational Lands Act 1963, the amount of rates payable in respect of each of the rateable land to which that Act applies be determined by multiplying the capital improved value of that rateable land by .2083% (or 0.2083 cents in the dollar of capital improved value);
6. That council adopt the fees and charges for 2019-20 included within the budget
7. An annual service charge be declared in respect of 2019-20 financial year for the collection and disposal of refuse and that this charge be set at of \$283.70 for land (or part) in respect of which any annual service charge may be levied, and be based on the criterion of location within council's municipal district
8. An annual service charge be declared in respect of 2019-20 financial year for the collection of green waste and that this charge be in the sum of \$123.16 for land (or part) supplied with a green waste collection service
9. All rates and charges be paid in four instalments, in accordance with section 167(1) of the Local Government Act 1989;
10. If any rates and charges are not paid by the date on which they are due, interest be paid by the person liable to pay them in accordance with section 172 of the Local Government Act 1989;
11. The Executive Manager Office of the CEO be authorised to levy and recover the general rates, annual service charges and interest in accordance with the Local Government Act 1989.

Attachments

- 1 Draft Budget 79 Pages

EXECUTIVE SUMMARY

To formally consider the Budget for the 2019-20 financial year and to resolve on the submissions received. It is proposed to amend the budget to take into account several of the submissions received. It is also necessary to adjust the rate in the dollar figures for the various differential rating categories and the total amount of the rates to be received following receipt of the final (Stage 4) valuation figures to ensure that the total rates to be received are kept under the rate cap of 2.5%.

BACKGROUND

At the Council Meeting held on Monday 15 April 2019, Council resolved to give public notice of the preparation of the budget for the forthcoming financial year and the advertising undertaken indicated that the Council would consider a recommendation to adopt the Budget at this meeting.

Any persons that lodged a submission regarding the Draft Budget or Council Plan were given the opportunity to speak to their submission at a Special Council Meeting held on Monday 27 May 2019.

Council is therefore now in a position to formally resolve on the budget.

POLICY IMPLICATIONS

Nil

RELEVANCE TO COUNCIL PLAN

The budget for the forthcoming financial year has been prepared on the basis of delivering the Council Plan activities.

CONSULTATION/COMMUNICATION

The appropriate public notice has appeared advising that the draft budget was available for inspection at the Civic Centre and at the Pakenham, Emerald and mobile libraries as well as on the Council's website seeking comment and submissions.

At the closing date for the lodgement of submissions on the Proposed Budget 2019-20 nine submissions had been received. Those persons who wished to speak in support of their submission were provided with this opportunity at a Special Council Meeting held on Monday 27 May 2019.

In addition to the normal channels for submitting a budget submission (email, post and hand delivery), an eForm was created and was available on Council's website to allow online submissions.

Written submissions were received from:

Name	Details
Pauline Murphy - Emerald Museum & Nobelius Heritage Park	Requesting \$20,150 to cover 2019-20 operating costs. Also flag their interest in purchasing a 'touchscreen' at a cost of \$7,000 to provide an up-to-date resource for visitors to the Museum.
Proposed response: The annual maintenance budget of \$20,150 to cover current operating costs such as internet	

and phone, insurances, utility costs, cleaning and security has been included as part of the 2019-20 budget. The request for additional funding for an interactive touch screen has not been included in the budget, however the Committee is encouraged to apply for a Heritage Grant to possibly help fund this project.

Robert Elston – Cricket Victoria	Request that the \$10k included in the 2019-20 budget for the cricket practice net renewal program be increased to \$80-100k. The current \$10k is inadequate to repair dilapidated net facilities which Cricket Victoria have identified at Cardinia Recreation Reserve and Catani Recreation Reserve. Investments by clubs and Council could also be used to leverage funding from the Australian Cricket Infrastructure Fund.
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Proposed response:
Council appreciates the support of Cricket Victoria for its cricket practice wicket renewal program and the information Cricket Victoria has provided regarding the practice wickets it believes are the priority for renewal and the cost estimate for such renewals. The \$10,000 funding allocated in Council's 2019-20 draft Capital Works Program is for the cost of removal of an existing set of cricket nets only. It is proposed that funding of the level Cricket Victoria has suggested will then be requested through the capital works program in years 2020-21 onwards to implement a program of the renewal of one set of cricket wickets per annum. Council looks forward to working with Cricket Victoria to implement this important renewal program.

Karen Benson - Cockatoo Country Market	Fees for use of public spaces. Community groups should not be charged these fees. Potentially increase fees for commercial for-profit organisations.
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Proposed response:
Council supports the budget submission to request that only for-profit and commercial organisations be charged for the use of passive reserves and for use of reserves for markets (excluding Emerald Lake Park) as it supports community groups and the activation of Council reserves and this will be implemented in the 19/20 budget

Amelia-Rachel Pattison	Form only. No written submission.
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Proposed response:
Thank-you for your submission.

Emma Ramage	Requests sealing of Riverside Avenue Bunyip through to Henry Road and up to A'Beckett Road.
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Proposed response:
Council is committed to improving the unsealed road network and uses several criteria to assist in prioritising works. Riverside Avenue to A'Beckett Road is not currently on the works program. For Riverside Ave to be sealed it would fall under a special charge scheme project requiring funding by adjoining benefiting land owners. Council officers will include Riverside Road on the forward Special Charge Scheme program list for consideration in future budgets and will require substantial support from other property owners abutting Riverside Ave should it become a priority.

Bryan Scott Nimmo - Pakenham Little Athletics Club	The detailed design of Stage 3 of the IYU Recreation Reserve (the all-weather athletics facility - including the track, pavilion, storage and landscaping) be included in Cardinia Shire Council's Budget for the 2019-20 Capital Works Budget. Move of \$150k from 2022-23 to
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	2019-20.
<p>Proposed response: Council supports the request by the Pakenham Little Athletics Club to bring the design funding for the new athletics facility at IYU Reserve forward into the 2019-20 capital works program for the following reasons:</p> <ul style="list-style-type: none"> - the development of a new athletics facility at IYU is consistent with the IYU Recreation Reserve Masterplan; and - by preparing the updated detailed design Council will then have current plans to use to apply for funding from other levels of government. 	
Howard Winter - Worrell Reserve	Funding for the installation of oval lighting at Worrell Reserve should be included in the 2019-20 budget. Lighting cost is part of \$270k which the submitter has been advised is the estimated cost for four unfunded items
<p>Proposed response: Council supports an amended version of the request by the Committee for Council to allocate funding to the 2019-20 capital works program to undertake outstanding items from the recent oval redevelopment project at Worrell Reserve.</p> <p>Council supports allocating \$234,000 in the 2019-20 FY capital works program to implement:</p> <ul style="list-style-type: none"> • High ball nets ; • Oval lighting; and • Coaches Boxes x 2 	
Gareth Sheean - Officer Recreation Reserve	Request that funding be placed inside the 2019-20 Capital Works budget to satisfactorily complete the oval redevelopment at Officer Recreation Reserve including high ball nets, AFL goal posts, lighting, landscaping and concrete footpaths. Estimate of \$324k to complete all projects.
<p>Proposed response: Council supports an amended version of the request by the Committee for Council to allocate funding to the 2019-20 capital works program to undertake outstanding items from the recent oval redevelopment project at Officer Reserve.</p> <p>Council supports allocating \$62,000 in the 2019-20 capital works program to implement:</p> <ul style="list-style-type: none"> • High ball nets; and • new AFL goal posts. 	
Alliance for Gambling Reform	Seeking \$25,000 funding for 'The Pokies Play You - The Alliance for Gambling Reform' campaign for the 2019-20 financial year. The greatest benefit for the Shire of Cardinia of this campaign comes from working in concert with the Alliance, 20 other metropolitan councils and the partner organisations to advocate for state and national legislative reforms. The legislative changes advocated by the Shire of Cardinia and the Alliance will reduce gambling harm and disadvantage far more than is possible by councils working in isolation from each other.
<p>Proposed response: Cardinia Shire Council is committed to reducing harm caused by gaming machines and have put in place several mechanisms to ensure that we are able to respond to applications of new</p>	

machines in our municipality. We have invested a significant amount in defending our position to date and have been successful in doing so. With this in mind we need to ensure that we have adequate resources to undertake this important work and in relation to this subject matter Council will be directing any resources needed to defend our position. On consideration of this year's budget, Council has made the decision to not allocate any funds to the Alliance for Gambling Reform as they will be needed in the future to enable council to defend its position as needed.

All persons who lodged submissions will be thanked for their interest and a written response will be forwarded advising that the Budget has been adopted with amendments and responding to the matters raised in their individual submissions.

FINANCIAL AND RESOURCE IMPLICATIONS

Council must prepare and adopt a budget for the forthcoming financial year to be able to fund the various services and programs required. Any reduction in revenue or increase in expenditure would require corrections to be made to the 2019-20 Budget document.

CONCLUSION

Having complied with the Local Government Act provisions and considered the submissions received Council is in a position to formally resolve on the Budget for the 2019-20 financial year and resolve on the submissions received.

3 ADOPTION OF BUDGET 2019-2020

Moved Cr B Owen Seconded Cr C Ross

That Council having advertised the Budget for the financial year 2019-20 and considered the submissions received resolves as follows:

1. The Budget as presented for the financial year 2019-20 be adopted, with the following amendments:

- IYU Recreation Reserve Athletics Facility – brought forward three years;

From	to	Amount \$
2022-23	2019-20	150,000
2023-24	2020-21	3,750,000
2024-25	2021-22	1,200,000
Total		5,100,000

- Officer District Park Masterplan Implementation – deferred three years;

From	to	Amount \$
2019-20	2022-23	200,000
2020-21	2023-24	1,800,000
2021-22	2024-25	2,700,000
Total		4,700,000

- Worrell Reserve - \$234k increase in 2019-20 for high ball nets (\$36k), oval lighting (\$180k) and coaches boxes (\$18k);
- Officer Recreation Reserve - \$62k increase in 2019-20 for high ball nets (\$36k) and AFL goal posts (\$26k);
- Officer Recreation Reserve Pavilion - \$70k increase in 2019-20;
- Cockatoo Community Centre - \$44k grant now Council funded;
- Fees and charges wording amendments – public event bookings and public market space hire – now ‘only for commercial or for-profit organisations’.
- The amount which Council intends to raise by general rates and the annual service charges be amended to be declared as \$96,664,763.21 and calculated as follows:

General Rates	\$81,264,646.21
Garbage Charge	\$12,431,592.00
Green Waste Charge	\$2,968,525.00

 or such further amount as is lawfully levied as a consequence of this resolution;
- Each differential rate be amended to be determined by multiplying the capital improved value of each rateable land (categorised by the characteristics described in the Budget document) by the relevant cents in the dollar of the Capital Improved Value of each property indicated in the following table:

Type	\$/CIV
Base Rate	0.002777
Agricultural Land	0.002083
Urban Rate	0.002945
Urban Vacant Land	0.006363
Urban Commercial and Industrial	0.004030
Urban Agricultural Land	0.002361
Lakeside Residential	0.003001
Lakeside Vacant Land	0.006484

2. The Chief Executive Officer be authorised to give public notice of the adoption of such budget;
3. All person that lodged submissions be thanked for their interest and a written response be forwarded to all submitters advising that the budget has been adopted with amendments and responding to the matters raised in their individual submissions;
4. A general rate be declared in respect of the 2019-20 financial year and that the general rate be raised by the application of differential rates;
5. In accordance with section 4(4) of the Recreational Lands Act 1963, the amount of rates payable in respect of each of the rateable land to which that Act applies be determined by multiplying the capital improved value of that rateable land by .2083% (or 0.2083 cents in the dollar of capital improved value);
6. That council adopt the fees and charges for 2019-20 included within the budget
7. An annual service charge be declared in respect of 2019-20 financial year for the collection and disposal of refuse and that this charge be set at of \$283.70 for land (or part) in respect of which any annual service charge may be levied, and be based on the criterion of location within council's municipal district
8. An annual service charge be declared in respect of 2019-20 financial year for the collection of green waste and that this charge be in the sum of \$123.16 for land (or part) supplied with a green waste collection service
9. All rates and charges be paid in four instalments, in accordance with section 167(1) of the Local Government Act 1989;
10. If any rates and charges are not paid by the date on which they are due, interest be paid by the person liable to pay them in accordance with section 172 of the Local Government Act 1989;
11. The Executive Manager Office of the CEO be authorised to levy and recover the general rates, annual service charges and interest in accordance with the Local Government Act 1989.

Cd.

4 ADOPTION OF COUNCIL PLAN AND COUNCIL PLAN ACTIONS

FILE REFERENCE INT1941410

RESPONSIBLE GENERAL MANAGER Jenny Scicluna

AUTHOR Peter Philp

RECOMMENDATION

That Council

1. Adopts the attached Council Plan for the period 2019-2023 incorporating the updated Strategic Resource Plan (SRP), for the period 2019-2023.
2. Adopts the attached Council Plan Actions for the period 2019-2023

Attachments

- 1 Council Plan (Incorporating Updated SRP) 26 Pages
- 2 Council Plan Actions 14 Pages

EXECUTIVE SUMMARY

To consider adoption of the attached Council Plan and Council Plan Actions, including the updated Strategic Resource Plan following the public notification process undertaken in accordance with the relevant provisions of the Local Government Act 1989.

BACKGROUND

Council, at its Meeting held on Monday 15th April 2019 resolved to release the draft Council Plan 2019-2023, and the corresponding draft Council Plan Actions, for public comment.

Public comments, relevant to the draft budget that is developed alongside the Council Plan, have been considered by Council. Updates to the draft budget have resulted in changes to the Strategic Resource Plan, and the updated SRP is included in the Council Plan attached to this report.

POLICY IMPLICATIONS

The Council Plan plays a high-level role to guide the organisation. It is a key document in a suite of strategic documents, and articulates the implementation of strategy and policy that has been determined by Council

RELEVANCE TO COUNCIL PLAN

The adoption of the Council Plan provides guidance to the organisational direction for the forthcoming four financial years.

CONSULTATION/COMMUNICATION

The appropriate public notices have appeared in local newspapers advising that the draft Council Plan was available for inspection and the Plan and supporting information was placed on the Council's website.

Copies were also available for inspection at the Shire Office and at the Pakenham, Emerald and mobile libraries and on the Council's website.

FINANCIAL AND RESOURCE IMPLICATIONS

The priorities and actions identified in the Council Plan are funded through the Council Budget, as detailed in the Strategic Resource Plan.

CONCLUSION

Having complied with the Local Government Act provisions, Council is now in a position to adopt the attached Council Plan and Council Plan Actions, for the period 2019-2023.

4 ADOPTION OF COUNCIL PLAN AND COUNCIL PLAN ACTIONS

Moved Cr L Wilmot Seconded Cr C Ross

That Council

1. Adopts the attached Council Plan for the period 2019-2023 incorporating the updated Strategic Resource Plan (SRP), for the period 2019-2023.
2. Adopts the attached Council Plan Actions for the period 2019-2023

Cd.

5 ROAD DEVELOPMENT PROGRAM

FILE REFERENCE INT1940703

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Andrew Barr

RECOMMENDATION

That Council endorses the below roads to be included in the first package of tender documentation to seek prices for delivery;

- Huxtable Road
- Hobsons, Soldiers and McGregor Road
- Bessie Creek Road
- Armytage, LL and Thewlis Road
- Boundary, Denhams and Main Drain Road
- Dore Road
- Evans Road
- Mount Lyall Road

Attachments

1 Map of Proposed Road Development - First Package 1 Page

EXECUTIVE SUMMARY

Cardinia has 863km of unsealed roads which are under increasing pressure due to population growth and a higher percentage of commercial vehicles using the network. The increasing demand on the rural road network reduces service levels, increases maintenance costs and has a detrimental impact on the environment not to mention adverse feedback from the community on the state of the network.

Council has considered the significant long term advantages of implementing another road development program and has made funding available within the 2018–19 and the next three financial years capital works budgets.

In addition to this, recent funding announcements by the Federal Government to make available \$300m over 10 years split with Yarra Ranges, expands the opportunity for road sealing significantly for the parts of the Shire covered by this Federal program.

The roads considered suitable for inclusion in the first tranche for delivery under these programs are detailed in the Table 1 and the attached plan. These roads considered input from Council following an initial briefing in 2017, and are based on an assessment of key criteria (strategic importance, safety, usage and maintenance cost) to prioritise the need for upgrade to a sealed road and to provide key strategic connections across the network.

Subsequent packages of roads will be presented progressively particularly based on the future years of the Federal funding program but also any remaining funds available from Council's allocation.

Roads included in Development Contribution Plans (DCP's) or potential Special Charge Schemes within townships are considered to be outside the scope of this tranche of the road development program.

The candidate roads have gone through an number of reviews and comprise approximately 40km of the network with an estimated construction cost of \$26m. These roads have now been further investigated with function design plans and cost estimates prepared, and contract documentation being finalised.

It is proposed that the detailed design and construction of these roads will be tendered in the coming months with the majority of packages to be funded by Council and some to be funded via the Federal Government's scheme.

BACKGROUND

In 2004 Council initiated the innovative Connecting Cardinia Road development program, a first for Local Government, which involved a longer term partnership with the private sector to construct and seal over 50km of gravel roads and maintain 80km of road network over the next 15 years.

In 2017 a proposal to undertake a similar program was presented to Council outlining the challenges and benefits around a new program of works addressing the issues associated with the unsealed road network.

With Council support, the Capital Works budget included funds required for a program of road sealing works. Options to include maintenance of the newly constructed roads was ultimately removed, and initial contracts will be for detailed design and construction only.

In establishing a prioritised program of roads to be considered as part of the program, 126 unsealed roads across the shire that provided strategic connectivity to the network were identified.

Roads included in Development Contribution Plans (DCP's) or had the potential to be Special Charge Schemes within townships have been excluded from this first program.

Each of these roads were assessed against an established criteria:

- Strategic – if the road was to be sealed would it improve connectedness of the sealed road network and it's likely hood of increased usage
- Safety crash history –based on information obtained from reported crashes on these roads from 2012 to 2016
- Safety physical assessment –based on on-site safety observation assessments on physical aspects of each road
- Usage –the number of vehicles that use each road, based on the most recent traffic count
- Maintenance –based on the ongoing level of maintenance that is required by Council for each road

Concept designs have been finalised along with an assessment of safety implications, formation of the specifications of road configuration (which are different for each candidate road), with the tender documents nearing completion.

Connecting roads were also linked together to form a coherent package of works, as outlined in Table 1. This investigation also included a detailed cost breakdown for the works based on the conceptual designs.

Table 1. Proposed package of works

Priority	Package	Locality	Overall length (m)	Sections
1.	Huxtable Road	Pakenham	3,318	Whole length

2.	Hobsons, Soldiers and McGregor Road	Rythdale	6,593	McGregor Road: whole length Soldiers Road: from McGregor Road to Hobson Road Hobson Road: Ballarto Road To Soldiers Road
3.	Bessie Creek Road	Nar Nar Goon	5,325	Whole length
4.	Armytage, LL and Thewlis Road	Pakenham	2,340	Armytage Road: Brown Road to LL Road LL Road: whole length Thewlis Road: Peck Road To Brown Road
5.	Boundary, Denhams And Main Drain Road	Koo Wee Rup	6,625	Boundary Road: Station Street to Denhams Road Denhams Road: Main Drain Road to start of seal (14m N/W of No.20) Main Drain Road: Denhams Road to Ballarto Road
6.	Dore Road	Pakenham	5,995	Whole length
7.	Evans Road	Bunyip	3,560	Whole length
8.	Mount Lyall Road	Lang Lang East	6,090	Westernport Road to Municipal Boundary

POLICY IMPLICATIONS

The works have been developed in accordance with Council's Asset Management Plans.

RELEVANCE TO COUNCIL PLAN

Nil.

CONSULTATION/COMMUNICATION

In establishing a prioritised program of roads to be considered as part of the program, Council's customer relationship management system was used to determine which road generated complaints and requests for maintenance.

Following approval of the proposed package of works, a comprehensive communications plan will be developed to inform the community of the works, key milestones and timelines. This will ensure that the community will have realistic expectations about the works packages and their delivery.

FINANCIAL AND RESOURCE IMPLICATIONS

A total of \$25m has been included in the capital works budget within the 2018-19 and the next three financial years capital works budgets for road sealing. In addition the Federal Government have made a commitment of \$150m over ten years for road sealing in Cardinia Shire within the La Trobe electorate. Sufficient funding is available between these sources to deliver the proposed packages in this tranche of works.

It is anticipated that once tendered the works will be phased over a number of years with detailed design works to be followed by two to three years of construction. The delivery of the individual packages will be negotiated with successful contractors.

Expenditure to date associated with the investigation and design undertaken on the eight different packages is approximately \$300,000.

Based on the conceptual designs, the latest estimates for the eight packages is within the allocated capital works budgets for this program and it is hoped that the competitive tender process will produce greater economies of scale.

CONCLUSION

Extensive work has been undertaken in the development of the proposed eight packages that takes into account strategic connectivity, crash history, safety, usage and maintenance.

Conceptual designs and cost estimates have been undertaken to ensure that the eight packages are within the available budget and tender documentation is being finalised.

5 ROAD DEVELOPMENT PROGRAM

Moved Cr B Owen Seconded Cr J Springfield

That Council endorses the below roads to be included in the first package of tender documentation to seek prices for delivery;

- Huxtable Road
- Hobsons, Soldiers and McGregor Road
- Bessie Creek Road
- Armytage, LL and Thewlis Road
- Boundary, Denhams and Main Drain Road
- Dore Road
- Evans Road
- Mount Lyall Road

Cd.

6 CASEY CARDINIA LIBRARIES - LIBRARY PLAN AND DRAFT BUDGET 2019-20

FILE REFERENCE INT1938421

RESPONSIBLE GENERAL MANAGER Jenny Scicluna

AUTHOR Jenny Scicluna

RECOMMENDATION

That Council approves the proposed Casey Cardinia Libraries Budget 2019-20: Casey Cardinia Libraries Plan and Strategic Resource Plan 2019-2023.

Attachments

1	Casey Cardinia Libraries - Draft Library Plan 2019-23	23 Pages
2	Casey Cardinia Libraries - Draft Budget 2019-20	16 Pages
3	Casey Cardinia Libraries - Draft Strategic Resource Plan 2019-23	14 Pages

EXECUTIVE SUMMARY

The Casey Cardinia Libraries' Library Plan 2019-2023 including the draft Strategic Resource Plan 2019-2023 and the draft Library Budget 2019-2020 have been prepared by the corporation and forwarded to both councils on April 30, 2019 to be considered for adoption. The Library Corporation is required under Section 125 of the Local Government (Demographic Reform) Act 2003 to submit planning documents for the delivery of library services. A new inclusive approach to development of the Plan has seen a refreshing and future thinking strategic document being produced and endorsed by the Board for further consultation.

BACKGROUND

The Library Plan establishes the direction for the development and improvement of Casey Cardinia Libraries' services over a four year period. It is a requirement under Section 125 of the Local Government Act and forms the primary planning document for the delivery of library services. The Library Plan includes a draft Strategic Resource Plan in the form of standard statements describing required financial resources and non-financial resources, including human resources in respect of the coming four financial years.

Five strategic directions over the next four years reflect the ongoing priorities of Casey Cardinia Libraries:

1. The Knowledge Well - Create safe and welcoming places where everyone can gather, learn, share and grow.
2. Leadership and Innovation - Lead positive change through partnerships and teamwork.
3. Resilience - Strengthen capacity in our growing community.
4. Literacies - Encourage reading and lifelong learning.
5. Organisational Performance - Build an outstanding and innovative organisation.

The Library Plan is amended annually in regards to performance targets, dates, budget figures and any changes to service provision that occur from one year to the next.

- Highlights of the draft Library Plan 2019-2023 include:
- Invest in ICT that enhances the library user experience and enables greater staff productivity
- Form robust partnerships with organisations that support literacy and lifelong learning
- Recognised contribution to community wellbeing and social equity
- Host events and performances that inspire creativity and learning

- Create a people focussed organisation that is quick to embrace new ways of doing things.

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

The Casey-Cardinia Library Corporation's Draft Library Plan 2019-2023 and draft Budget 2019-2020 are relevant to the Council Plan 2018-2022 in accordance with the section "Our People" and specifically the objective to provide "access to a variety of services for all" and "learning opportunities for all ages and abilities".

CONSULTATION/COMMUNICATION

Casey Cardinia Libraries prepares an annual Draft Library Plan and Budget that are forwarded to both councils in November. The draft Budget is subsequently amended as necessary following receipt by the library corporation of population and library usage data to the end of March and the final draft is then forwarded to both Councils for formal adoption. Council received the current draft on April 30 2019. Casey Cardinia Libraries will publically advertise the budget and Library Plan and call for submissions from the Community over the coming weeks.

FINANCIAL AND RESOURCE IMPLICATIONS

Cardinia Shire Council has a financial obligation as outlined in the Casey Cardinia Libraries Regional Library Agreement to provide funding from its Operating Budget annually towards the costs of the Casey-Cardinia Library Corporation. It should be noted that this agreement is an ongoing agreement and has recently been reviewed as part of a five yearly review cycle.

The draft CCL Budget 2019-20 included in the CCL Strategic Resource Plan contains forecasts for the operating costs of the Casey Cardinia Libraries over the next twelve months and incorporates estimated income from Victorian Government as well as the two member councils, determined by a formula for calculation.

The proposed 2019-2020 draft Budget for the Casey Cardinia Libraries includes a contribution by Cardinia Shire Council of \$2,164,866. This represents 26% of the total council contribution (Casey contributes 74%) and a 10% increase on the previous year's contribution from Cardinia Shire Council.

The CCL Budget document details that the requested increase was due to full impact of Bunjil Place Library operations, longer than originally planned hours at Bunjil Place and increase in employee and other operating costs.

The proposed contribution of \$2,164,866 by Cardinia Shire Council to the CCL operations in the 2019/20 Financial Year has been included in Cardinia Shire Council's 2019/20 Operating Budget.

CONCLUSION

The proposed Casey Cardinia Libraries Draft Library Plan 2019-2023 and draft Budget 2019-2020 serve the purpose of achieving compliance with the Local Government (Demographic Reform) Act 2003 whilst also providing strategic tools for the Library Corporation and Council in planning and delivery of library services to the community.

6 CASEY CARDINIA LIBRARIES - LIBRARY PLAN AND DRAFT BUDGET 2019-20

Moved Cr L Wilmot Seconded Cr J Springfield

That Council approves the proposed Casey Cardinia Libraries Budget 2019-20: Casey Cardinia Libraries Plan and Strategic Resource Plan 2019-2023.

Cd.

7 PROPOSED LEASH FREE DOG AREA - GOLDSBOROUGH DRIVE, OFFICER

FILE REFERENCE INT1940851

RESPONSIBLE GENERAL MANAGER Tracey Parker

AUTHOR Kevin Alexander

RECOMMENDATION

That Council not proceed with the proposed leash free dog area in Goldsbrough Drive Reserve Officer, and respond to the head petitioner advising them of the decision.

Attachments

1 Leash Free Dog Area Hierarchy 1 Page

EXECUTIVE SUMMARY

A leash free dog area review was completed in March 2018, proposing a hierarchal management model of leash free dog areas across the Shire.

A public consultation process was undertaken for the proposed leash free dog area within Goldsbrough Drive Reserve, Officer receiving feedback via a range of medium.

A petition with 26 signatures was acknowledged and received at the 15 April 2019 Council meeting. This petition opposes the proposed Goldsbrough Drive Reserve leash free dog area.

The community consultation process results indicate that the majority of the local community within the Timbertop, Timbertop West and The Rise estates do not support the proposed leash free dog area within Goldsbrough Drive Reserve, Officer.

BACKGROUND

Following a review of leash free dog areas in March 2018, a hierarchal management model of leash free dog areas was proposed to guide the appropriate distribution and management of leash free dog areas and associated infrastructure to meet community expectations.

The following list represents the proposed implementation of a hierarchical approach to leash free dog area across the Shire:

- Regional Leash Free Dog Areas:
 - Toomuc Creek Linear Reserve, Pakenham.
 - Alma Treloar Reserve - Cockatoo.
 - Don Jackson Reserve, Pakenham
 - Cochrane Park, Koo Wee Rup.
- District Leash Free Dog Areas:
 - Pepi's Land, Emerald.
 - Victory Drive Reserve, Pakenham.
 - Garfield Recreation Reserve, Garfield.
- Neighbourhood Leash Free Dog Area:
 - Hammerwood Green Reserve, Beaconsfield.

- Bob Burgess Park Reserve, Beaconsfield.
- Vantage Drive Reserve, Pakenham.
- Simon Drive Reserve, Pakenham.
- Ray Canobie Reserve, Pakenham.
- Harris Reserve, Upper Beaconsfield.
- Tynong Recreation Reserve.
- Goldsborough Drive, Officer.

A targeted public consultation process was undertaken in February and March 2019 to ascertain the local community response to the proposed neighbourhood leash free dog area at Goldsborough Drive, Officer.

A social media poll was run in conjunction with the Timbertop Residents Group, commencing in April and extending over a period of two weeks; with a target audience of Timbertop, Timbertop West and The Rise estate residents.

A petition from 26 residents who opposed the proposed dog park for Goldsborough Drive, Officer was acknowledged and received at the 15 April 2019 Council meeting.

POLICY IMPLICATIONS

The proposed Goldsborough Drive Reserve dog leash free area was part of the implementation of Council's Dog Leash Free Area Implementation Program 2018.

RELEVANCE TO COUNCIL PLAN

5.1.2 Enhance the community's confidence in Council's community engagement.

CONSULTATION/COMMUNICATION

A public consultation process was undertaken in February and March 2019 for the proposed leash free dog area within Goldsborough Drive Reserve, Officer. Feedback was received via a range of medium including:

- Discussion tent on site
- Face to face communication with Council officers.
- Telephone communication.
- Email correspondence

Initial indications and feedback suggested that the local community was against the proposed Goldsborough Drive Reserve leash free dog area. As a verification exercise, a social media poll was run between Wednesday 3 April 2019 and Wednesday 17 April 2019. Residents were asked to select either;

- I support the leash free dog area.
- I do not support the leash free dog area.

206 residents responded to the social media poll with the following results:

- 165 do not support the leash free dog area.
- 41 did support the leash free area.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

CONCLUSION

The community consultation process results indicate that the majority of the local community within the Timbertop, Timbertop West and the Rise estates do not support the proposed leash free dog area within Goldsborough Drive Reserve, Officer. It is therefore proposed that Council resolve not to proceed with the proposed leash free dog area within Goldsborough Drive Reserve Officer.

7 PROPOSED LEASH FREE DOG AREA - GOLDSBOROUGH DRIVE, OFFICER

Moved Cr B Owen Seconded Cr J Springfield

That Council not proceed with the proposed leash free dog area in Goldsborough Drive Reserve Officer, and respond to the head petitioner advising them of the decision.

Cd.

8 BIODIVERSITY CONSERVATION STRATEGY 2019-29

FILE REFERENCE INT1939215

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Rob Jones

RECOMMENDATION

That Council adopts the Biodiversity Conservation Strategy.

Attachments

1 Biodiversity Conservation Strategy 2019-29	32 Pages
2 Biodiversity Conservation Strategy - Action Plan	8 Pages
3 Biodiversity Conservation Strategy - Appendices	147 Pages
4 Biodiversity Conservation Strategy - Exhibition Period Feedback	10 Pages

EXECUTIVE SUMMARY

The Biodiversity Conservation Strategy provides a strategic and planned approach to sustainably manage Cardinia Shire's natural environment so that it is resilient, healthy and valued by the community.

Cardinia Shire's native plants and animals have an intrinsic right to exist, as a consequence all public and private land managers are custodians of approximately 1739 native plant and animal species that make up our local natural environment. Working together to protect the environment provides the community with an important sense of local identity. Living with healthy populations of native plants and animals is important to our quality of life and community liveability in Cardinia Shire.

Since European settlement of Australia the natural environment has deteriorated incrementally through predation and competition from weeds and pest animals and the removal of vegetation for development and agriculture. More than four legislative acts provide the direction for Council to protect native plant and animal populations.

Compounding this decline, is a low level of environmental understanding in the community. The natural environment, which is our natural heritage, is not in the forefront of the communities decision making and value systems and unsurprisingly is not reflected in community land management. There is a need to make a link between a healthy natural environment and the liveability within the shire.

The strategy identifies goals and objectives to address threats to the natural environment in the context of protection, enhancement, connectivity and community engagement. A detailed 10 year costed action plan will deliver on these goals and enable Council to meet its legislative obligations to protect native plants and animals while also promoting Council to play a leadership role in the community.

Council received 21 submissions during the exhibition feedback period which have been incorporated into the revised strategy. A revised action plan and budget has been developed in response to the community feedback.

BACKGROUND

Council does not have a long term strategy to conserve biodiversity within the shire and reverse the decline of our native species on public land. The community who manage 83 per cent of the land area within the shire also require information and support to appropriately manage their land to achieve conservation outcomes.

Approximately 1,325 native plants and 414 native animals are found within 53 different plant communities in Cardinia Shire's natural environment. Council manages more than 77 bushland reserves, over 840 hectares and 950 kilometres of significant roadsides. Committees of management such as sporting clubs also have natural environmental assets, which as a broad collective are referred to as 'natural resource areas' (NRAs).

Unfortunately 94 native plants are listed on the state advisory list as 'rare' or 'threatened' and 63 native animals are recorded as 'threatened' in the state *Flora and Fauna Guarantee Act 1998* (FFG). Native vegetation is now limited to 29 per cent of the shire.

Council has a responsibility as land managers under four national and state legislated acts to protect our remaining native species against threats that contribute to species decline. The federal *Environment Protection and Biodiversity Conservation Act* and the state *Flora and Fauna Guarantee Act* are the most substantial regulatory acts that direct Council to protect native species.

Threats that have influenced the decline in our natural environment include the predation and competition from weeds and pest animals and the removal of vegetation for development and agriculture. Compounding this decline is a low level of environmental understanding in the community. The natural environment, which is our natural heritage, is not in the forefront of the communities decision making and value systems and unsurprisingly is not reflected in community land management.

Challenges arising from these threats:

- Limited Council budget - Council's staff and budget allocation to manage all natural resource areas including ongoing external grants equates to \$438/hectare.
- There is a need to identify priority corridors to focus conservation works across the landscape
- A regional pest animal program is required to coordinate pest animal works
- There is a low community awareness on the value of the natural environment
- Council do not adequately monitor conservation programs to evaluate success
- There is no consistent strategic approach to roadside conservation planning
- There is no strategically planned approach to mitigate the impacts of climate change on biodiversity
- Biodiversity conservation is not always considered in Council decision making
- Environmental community groups receive limited Council support, do not have strategic long term goals and are beginning to reduce in numbers which will effect Council grant income
- Altered fire regimes impact on flora and fauna
- Climate change is predicted to be one of the greatest long-term threats to biodiversity and the uncertainty it brings

Council's budget allocation to the management of our NRA's is the lowest per hectare of any Melbourne interface Council.

The communities quality of life or liveability is also linked to a healthy natural environment through the 'ecosystem services' that our native plants and animals provide us. This includes physical and economic benefits that impact on community liveability such as shade, improved air and water quality, spiritual and mental health benefits, places for recreation, while also contributing to mitigating climate change. Economic benefits include native shelter belts which protect stock and pastures from weather events, while native species assist to improve pasture health and control pests that impact crops.

Council benefits when the community are engaged in their natural environment. For example the Cannibal Creek project group have secured more than \$470,000 in funding as a result of their

volunteer conservation works. A goal of the strategy is to engage and educate the community on our natural environmental assets. The strategy identifies opportunities to improve Council NRA's by working with existing community volunteer groups. These 'friends' groups and Landcare networks monitor and improve the quality of our reserves, attract external funding and also act as a conduit of environmental information to the broader community.

The strategy has been developed, based on data collected in Council's 2017 biodiversity audit to review biodiversity health. Community questionnaires and workshops have also informed priorities set out in this strategy.

The strategy identifies goals and objectives in the context of protection, enhancement, connectivity and community engagement. Fifty-three actions have been identified in a 10 year costed action plan to deliver on these goals which will ensure Council meets regulatory obligations to protect threatened species.

Council's expertise and knowledge of the local natural environment and the extensive community contacts places us with the best opportunity to play a leadership role in environmental management within the community. This strategy will develop a shared purpose with the community on the importance of the natural environment and improve the liveability within Cardinia Shire.

POLICY IMPLICATIONS

The strategy has incorporated the Sustainable Development Guidelines and is consistent with Council's *Sustainable Environment Policy 2018-28*. The goals within this strategy also compliment the goals of the *Weed Management Strategy (2019-29)*.

This strategy directly aligns with the Council Liveability Plan:

- increases participation in open space bushland areas through planning for connected landscapes
- increases community connectivity to our natural environment through community engagement and education programs
- directly enhance the environmental quality of Councils open space bushlands

RELEVANCE TO COUNCIL PLAN

The strategy goals and objectives align with the following objectives of the Council Plan:

3.3.6 Promote water catchment management practices that improve the quality of our waterways.

3.3.7 Protect and improve biodiversity by increasing the area of natural ecosystems across the Shire.

3.3.8 Preserve and improve our bushland and natural environment by implementing weed management strategies and programs and continuing activities on high conservation bushland reserves and roadsides.

3.3.9 Manage agricultural land use by supporting farmers to utilise sustainable farming practises.

3.4 Natural and built environments supporting the improved health and wellbeing of our communities

3.4.2 Raise awareness of our environment's impact on people's health and wellbeing by integrating the concept of liveability across all Council business units and including liveability indicators within the municipal public health and wellbeing plan.

2.3.1 Promote initiatives by the community and Council that connect and strengthen our communities.

2.3.2 Recognise, support and promote the value of volunteerism in our communities.

CONSULTATION/COMMUNICATION

A detailed preliminary consultation process was undertaken throughout 2018 involving internal, external and community stakeholders.

Internal business units included:

- Operations
- Development and Compliance Services
- Information Services
- Policy Design Growth Area Planning
- Communications

External agencies included:

- Department of Environment, Land, Water and Planning
- Department of Economic Development, Jobs, Transport and Resources
- Cardinia Environment Coalition
- Melbourne Water
- Vic Roads
- Port Phillip and Westernport Catchment Management Authority

The preliminary consultation enabled Council officers to determine the key environmental issues and understand the opportunities to align future strategy initiatives with stakeholder goals.

There was a high participation rate in the preliminary consultation. Four workshops were organised with the stakeholder groups that involved 79 attendees, with 247 community surveys completed.

Community feedback

The draft strategy was placed on public exhibition for community feedback for a period of six weeks, ending on 25 March 2019. Respondents had a choice to participate in an online survey (through Our Say dashboard) or provide comments in writing (via email, in person or traditional mail). The draft Biodiversity Conservation Strategy and draft Weed Management Strategy were exhibited at the same time.

The exhibition of the draft strategy was promoted via social media and participants who responded to the initial workshops and surveys were contacted directly and invited to have their say.

The Draft Biodiversity Conservation Strategy received a total of 21 responses.

Most respondents were generally supportive of the draft strategy and action plan vision and objectives. A high majority had constructive comments which were broadly able to be included into the updated strategy. The dominant criticism around the strategy surrounded the theme of budget allocation as outlined in the action plan. 17 of the 21 respondents (80%) identified that the budget for conservation actions on private and public land and community conservation initiatives needed to be increased if Council were going to meet the strategy vision and objectives. Due to the constrained budget, respondents stated that Council would not be able to realise meaningful landscape change, with healthy and sustainable flora and fauna populations.

In response to this feedback the action plan has been updated and includes increased funding for seven actions. These actions would enable more extensive conservation work on Council land, additional revegetation on private land and increased grants to community groups. Although these additional works are likely going to fall short of community expectations for Council expenditure on the strategy, they attempt to find a compromise in a rate capping environment.

The absence of response by other agencies (received from City of Casey only) was disappointing, despite being invited to participate. Refer to attachment Biodiversity Conservation Strategy – exhibition period feedback (INT1921665) to view details on community comments and Council’s response.

Risk assessment

More than four legislative acts which are detailed in the strategy provide the direction for Council to protect native plants and animals in our natural resource areas against threats that contribute to species decline. By not addressing threatening processes such as displacement and predation from weeds and pest animals, Council is in contravention of these acts. Sections of the community are also aware of these obligations and will hold Council accountable to these regulations.

During the internal consultation phase it was identified the management of Council's bushland reserves requires an annual budget allocation to assist with risk mitigation to park users. This was identified for each reserve and has been built into the reserve management costs defined within the action plan.

FINANCIAL AND RESOURCE IMPLICATIONS

Respondents to the exhibition period highlighted the need for additional funding to deliver the programs outlined in the action plan and meet strategy goals and objectives.

Table 1 outlines the pre and post exhibition funding totals, with an additional \$470,500 (over the life of the strategy) required from Council’s recurrent budget. This increase in budget is attributed to:

- bringing forward the Biodiversity Officer from 2022-23 to 2021-22 \$86,000
- increasing the budget to support friends groups grants \$27,000
- increasing the budget to manage councils natural resource areas \$270,000
- increasing the annual biodiversity incentive grant \$70,000
- increase the annual Landcare bandicoot habitat planting \$30,000
- adding budget to liaise with local aboriginal groups to confirm annual works plans for natural resource areas \$22,500
- adding budget to develop guidelines for developers to encourage indigenous plantings \$15,000

Undertake an ecological controlled burn at Mount Cannibal has been removed with a \$50,000 saving to Council, and a reduction in external funds of \$50,000.

Community feedback was strongly supportive of further increasing budget for Gardens for Wildlife, Trust for Nature rate rebates and pest animal management, however these were not included.

Table 1. pre and post exhibition funding totals

	Council funding per year (existing)	Additional Council funding sought	External funding sought	Total implementation costs
Pre-exhibition	1,238,000	3,730,000	256,500	5,224,500
Post exhibition	1,238,000	4,200,500	206,500	5,645,000
Variation	0	470,500	(50,000)	420,500

In total, the updated strategy requires a budget of \$5,645,000 of which \$1,238,000 exists within the recurrent operational budget and a further \$206,500 is required via external grants. Therefore, an additional \$4,200,500 (total) is required over the life of the strategy.

Table 2 outlines the annual cost of implementing the costed action plan, which will allow Council to achieve the goals and objectives outlined in the strategy.

Table 2. Annual cost of action plan

Year	Council funding per year (existing)	Additional Council funding (per year) sought	External funding (per year) sought	Total proposed implementation costs
2019/20	123,800	0	0	123,800
2020/21	123,800	296,500	15,000	435,300
2021/22	123,800	465,000	68,500	657,300
2022/23	123,800	555,500	7,500	686,800
2023/24	123,800	441,500	3,500	568,800
2024/25	123,800	460,000	15,000	598,800
2025/26	123,800	531,000	21,000	675,800
2026/27	123,800	477,500	52,500	653,800
2027/28	123,800	496,000	21,000	640,800
2028/29	123,800	477,500	2,500	603,800
Total	1,238,000	4,200,500	206,500	5,645,000

CONCLUSION

This strategy establishes goals and objectives to focus Council resources and efforts to turn the tide of plant and animal species loss and habitat fragmentation.

The strategy addresses threats to Cardinia Shire's natural environment in the context of protection, enhancement, connectivity and community engagement to address threats to our natural environment while engaging and educating the community.

Delivering the costed action plan which details fifty-three actions over a 10 year period will meet these goals and our statutory obligations to protect and enhance Council's natural resource areas. The actions will also support community environmental networks to continue with catchment wide biodiversity projects. Council's leadership approach in environmental management, when coupled with targeted community environmental education programs will engage and inspire the broader community to participate and value the natural environment and become effective custodians of the land.

8 BIODIVERSITY CONSERVATION STRATEGY 2019-29

Moved Cr J Springfield Seconded Cr C Ross

That Council adopts the Biodiversity Conservation Strategy.

Cd.

9 WEED MANAGEMENT STRATEGY 2019-29

FILE REFERENCE INT1939206

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Marianne Sawyer

RECOMMENDATION

That Council adopts the Weed Management Strategy.

Attachments

1	Weed Management Strategy 2019-29	21 Pages
2	Weed Management Strategy - Action Plan	5 Pages
3	Weed Management Strategy - Appendices	27 Pages
4	Weed Management Strategy - Exhibition Period Feedback	6 Pages

EXECUTIVE SUMMARY

Weeds have been identified as one of the top key threatening processes to a healthy viable ecosystem.

The *Pest Plant Management Strategy 2012-17* has been Council's guiding document for the protection of our biodiversity from the threats of weeds. It has guided the development and delivery of weed control programs across Council's landscape for the past five years. During implementation of this strategy a number of programs were delivered, on both Council land and working through collaboration with various land managers.

The Pest Plant Management Strategy is now out of date. The *Weed Management Strategy 2019-29* now replaces it. It builds upon the achievements to date and relationships developed, however seeks significant additional investment to meet council's legislative responsibilities.

The new strategy is framed around the three themes of protect, manage and engage, which guide the goals, objectives and action plan. The themes focus strongly on preventing new weeds arising, while strategically allocating resources to those that already exist. They also recognise the overall efficiency and environmental gains in working collaboratively with multiple land management agencies and the significant role the community plays in managing weeds.

BACKGROUND

Under the *Environment Protection and Biodiversity Conservation Act 1999*, the *Catchment and Land Protection Act* and the *Local Government Act 1989*, Council has an important legislative role to play in planning, coordinating and monitoring weed control actions in a manner inclusive of community and other land managers.

Over the past five years, this role has been guided by the *Pest Plant Management Strategy 2012-17*. Of the 19 strategy actions, the majority were completed and many remain ongoing.

Examples of projects delivered through the strategy include:

- Peri Urban Weed Partnerships program - a multi stakeholder, weed removal program located in the Cardinia Creek catchment. This program works across multiple land tenures covering an area of 174.42ha of reserves with 27km roadsides.

- Emerald Lake Park Vegetation Management Project - has resulted in large scale weedy tree removal e.g. Sycamore Maple, and Holly across 26 ha of forested area. This has led to the natural regeneration of a diverse range of native species.
- Delivery of the annual weed control grant scheme. This popular incentive program attracts an average of 100 applicants annually, and is always fully subscribed within the first six months of the year

The *Weed Management Strategy 2019-29* now replaces the outdated pest plant management strategy. It sets priorities for weed management, outlines Council's roles and responsibilities, and the role of other land managers, highlights the importance of a strategic and collaborative approach and provides a detailed 10 year costed action plan.

Community questionnaires and workshops completed in early 2018, contributed to the priorities set out in the strategy.

The strategy vision is:

Council, agencies and community working collaboratively to protect Cardinia Shire's landscape, biodiversity and agriculture from the negative impacts of weeds

To achieve this vision, the strategy is framed around three themes (which guide the goals, objectives and actions):

- **Protect** - by preventing new weed invasions
- **Manage** - by strategically allocating resources to existing weed invasions
- **Engage** - by working in a collaborative manner with agencies and community

The focus is on both preventing new weed invasions, whilst allocating resources to those that already exist. It also recognizes the role community plays in managing weeds across the landscape, and the need to work in a cooperative manner with stakeholder and relevant authorities across the municipality. There is an emphasis on community education and extension programs to ensure private landholder participation.

Thirty-three actions have been identified in a 10 year costed action plan to deliver on the goals, which will ensure Council meets its regulatory obligations.

POLICY IMPLICATIONS

The strategy is consistent with the *Sustainable Environment Policy 2018-28*. The goals within this strategy also compliment the goals of the *Biodiversity Conservation Strategy 2019-29*.

This strategy directly aligns with the Council Liveability Plan 'to increase in participation in open spaces and places.

RELEVANCE TO COUNCIL PLAN

The strategy goals and objectives align with the following objectives of the Council Plan:

2.3.1 Promote initiatives by the community and Council that connect and strengthen our communities.

2.3.2 Recognise, support and promote the value of volunteerism in our communities.

3.3.7 Protect and improve biodiversity by increasing the area of natural ecosystems across the Shire.

3.3.8 Preserve and improve our bushland and natural environment by implementing weed management strategies and programs and continuing activities on high conservation bushland reserves and roadsides.

3.3.9 Manage agricultural land use by supporting farmers to utilise sustainable farming practises.

3.4 Natural and built environments supporting the improved health and wellbeing of our communities

3.4.2 Raise awareness of our environment's impact on people's health and wellbeing by integrating the concept of liveability across all Council business units and including liveability indicators within the municipal public health and wellbeing plan.

CONSULTATION/COMMUNICATION

A community and stakeholder engagement plan has been developed for the strategy (as attached).

A detailed preliminary consultation process was undertaken throughout 2018, involving internal, external and community stakeholders.

Internal business units included:

- Operations
- Development and Compliance Services
- Information Services
- Policy Design Growth Area Planning
- Communications.

External agencies included:

- Department of Environment, Land, Water and Planning
- Department of Economic Development, Jobs, Transport and Resources
- Cardinia Environment Coalition
- Melbourne Water
- Vic Roads
- Port Phillip and Westernport Catchment Management Authority

There was a high participation rate in the preliminary consultation. Four workshops were organised with the stakeholder groups that involved 79 attendees, with 247 community surveys completed.

The community are highly invested in the outcomes of both the draft Weeds management strategy and the draft Biodiversity conservation strategy.

Issues/priorities derived from stakeholders during the consultation phase have been considered in the preparation of this draft strategy.

Community feedback

The draft strategy was placed on public exhibition for community feedback for a period of six weeks, ending on 25 March 2019. Respondents had a choice to participate in an online survey (through Our Say dashboard) or provide comments in writing (via email, in person or traditional mail). The draft Weed Management Strategy and draft Biodiversity Conservation Strategy were exhibited at the same time.

The exhibition of the draft strategy was promoted via social media and participants who responded to the initial workshops and surveys were contacted directly and invited to have their say.

The Draft Weed Management Strategy received a total of five responses through the survey, with an additional three written responses received through email. The responses were predominately constructive, with some common reactions around the need to increase the level of funding to weed control programs and the earlier engagement of a Land Management Extension Officer.

The absence of response by other agencies was disappointing, despite being invited to participate. Refer to attachment Weed Management Strategy – exhibition period feedback (INT1921657) to view details on community comments and Council’s response.

Risk assessment

Council is required to meet its statutory obligations under relevant legislation, in protecting the environment from the threat of weeds. Weed populations are ever changing and show a rapid rise when outbreaks are not treated in a timely way. The costed action plan within the strategy assists council to meet its legislative requirements.

With a rapidly growing municipality, and disturbance to the environment, our biodiversity including endangered flora and fauna are under constant pressure, including from the ever increasing threat of weeds. The community holds Council accountable to meet these growing pressures to the environment.

FINANCIAL AND RESOURCE IMPLICATIONS

Financial and resource implications

Respondents to the exhibition period highlighted the need for additional funding, to deliver the programs outlined in the action plan and achieve strategy goals and objectives.

Table 1 outlines the pre and post exhibition funding totals, with an additional \$702,000 (over the life of the strategy) required from Council’s recurrent budget. This increase in budget is attributed to:

- bringing forward the Land Management Officer from 2024-25 to 2020-21 \$172,000
- increasing the Weed control grants \$90,000
- increasing the budget for weed reduction works in Council reserves \$450,000
- decreasing the environmental weed kit redesign and reprinting -\$10,000

Community feedback was strongly supportive of further increasing the roadside weed and pest animal program, however this was not included.

Table 1. pre and post exhibition funding totals

	Council funding per year (existing)	Additional Council funding sought	External funding sought	Total implementation costs
Pre-exhibition	2,160,000	1,865,000	1,974,000	5,999,000
Post exhibition	2,160,000	2,567,000	1,974,000	6,701,000
Variation	0	702,000	0	702,000

In total, the updated strategy requires a budget of \$6,701,000, of which \$2,160,000 exists within the recurrent operational budget and a further \$1,974,000 is required via external grants. Therefore, an additional \$2,567,000 (total) is required over the life of the strategy.

Table 2 outlines the annual cost of implementing the costed action plan, which will allow Council to achieve the goals and objectives outlined in the strategy.

Table 2. Action plan annual costs

Year of strategy	Council funding per year (existing)	Additional Council funding sought	External funding sought	Total implementation costs
2019/20	216,000	0	50,000	266,000
2020/21	216,000	243,000	76,000	535,000
2021/22	216,000	428,000*	231,000	875,000
2022/23	216,000	268,000	231,000	715,000
2023/24	216,000	268,000	231,000	715,000
2024/25	216,000	271,000	231,000	718,000
2025/26	216,000	276,000	231,000	723,000
2026/27	216,000	271,000	231,000	718,000
2027/28	216,000	271,000	231,000	718,000
2028/29	216,000	271,000	231,000	718,000
Totals	2,160,000	2,567,000	1,974,000	6,701,000

*This includes infrared GIS mapping that will be further investigated to understand the full potential and value, prior to implementation.

CONCLUSION

The *Weed Management Strategy 2019-29* supersedes the *Pest Plant Management Strategy 2012-17*. It details the course of action and costing for council for the next 10 years to carry out its legislative responsibility to control weeds across the municipality, protecting Cardinia Shire's landscape, biodiversity and agriculture from the threat of invasive weeds. It does this by providing a strategic focus through prioritised and collaborative program development and implementation across all land types.

9 WEED MANAGEMENT STRATEGY 2019-29

Moved Cr L Wilmot Seconded Cr J Springfield

That Council adopts the Weed Management Strategy.

Cd.

10 COLLABORATIVE PROCUREMENT FOR ADVANCED WASTE PROCESSING SOLUTIONS

FILE REFERENCE INT1939203

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Andrew Barr

RECOMMENDATION

That Council:

1. Supports joining the collaborative procurement for advanced waste processing solutions in 2019, facilitated by MWRRG;
2. Supports using a Special Purpose Vehicle to aggregate waste and to provide a viable proposition to the market and drive investment;
3. Provides delegated authority to the CEO to participate in establishing a Special Purpose Vehicle;
4. Provides delegated authority to the CEO to make necessary decisions to progress the procurement, until a binding commitment to enter into contract is required;
5. Notes a full-services concession contract model was identified as being the most suited contract approach and it will be further explored.

Attachments

- 1 Confidential Attachment, circulated to Councillors only 24 Pages
- 2 Confidential Attachment, circulated to Councillors only 148 Pages

EXECUTIVE SUMMARY

This report provides an overview of the confidential Advanced Waste Processing South East Business Case and recommends Council joins a collaborative procurement for advanced waste processing solutions, facilitated by MWRRG.

BACKGROUND

In 2018, Council agreed to a MoU and confidentiality agreement with Metropolitan Waste and Resource Recovery Group (MWRRG) to support developing the Advanced Waste Processing South East Business Case.

Fourteen other councils in the south east also committed to develop the business case which assesses what the future holds for managing residual waste collected from households throughout the 15 council areas.

The business case unpacks the problems associated with landfill as the current solution to residual waste and assesses potential alternatives to reduce reliance on landfill. It follows a standard Department of Treasury and Finance template used for high value infrastructure projects.

A number of principles guided the development of business case:

- the waste hierarchy - minimising waste generation, maximising resource recovery, and minimising disposal to landfill
- rigorous assessment - consider a range of alternative interventions available to south east councils, not just assume advanced waste processing is the only way forward
- outcomes focused - rather than selecting a preferred technology, establish the economic, social and environmental outcomes the south east councils want to achieve.

Council officers from waste, procurement and finance have been directly involved in informing the business case through workshops, regular working group meetings and details of councils' waste composition and services.

Developing the business case was funded by MWRRG through the landfill levy. MWRRG used this funding to dedicate staff to the project and to also commission a range of specialist consultants including probity, legal, technical and financial advisers, facilitators and social research. These consultants provided professional advice, research, services, connections and detailed cost benefit modelling to inform the business case.

MWRRG conducted a formal market sounding exercise in October 2018 to understand the capacity and capability of industry to establish advanced waste processing solutions. In 2018 MWRRG also researched community attitudes to advanced waste processing and to waste to energy in particular. The high level findings from both are included in the business case.

Key issues

Waste growth

By 2021, the 15 councils are projected to send around 500,000 tonnes of residual waste to landfill. Waste growth within the 15 south east councils is expected to grow by 2% each year (from 2021), so by 2046, around 725,000 tonnes of residual waste (kerbside rubbish bins and hard waste) will be sent to landfill from these councils alone if no alternative solutions are implemented.

South east councils will need more landfill capacity in coming years to manage the increased waste amount of residual waste, unless an alternative solution is sought.

SUEZ Hallam landfill is the principal landfill and resource recovery site serving the south east of Melbourne. Nine of the fifteen south east councils use the SUEZ Hallam landfill. This landfill is scheduled to close in 2040 but it may fill faster than expected, potentially as early as 2028. There is no other new landfill scheduled for the south east.

The problems with BAU

Council is responsible for delivering efficient and appropriate waste management services on behalf of the community, and to pursue the best possible outcomes for those communities.

Historically landfills were the only option for managing residual waste and were perceived to offer a low cost, reliable and long term solution to dispose of waste that couldn't be recycled. This is not the case today and such perceptions are increasingly being questioned.

Continuing to rely solely on landfill to manage residual waste will not deliver the best outcomes for Councils' community. The most significant impacts from landfill include:

- The negative environmental and social impacts of landfills - landfills produce greenhouse gases and smells, create litter and attract vermin, while contaminated water can potentially leak into surrounding land or water. Emissions from landfill make up a significant proportion of councils' overall greenhouse gas emissions.
- Sending waste to landfill is a lost opportunity to recover resources - landfills don't fully capture the value of discarded resources, despite containing materials with commercial value.

- Costs for councils to transport and dispose of waste at landfill will increase in coming years as councils would be required to travel greater distances for any available landfill options, however the amount and rate is unknown. This uncertainty creates challenges for councils to plan their municipal waste services.
- Uncertain access to sustainable residual waste containment and disposal - with the future closure of SUEZ Hallam landfill, south eastern councils will have limited access to local, cost-effective, secure supplies of landfill.

A new solution

The Business Case assessed a range of interventions to reduce reliance on landfill. Three strategic responses to address the problems and achieve the desired benefits were developed. Response 2 involves reducing residual waste by establishing advanced waste processing solutions, supported by waste reduction and improved kerbside recycling (organics and commingled).

Response 2 provides the best combination of interventions to address the financial, environmental and social problems councils face as a result of reliance on landfill. Response 2 is expected to deliver considerable benefits to the environment and community liveability, be a cost-effective solution and provide certainty of service over the long-term. Response 2 is the most consistent with the waste hierarchy, it achieves a high diversion of waste from landfill and increased recovery of resources, without undermining current recycling practices. Landfill is a last resort.

Advanced waste processing is the most significant of the interventions that make up Response 2. Advanced waste processing solutions are sophisticated, proven technologies that recover more resources from household rubbish. These technologies bridge the current gap between recycling and sending kerbside waste to landfill.

The case for advanced waste processing

The business case analysed whether proven advanced waste processing options can achieve better environmental, social and financial outcomes compared to ongoing reliance on landfill. Four proven technology options were shortlisted for evaluation, based on their potential for successful delivery:

- Option 1 - Combustion only
- Option 2 - Mechanical biological treatment (MBT) only
- Option 3 - Mechanical biological treatment plus combustion
- Option 4 - Mechanical biological treatment plus gasification.

This business case does not recommend a preferred technology.

Each option was assessed against landfill as the Business As Usual (BAU) option, based on financial, environmental and social criteria. The analysis found that:

- Options 1, 3 and 4 all have a lower cost than BAU (in today's dollars)
- Option 1 – Combustion has the lowest overall cost (in today's dollars)
- all options deliver better environmental and social outcomes than BAU
- Option 1 - Combustion, Option 3 - MBT + Combustion and Option 4 - MBT + Gasification achieve equal best environmental and social outcomes.
- Overall, Option 1 offers the most cost-effective solution and equal best environmental and social outcomes.

Detailed reference projects will be developed and used to establish performance standards for the procurement. The reference projects will be based on Options 1 and 3, as this will allow for a wider range of technology responses and broader funding parameters.

Delivering an advanced waste processing solution

Timeframes

Establishing new processing solutions for residual waste will take at least five to seven years, from procurement through to construction and commissioning. To have the necessary infrastructure in place by 2026, a collaborative procurement needs to start in 2019.

Procurement process

MWRRG recommends a multi-stage procurement. At each phase competitive dialogue will be used to inform and refine the specification. The phases are:

- Expression Of Interest—an open approach to market that will identify an initial pool of potentially suitable bidders
- Invitation to submit an outline solution—an approach to bidders short-listed at the EOI stage that seeks their response to an outline specification
- Invitation to submit a detailed solution—an invitation to bidders to submit responses to the detailed specification. This is the final stage at which councils can choose not to continue in the procurement.
- Call for final tender—an approach to bidders seeking responses to the final specification.

Councils who participate in the call for final tender are committing to enter into a contract with the successful tenderer. Councils cannot 'opt out' after the call for final tender.

Competitive dialogue provides the opportunity for parallel but separate conversations between bidders and procuring councils in which solutions and supporting enablers (e.g. access to suitable sites) can be discussed and co-developed.

Competitive dialogue aims to increase value by encouraging innovation, and maintains competitive pressure in bidding for complex contracts. Competitive dialogue has been used extensively in Europe for complex infrastructure and strategic partnering contracts for advanced waste processing solutions, and in Australia for large, strategic procurements including within the health sector, and information and communication technology industry.

Using a Special Purpose Vehicle

Establishing the new processing infrastructure will require substantial investment, and aggregation of waste by councils will be the key to drive investment from the private sector.

MWRRG recommends that councils form a Special Purpose Vehicle (SPV) - a company with its own assets and liabilities, as well as its own separate legal identity. A SPV will:

- create economies of scale for the contract (by aggregating waste)
- be attractive to the market as a single contracting entity
- limit a council's liability to its shareholding in the SPV, protecting the council's financial position and wider asset pool
- provide the vehicle to attract investment from other levels of government
- allow the SPV to own, operate or apply for planning permission for a facility.

Prior to the first phase of the procurement (the Expression of Interest), councils will need to agree to form a SPV as the contracting entity. The entity will need to be fully formed by the time councils are ready to contract with the private sector for the delivery of a solution.

MWRRG's market sounding revealed industry support for a Special Purpose Vehicle (SPV).

MWRRG cannot directly contract or operate an advanced waste processing facility. It is prohibited under the Environment Protection Act 1970 from:

- owning or operating a waste management facility
- applying for or holding a planning permit
- entering into contracts for the procurement of waste and resource recovery facilities or services, unless the contract is jointly entered into with one or more of the region's councils.

Contract models

There are different contract models that councils can use to establish advanced waste processing solutions. The contract model identified as being most suited to delivering the project is a full-services concession contract model, which includes Build-Own-Operate-Transfer (BOOT), Build-Operate-Transfer (BOT) and Build-Own-Operate (BOO).

Concession models provide councils with a high degree of influence over how services are provided, and also efficiently transfer risk from councils. Concession models have been used extensively overseas to deliver advanced waste processing infrastructure. There is also recent precedent in Australia: Phoenix Energy's waste to energy facility in Kwinana, WA, uses a BOO contract. MWRRG's market sounding suggest that a service concession model is a feasible and efficient approach.

Following a decision to proceed to a procurement, the contract model will be developed into a detailed set of commercial principles and subsequently into draft contractual documents. The draft contract is issued as part of the invitation to submit a detailed solution.

Financing and funding

The business case states capital expenditure for the project can be financed by the private sector, with no financing required from councils, if a full-services concession contract model is used.

Councils will need to fund the processing of each tonne of residual waste at a facility (service charge). No state or federal government grant has been committed to or secured, however the business case provides a solid evidence base for participating councils to seek funding support from state and federal governments.

The business case modelled an average fee per tonne of waste over 20 years for landfill only, Option 1 – Combustion and Option 3 – MBT plus Combustion. Average processing fee for Options 1 and 3 will be less than the forecast fee for landfill. The modelling estimates:

- business as usual (landfill): Over 20 years, the average processing fee per tonne (including transport and processing) is \$260.40
- Option 1 - Combustion: Over 20 years, the average processing fee per tonne (including transport and processing) is \$237
- Option 3 – MBT plus Combustion: Over 20 years, the average processing fee per tonne (including transport and processing) is \$259.

Councils' current funding sources (rates or waste services charges) are likely to be sufficient to implement Options 1 or 3.

The impact of a hypothetical government grant on fees was also modelled. The modelling shows that a potential government contribution would reduce the risk that councils' current funding sources will not be sufficient. With a hypothetical state or federal government grant the modelling shows over 20 years, the average fee per tonne for Option 1 reduces to \$225.50 and Option 3 reduces to \$247.50.

Option 1 is likely to be more affordable than Option 3. Facilities that have high recovery rates and generate marketable products are better-placed to minimise financial impacts for councils.

Relationship to landfill contracts

The current MWRRG landfill services contract expires in March 2021. It is used by 26 metropolitan councils, including Cardinia, for the disposal of municipal waste over four sites.

MWRRG has consulted with metropolitan councils and existing service providers to help develop specifications for new contracts for residual waste disposal services, to start on 1 April 2021.

MWRRG is designing the new residual waste disposal service to complement the procurement for advanced waste processing solutions and to recognise the uncertainties regarding the life of some landfills. The collective procurement will be structured to provide a bridging period for the disposal of waste until advanced waste processing infrastructure is available. It will ensure workable landfill contingency arrangements, consistency across the metropolitan area, integrate with other household waste services, deliver a robust contract model and aims to appoint multiple providers.

POLICY IMPLICATIONS

Council participating in a model for advanced waste processing solution directly aligns with councils waste strategy.

The WRRS aligns with the objectives of Sustainable environment strategy (SES), which falls under the Council Plan.

RELEVANCE TO COUNCIL PLAN

The relevant actions within the Council Plan are *Our Environment 3.3 Enhance our Environment, 3.3.4 Promote practices that result in the reduction per household of the amount of waste going to landfill, particularly food waste.* Reducing waste to landfill is a strong focus of the WRRS.

CONSULTATION/COMMUNICATION

In collaboration with the MWRRG and associated Council involved in the process, joint communications will be prepared to engage with the community. This will include joint information and documentation to assist with the engagement process.

A Cardinia communications plans will need be prepared to understand how best to utilise these resources and will be prepared at a later date.

FINANCIAL AND RESOURCE IMPLICATIONS

Council will have a number of opportunities throughout the process to decide whether or not to commit to this process. At this stage there is no financial implications associated with being part of the joint procurement process other than staff resource time to provide input and feedback into the process.

CONCLUSION

The Business Case demonstrates that Council has a viable alternative to landfill that can achieve better financial, environmental and social outcomes.

The MWRRG led collaborative procurement provides a robust, cost-effective, competitive process to ensure the most appropriate solution to meet council's objectives is identified.

It is recommended that Council should join the collaborative procurement for advanced waste processing solutions, starting with the Expression of Interest phase.

10 COLLABORATIVE PROCUREMENT FOR ADVANCED WASTE PROCESSING SOLUTIONS

Moved Cr L Wilmot Seconded Cr J Springfield

That Council:

1. Supports joining the collaborative procurement for advanced waste processing solutions in 2019, facilitated by MWRRG;
2. Supports using a Special Purpose Vehicle to aggregate waste and to provide a viable proposition to the market and drive investment;
3. Provides delegated authority to the CEO to participate in establishing a Special Purpose Vehicle;
4. Provides delegated authority to the CEO to make necessary decisions to progress the procurement, until a binding commitment to enter into contract is required;
5. Notes a full-services concession contract model was identified as being the most suited contract approach and it will be further explored.

Cd.

11 PROPOSED UPDATE TO THE COMMUNITY ENGAGEMENT POLICY

FILE REFERENCE INT1940523

RESPONSIBLE GENERAL MANAGER Tracey Parker

AUTHOR Mark Carter

RECOMMENDATION

That Council adopts the updated Community Engagement Policy.

Attachments

1	Community Engagement Policy - January 2019 Draft	4 Pages
2	Community Engagement Handbook	21 Pages
3	Engagement Plan Template	4 Pages
4	VAGO Community Engagement Audit 2017	56 Pages

EXECUTIVE SUMMARY

The current community engagement policy was endorsed by SLT in July 2016 and due for review in 2019.

In 2017, a Victorian Auditor General Office (VAGO) review of Cardinia Shire Council's community engagement practices was undertaken with recommendations being made to improve the process. Since this time the 2018-2022 Council Plan has also come into effect. The updates to the policy and handbook address the VAGO recommendations and align the policy with the current Council Plan.

BACKGROUND

The VAGO audit which occurred in 2017 provided a range of recommendations to Cardinia Shire Council to improve the community engagement process. These included the addition of further engagement resources, templates and checklists to assist in the development and delivery of community engagement activities. This has prompted some additions and language changes within the policy; however the majority of the changes are already included in the community engagement handbook and engagement plan template.

The main changes to Council's community engagement policy are;

- Update to reflect current Council Plan, aligning with Our Community and Our Governance areas.
- Update to meet VAGO recommendation of including objectives that articulate what the policy aims to achieve.
- Update to meet VAGO recommendation of adding responsibilities, clearly stating who is required to undertake community engagement activities and when.
- Inclusion of a reference to the resources, templates and tools available through the community engagement handbook.
- Update to meet VAGO recommendation of including definitions of terms.

These updates will bring Cardinia Shire Council's community engagement policy in line with some of the best practice policies which were used as a benchmark in the VAGO review.

POLICY IMPLICATIONS

This policy aligns with the Liveability Plan in relation to social equity. Engagement is highlighted as an important component of the planning, implementation and evaluation of the Liveability Plan.

This policy would replace the current community engagement policy which was adopted in June 2016.

RELEVANCE TO COUNCIL PLAN

Our Community

We will monitor and research emerging community trends to help plan for the needs of residents. We will provide a range of opportunities that encourage participation in Council policy and strategy development.

We will strengthen Council's community engagement through the development, implementation and promotion of effective practices.

Our Governance

We will develop a policy which details how Council will inform and engage consistently with the community on important matters. We will enhance the community's confidence in Council's community engagement.

CONSULTATION/COMMUNICATION

The update to this policy is based on the results of the VAGO review of Council's community engagement practices in 2017.

The accompanying handbook and engagement plan template are living documents that are regularly reviewed and updated based on industry standards, ideas and feedback from staff and community. Additional resources and tools are added as required or when they become available.

The updated policy and handbook will be communicated to the wider organisation via internal communication channels.

FINANCIAL AND RESOURCE IMPLICATIONS

The adoption of the policy in conjunction with the accompanying engagement handbook is intended to ensure a more consistent approach to community engagement across council. This may have budget implications in relation to increased staff time and finances being allocated to community engagement activities.

CONCLUSION

The proposed policy update takes into account the recommendations from the 2017 VAGO audit and brings it in line with the current Council Plan. The update provides Councillors, senior management, staff, volunteers and contractors/consultants with clarity and guidance in relation to the community engagement process. This will assist in the delivery of a more consistent approach to community engagement activities across Council.

11 PROPOSED UPDATE TO THE COMMUNITY ENGAGEMENT POLICY

Moved Cr L Wilmot Seconded Cr C Ross

That Council adopts the updated Community Engagement Policy.

Cd.

12 SPORT FACILITY STANDARDS POLICY 2019

FILE REFERENCE INT1941162

RESPONSIBLE GENERAL MANAGER Tracey Parker

AUTHOR Michael Casey

RECOMMENDATION

That Council adopts the 2019 Sport Facility Standards Policy and Appendix including endorsing option two, designing and constructing facilities in accordance with the state sporting association standards for each sport, and providing;

- a) 100m² of social space for all sports (not including neighbourhood facilities), and
- b) 90m² of external covered viewing areas for all sports (not including neighbourhood facilities)

Attachments

- 1 Draft Sport Facility Standards 2019 (Appendix Document) 30 Pages
- 2 Draft Sport Facility Standards 2019 (Policy Document) 17 Pages

EXECUTIVE SUMMARY

The purpose of the sport facility standards policy 2019 is to ensure a consistent, fair and equitable approach to the provision of new indoor and outdoor sport facilities and for the upgrade / re-development of existing sport facilities in the Shire.

The policy does not apply to minor projects and internal retrofits (for example our universal upgrade program), and each reserve will only have one primary social space. For example, where a football and netball pavilion exist independently at the same reserve, Council will not build two 100sqm social spaces. This is considered to be over-development. We will instead promote the shared use of our facilities.

In line with the local government act, where Council's contribution exceeds the threshold of \$200,000 (requirement to hold a competitive tender process for works), Council will deliver the project directly.

Officer recommend option two, which provides greater equity across sports in Cardinia, is robust enough to prevent the over-development of our sporting facilities and allows a wider variety of sports to generate revenue through use of their social spaces.

BACKGROUND

There are currently 35 recreation reserves and four indoor sporting facilities in Cardinia Shire, with approximately seven new reserves and one indoor facility planned for construction within the growth corridor over the coming years. Each of these sporting facilities has a range of playing areas and supportive sport infrastructure to meet the needs of user groups and provide opportunities to participate in sport and recreation activities.

The recreation reserve facility standards 2012 was designed to guide the development of facilities at new active recreation reserves and to ensure a consistent and equitable approach is applied

across the municipality. The 2012 policy was developed utilising state sporting association standards and assumptions relevant at that time. As can be expected, many standards, guidelines, rules and regulations have changed or been developed since that time and new initiatives and trends have emerged in sport facility infrastructure.

A review has been undertaken and the sport facility standards policy 2019 has been developed to provide a clear direction for the provision (by Council) of indoor and outdoor sporting facilities into the future, ensuring that resources are allocated appropriately and that the facilities meet the needs of the Cardinia community and individual sports competitions.

The purpose of the sport facility standards policy 2019 is to ensure a consistent, fair and equitable approach to the provision of new indoor and outdoor sport facilities in the Shire.

Application of the sport facility standards does not apply to minor projects and internal retrofits (for example, the universal upgrade program).

Options

Option 1;

Council will design and construct facilities in accordance with the state sporting association standards for each sport

Options 2;

Council will design and construct facilities in accordance with the state sporting association standards for each sport, and provide;

- c) 100m² of social space for all sports (not including neighbourhood facilities)
- d) 90m² of external covered viewing areas for all sports (not including neighbourhood facilities)

Option 3;

Council will design and construct facilities in accordance with the state sporting association standards for each sport, and provide;

- e) 100m² of social space for all sports (not including neighbourhood facilities)
- f) 90m² of external covered viewing areas for all sports (not including neighbourhood facilities)
- g) An additional 15m² to each change room
- h) An additional 12m² to each player amenity

POLICY IMPLICATIONS

The sport facility standards policy 2019 will supersede the recreation reserve facility standards 2012.

The sport facility standards policy 2019 will not be applied retrospectively to existing sport facilities, but may be used as a framework to guide the upgrade / redevelopment of existing sport facilities or in response to a demonstrated need for sport facility improvement/s.

Council approval is required for all capital works projects at Council owned and Council managed active recreation reserves and indoor sport facilities, regardless of whether a financial contribution is being made towards the project. Approval must also be sought for any application being made to state or federal governments or other external funding agencies.

RELEVANCE TO COUNCIL PLAN

Strategic Objective	Objective	Action
1 Our People	1.5 Variety of recreation and leisure opportunities	1.5.1 Provide active and passive recreation facilities to meet the needs of our residents. 1.5.2 Increase opportunities for our residents to participate in a range of sport, recreation and leisure activities.
3 Our Environment	3.1 Provision and maintenance of assets on a life cycle basis	3.1.2 Develop new and maintain existing parks, gardens and reserves in a sustainable way. 3.1.3 Provide accessible facilities to meet identified community needs. 3.1.4 Manage Council's assets like roads, drainage, footpaths and buildings, etc. in a way that ensures they are adequately maintained over their life.
	3.4 Natural and built environments supporting the improved health and wellbeing of our communities	3.4.1 Plan and develop built environments that support improved health and wellbeing of our communities.
5 Our Governance	5.3. Long-term financial sustainability	5.3.1 Make financial decisions that achieve the objectives of Council and long-term financial sustainability. 5.3.2 Make financial decisions that are fair and ethical and balance costs and benefits between present and future generations. 5.3.3 Manage the municipality's finances and assets in a responsible manner.

CONSULTATION/COMMUNICATION

Internal consultation with key stakeholders. An external consultant preparing the standards undertook consultation with SSA (State Sporting Associations) as required.

Following formal endorsement, external stakeholders will be notified.

FINANCIAL AND RESOURCE IMPLICATIONS

The nature of sport is such that governing bodies develop new and / or update existing facility guidelines, standards, rules and regulations in the intervening period between the policy's scheduled review timeframes. The development of new and / or updated existing facility guidelines, standards, rules and regulations by sporting bodies may increase the financial resources required by Council for sports facility infrastructure provision, it is suggested that the update or change of these standards to comply with sport governing bodies should be by Council resolution.

Applications from community organisations for Cardinia Shire Council grants or for State or Federal Government grants where Council is required to submit and / or support the funding application for new sport facilities or the upgrade / re-development of an existing sport facility must meet and be consistent with the Sport Facility Standards Policy.

CONCLUSION

The 2012 recreation reserves facility standards policy has been reviewed and updated, in accordance with the SSA standards.

The proposed sports facilities standards policy and documents provide Council with a consistent, fair and equitable approach to the provision of new indoor and outdoor sport facilities and for the upgrade / re-development of existing sport facilities in the Shire.

All future sport facility development proposals will be assessed to ensure that they are consistent with the Sport Facility Standards Policy 2019. This approach will ensure that sport facilities are not overdeveloped, and that residential amenity is preserved.

12 SPORT FACILITY STANDARDS POLICY 2019

Moved Cr R Brown Seconded Cr B Owen

That Council adopts the 2019 Sport Facility Standards Policy and Appendix including endorsing a modified option three which will involve designing and constructing facilities in accordance with the state sporting association standards for each sport, and providing;

- a) 100m² of social space for all sports (not including neighbourhood facilities),
- b) 90m² of external covered viewing areas for all sports (not including neighbourhood facilities), and
- c) Up to an additional 15m² to each change room for Australian Rules football facilities

Upon being put to the meeting, the motion was declared carried.

Cr Wilmot called for a Division.

For the Motion were Crs G Moore, B Owen, J Springfield and R Brown Total (4).

Against the Motion were Crs C Ross, L Wilmot and C Ryan Total (3).

The Motion was Carried

13 BUNYIP BUSHFIRE ARBORIST AND TREE CLEARING CONTRACTS

FILE REFERENCE INT1941135

RESPONSIBLE GENERAL MANAGER Tom McQualter

AUTHOR Doug Evans

RECOMMENDATION

That Council:

1. retrospectively approves entering into a contract with Total Tree Contracting for arborist works to 'make safe', dangerous trees on private property affected by the Bunyip Bushfires for an amount of \$316,424 (includes 15% contingency for unknown costs);
2. retrospectively approves entering into a contract with Kent Excavations for tree works on Council road reserves as a result of the Bunyip Bushfires for an amount of \$598,727
3. retrospectively approves entering into a contract with Accurate Group (Aust) P/L for emergency tree works as a result of the Bunyip Bushfires for an amount of \$197,961
4. resolves that in accordance with the provisions of Section 186 (5)(a) of the Local Government Act that these contracts must be entered into because of an emergency without giving public notice of the contract and inviting tenders.

Attachments

Nil.

EXECUTIVE SUMMARY

To approve entering into contracts for various tree clearing services as an emergency situation post the Bunyip Bushfires. All works undertaken are claimable costs under the National Disaster Fund Arrangements.

BACKGROUND

The Bunyip bushfire commenced on March 1st 2019 and spread across the communities of Tynong Nth, Garfield Nth, Bunyip Nth and Tonimbuk. Emergency works were required to allow people to return to their properties safely. This included the inspection of trees on private properties to identify dangerous trees and make them safe and to clear roadsides of fallen or dangerous trees to allow people to return to their properties.

Finding arborists and tree clearing service companies that had the necessary qualifications, appropriate insurances and the correct equipment was challenging, especially when faced with the urgency of the requests.

To formalise this matter it is recommended that Council retrospectively approves entering into these contract because of the emergency situation caused by the bushfire.

POLICY IMPLICATIONS

Nil

RELEVANCE TO COUNCIL PLAN

To minimise the impact of emergencies

CONSULTATION/COMMUNICATION

Due to the emergency situation caused by the bushfires it was not possible, or feasible, to undertake a community consultation exercise or public tender for these works.

FINANCIAL AND RESOURCE IMPLICATIONS

The total cost involved in these contracts is \$1,113,112 and this is an eligible activity under the National Disaster Fund Arrangements and it is likely that we will receive the full amount once claimed.

CONCLUSION

It is appropriate for the Council to retrospectively endorse the entering into these contracts due to the emergency caused by the Bunyip bushfire.

13 BUNYIP BUSHFIRE ARBORIST AND TREE CLEARING CONTRACTS

Moved Cr L Wilmot Seconded Cr J Springfield

That Council:

1. retrospectively approves entering into a contract with Total Tree Contracting for arborist works to 'make safe', dangerous trees on private property affected by the Bunyip Bushfires for an amount of \$316,424 (includes 15% contingency for unknown costs);
2. retrospectively approves entering into a contract with Kent Excavations for tree works on Council road reserves as a result of the Bunyip Bushfires for an amount of \$598,727
3. retrospectively approves entering into a contract with Accurate Group (Aust) P/L for emergency tree works as a result of the Bunyip Bushfires for an amount of \$197,961
4. resolves that in accordance with the provisions of Section 186 (5)(a) of the Local Government Act that these contracts must be entered into because of an emergency without giving public notice of the contract and inviting tenders.

Cd.

14 MICROSOFT SOFTWARE LICENSING PURCHASE - JUNE 2019

FILE REFERENCE INT1939334

RESPONSIBLE GENERAL MANAGER Jenny Scicluna

AUTHOR David Jackson

RECOMMENDATION

That Council approve purchase of the Annual Maintenance Agreement with Data#3 Limited for all Microsoft software, for an amount of \$194,000.

Attachments

Nil.

EXECUTIVE SUMMARY

To approve the annual licensing costs for Microsoft software for \$194,000. This amount is in excess of the delegation to the Chief Executive Officer and therefore the Council is required to resolve on this matter. The licensing agreement is necessary to maintain Council's existing technology capability and services.

BACKGROUND

All Cardinia Shire Council's core business applications are built on the Microsoft application suite including email, telephony, intranet, desktop productivity and line of business applications.

The Municipal Association of Victoria undertook a competitive Tender process for the Provision of Victorian Local Government Microsoft Licensing Solutions and Data#3 Limited are one of the preferred suppliers under this contract.

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

Our technology services assist in delivering most aspects of the Council Plan, but in particular this report directly relates to Council Plan Action 5.3.5 (Identify ways to contain Council's cost base by a focus on innovation and efficiency) through enabling a large portion of Cardinia's technology innovation and efficiency.

CONSULTATION/COMMUNICATION

Consultation has occurred with the CEO and the GM Customer, People and Performance to confirm the requirement for this purchase and to escalate the request for purchase to Council as this amount is in excess of the CEO's delegation.

FINANCIAL AND RESOURCE IMPLICATIONS

The annual cost of \$194,000 is included in the 2019/20 budget. There are no implications beyond the budgeted business costs.

CONCLUSION

It is recommended that Council approve purchase of the Annual Maintenance Agreement with Data#3 Limited for all Microsoft software, for an amount of \$194,000, as this amount is in excess of the CEO's delegation.

14 MICROSOFT SOFTWARE LICENSING PURCHASE - JUNE 2019

Moved Cr L Wilmot Seconded Cr J Springfield

That Council approve purchase of the Annual Maintenance Agreement with Data#3 Limited for all Microsoft software, for an amount of \$194,000.

Cd.

15 CONTRACT 19/10 - GEMBROOK LEISURE PARK - SKATE & LANDSCAPE CONSTRUCTION

FILE REFERENCE INT1938511

RESPONSIBLE GENERAL MANAGER Andrew Barr

AUTHOR Thomas Nicholls

RECOMMENDATION

That:

1. The tender submitted by Warrandale Industries Pty Ltd to undertake the works associated with Contract 19/10 Gembrook Leisure Park Skate & Landscape Construction be accepted for the contract sum of \$1,245,795.84 (Excl. GST);
2. The remaining Tenderers be advised accordingly; and
3. The common seal of the Council be affixed to the contract documents.

Attachments

- 1 Confidential Memorandum, circulated to Councillors only 3 Pages

EXECUTIVE SUMMARY

The Gembrook Leisure Park is located on the corner of East Beenak Rd and Gembrook Rd. It currently contains a skate park, undercover barbeque area, toilet and a timber style adventure playground.

The playground structure and skate park are now at the end of their useful life and require upgrading.

In addition to Council's financial contribution, Council has received State and Federal grant funding for the renewal and upgrade of the Gembrook Leisure Park.

Tender documentation associated with the renewal and upgrade of the Gembrook Leisure Park was advertised on the 30 March 2019 and closed on 30 April 2019 with a number of Tenders received.

Tenders were subject to a thorough tender evaluation process.

To provide best value for money, it is recommended that the Gembrook Leisure Park, Skate & Landscape construction be awarded to Warrandale Industries Pty Ltd.

BACKGROUND

The Gembrook Leisure Park is located on the corner of East Beenak Rd and Gembrook Rd. It currently contains a skate park, undercover barbeque area, toilet and a timber style adventure playground. The current play space was a community driven and delivered project, completed in 2000, and was one of a few of these types of adventure playgrounds found across Melbourne. It was celebrated for its inclusiveness, with ramps allowing children of all abilities to access the main structure. The structure has now reached the end of its useful life and is due to be upgraded as part of a broader park upgrade.

Council has received State and Federal grant funding, and is also contributing funds to the renewal and upgrade of the Gembrook Leisure Park. The total allocated budget for this project is \$1.5M.

Key components of the total project include:

- Pathway connections into the park
- Additional sealed accessible parking
- Multi use court (basketball, netball and soccer),
- Hangout space with interactive technology to play music
- Skate able space for scooters, BMX and skateboards with mounds, and rails.
- Passive lawn area with BBQ shelters and tables
- Play space
- Accessible play – this will include a range of interactive play on rubber surface
- Adventure and climbing play equipment with flying fox (purchased separately)
- Nature play
- Public toilets accessible upgrades

The playground structure and skate park are now at the end of their useful life and require upgrading. Key components to the new park include a new adventure playground, shelters and BBQ's, a multi-use sports court and a state of the art skate park.

Tender documentation has been prepared for the associated construction works and Tenders were advertised on the 30 March 2019 and closed on 30 April 2019. A total of seven (7) tenders were received.

Tenders were evaluated against the criteria of compliance with the specifications, financial viability, risk and insurance, compliance to conditions of contract, conflict of interest, OHS, locality, quality systems, quality of previous work, project plan, pricing and value for money, compliance with the specifications, capability, relevant experience and past performance of the tenderer.

To provide best value for money, it is recommended that the Gembrook Leisure Park, Skate & Landscape construction be awarded to Warrandale Industries Pty Ltd for a sum of \$1,245,795.84 (Excl. GST).

POLICY IMPLICATIONS

The works have been developed in accordance with Council's Asset Management Plans, Open Space Strategy, Cultural Heritage Assessment, Recreation Facility Guidelines and Community Facility Guidelines.

RELEVANCE TO COUNCIL PLAN

The project is consistent with efforts to "Provide active and passive recreation facilities to meet the needs of residents", "Increase opportunities for residents to participate in a range of sport, recreation and leisure activities" and "Provide accessible facilities to meet identified community needs".

CONSULTATION/COMMUNICATION

Throughout the design phase of this facility, consultation has been undertaken with the community, internal managers, coordinators and Councillors for input into the design of the facilities. Various standards that are also applicable to the design have also been included.

FINANCIAL AND RESOURCE IMPLICATIONS

The recommended tender submitted by Warrandale Industries Pty Ltd is for the lump sum price of \$1,245,795.84 (Excl. GST). This tender amount is within the funding available to deliver this portion of the project through Councils capital works program and government grants.

CONCLUSION

The tender submitted by Warrandale Industries Pty Ltd for the Gembrook Leisure Park, Skate & Landscape construction is considered to be the most beneficial to Council and it is recommended that Contract 19/10 Gembrook Leisure Park Skate & Landscape Construction be awarded to Warrandale Industries Pty Ltd for \$1,245,795.84 (Excl. GST).

15 CONTRACT 19/10 - GEMBROOK LEISURE PARK - SKATE & LANDSCAPE CONSTRUCTION

Moved Cr L Wilmot Seconded Cr J Springfield

That:

1. The tender submitted by Warrandale Industries Pty Ltd to undertake the works associated with Contract 19/10 Gembrook Leisure Park Skate & Landscape Construction be accepted for the contract sum of \$1,245,795.84 (Excl. GST);
2. The remaining Tenderers be advised accordingly; and
3. The common seal of the Council be affixed to the contract documents.

Cd.

16 CONTRACT 19/02 - PROVISION OF PLANT TOOLS EQUIPMENT AND TRAFFIC MANAGEMENT HIRE SERVICES

FILE REFERENCE INT1940130

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Mark Howard

RECOMMENDATION

That:

1. Council award contract CT 19/02 Provision of Plant Tools Equipment and Traffic Management Hires Services to the 14 following contractors, Accomplished Plumbing Services, Ashleys Domestic Water Cartage, Australian Traffic Control, Comar Constructions, Kennards Hire, Kent Environmental & Vegetation Management, Lincroads, Momentum Traffic Control, Pipeline Services & Equipment, Porter Plant, Sherrin Rentals, TFH Hire Services, Traffic Control Victoria and Tutt Bryant Hire, for a three-year period from 24 June 2019 to 30 June 2022 (with the option to extend the contract for a further period of up to two years), in accordance with the General Conditions of Contract;
2. All contractors be advised accordingly.

Attachments

- 1 Confidential Memorandum, circulated to Councillors only 7 Pages
- 2 Confidential Memorandum, circulated to Councillors only 2 Pages

EXECUTIVE SUMMARY

This contract is for the supply of the full range of plant as well as various tools and small items of equipment and traffic management services that are typically used in the Councils day to day maintenance and minor construction activities associated with its infrastructure including roads, drainage, open space and bridge maintenance for the next three years. There is an option for Council to extend the contract for a further period of up to two years.

The Council typically expends in excess of \$700,000 in hiring plant, equipment and tools and traffic management hire services over the course of a year which includes items of heavy plant as well as smaller tools and equipment.

The tender is structured to enable Council to engage several hire firms as each firm generally has a slightly different range of equipment available and none of these firms has all of the equipment available that is likely to be required.

Where several suppliers are contracted, Council will select a preferred supplier from those under contract based on their lowest rates, transport costs and plant availability and suitability. Council may also seek separate quotations or tenders when hired continuously in excess of four weeks.

It is considered that the acceptance of the following 14 tenders will provide best value to council for the provision of plant, tools and equipment and traffic management hire services over the next three-years:

- Accomplished Plumbing Services

- Ashleys Domestic Water Cartage
- Australian Traffic Control
- Comar Constructions
- Kennards Hire
- Kent Environmental & Vegetation Management
- Lincroads
- Momentum Traffic Control
- Pipeline Services & Equipment
- Porter Plant
- Sherrin Rentals
- TFH Hire Services
- Traffic Control Victoria
- Tutt Bryant Hire

BACKGROUND

Council hires a wide range of plant, tools, equipment and traffic management hire services over the course of the year to supplement its own resources. This equipment is required either to meet peak demands or where the need for specialised items that are used infrequently and ownership or long term leasing is not justified. Equipment typically comprises excavators, skid steer loaders, tip trucks, water carts, rollers and sundry smaller items including jackhammers, scaffolding and pumps. In addition, the hiring of traffic management services to support our field workforce.

The tender documents provide for items to be supplied on a wet (operator and fuel included) and on a dry (no operator or fuel included) hire basis where Council has suitably experienced operators. Suppliers are also required to comply with the Occupational Health and Safety legislation particularly with respect to plant safety and maintenance systems to ensure supplied plant and equipment does not pose a health and safety risk to those operating or involved with its operation.

The tender was structured to enable Council to enter into contracts with several suppliers for the supply of plant, tools, equipment and traffic management hire services. It is not an exclusive contract and Council may contract separately for hire of specific items of plant where longer than four weeks continuous hire is required. Where several contracts are awarded which involve the same or similar items of plant or equipment, Council will allocate specific orders based on an assessment of the total cost of supply including hire rates and float charges where they are applicable and the availability of the item of plant. Under the terms of the contract, the Contractor is not required to have specific items of plant and equipment on standby and awaiting Councils order at all times.

Twenty five tenders were received and evaluated in accordance with the 'Conditions of Tendering' on the basis of Occupational Health and Safety and Risk Management Systems, Compliance with Specifications, Capability and Capacity, relevant experience & past performance, Quality System, Customer Service and Range, Age, Condition, Reliability of Plant Tools and Equipment to provide the service. Where a contractor tendered for a range of items of which portion are considered to offer best value, it is generally recommended that the tender for the full range of plant and equipment be accepted. This provides for additional flexibility in supply and there is no requirement that Council hire all of the items listed in a particular schedule.

POLICY IMPLICATIONS

The Local Government Act requires Council to call tenders by public notice prior to entering into any contract valued in excess of \$150,000 for the supply of services and materials. This requirement has been complied with.

RELEVANCE TO COUNCIL PLAN

The Council Plan provides for Council to maintain and develop its infrastructure including roads, buildings and facilities. Plant and equipment are essential resources required for Council to construct and maintain this infrastructure.

CONSULTATION/COMMUNICATION

The tender was publicly advertised on the 19 January 2019 and it is intended to notify all tenderers of the outcome following this Council meeting. Further community consultation will occur as appropriate for the works in which this plant and equipment is to be utilised. No specific community consultation is involved for periodic supply contracts.

FINANCIAL AND RESOURCE IMPLICATIONS

Council typically expends approximately \$700,000 per annum on the hire of plant, equipment and traffic management hire services to assist in delivering its minor construction and maintenance programs. The budget for this hire is spread over a wide range of individual activities including shoulder maintenance, gravel road maintenance, and footpath and drainage maintenance and parks maintenance as well as smaller construction projects managed in-house. Plant and equipment hire comprises one of a range of elements including quarry products, labour and other materials associated with these maintenance activities that are managed to meet the overall annual demand within the available budget. In short there is not a specific budget set aside exclusively for plant and equipment hire however the various budgets provide for in excess of \$700,000 to be expended on the items annually.

CONCLUSION

It is considered that the acceptance of the following tenders will provide best value to council for the provision of plant, tools and equipment and traffic management hire services over the next three-years:

- Accomplished Plumbing Services
- Ashleys Domestic Water Cartage
- Australian Traffic Control
- Comar Constructions
- Kennards Hire
- Kent Environmental & Vegetation Management
- Lincroads
- Momentum Traffic Control
- Pipeline Services & Equipment
- Porter Plant
- Sherrin Rentals
- TFH Hire Services
- Traffic Control Victoria
- Tutt Bryant Hire

16 CONTRACT 19/02 - PROVISION OF PLANT TOOLS EQUIPMENT AND TRAFFIC MANAGEMENT HIRE SERVICES

Moved Cr L Wilmot Seconded Cr J Springfield

That:

1. Council award contract CT 19/02 Provision of Plant Tools Equipment and Traffic Management Hires Services to the 14 following contractors, Accomplished Plumbing Services, Ashleys Domestic Water Cartage, Australian Traffic Control, Comar Constructions, Kennards Hire, Kent Environmental & Vegetation Management, Lincroads, Momentum Traffic Control, Pipeline Services & Equipment, Porter Plant, Sherrin Rentals, TFH Hire Services, Traffic Control Victoria and Tutt Bryant Hire, for a three-year period from 24 June 2019 to 30 June 2022 (with the option to extend the contract for a further period of up to two years), in accordance with the General Conditions of Contract;
2. All contractors be advised accordingly.

Cd.

17 CONTRACT 19/23 - SUPPLY OF A NEW TRACTOR

FILE REFERENCE INT1941155

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Ben Wood

RECOMMENDATION

That:

1. The proposal submitted by D&S McIntyre Family Trust trading as Darmac Ag be accepted for the supply of one Fendt 514 Profi tractor and McConnel reach arm mower as specified for the contract sum of \$247,748 (excl. GST) plus statutory charges;
2. Proponents are advised accordingly;
3. The Common seal of the Council is affixed to the Contract documents.

Attachments

- 1 Confidential Memorandum, circulated to Councillors only 2 Pages

EXECUTIVE SUMMARY

This report details the submissions received for Contract No CT19/23, relating to the supply of a new tractor fitted with a reach arm mower.

The purchase total is within the provisions of the 2019/2020 capital budget adopted for plant replacement.

The processes followed for this procurement are in accordance with Councils purchasing policy. The purchase is being made via the MAV Plant and Machinery NPN2.15 panel which is fully compliant with Councils obligations and of which Cardinia is a participant.

BACKGROUND

The Shire currently operates four tractors, two of which are dedicated to supporting road maintenance activities and two are dedicated to natural resource management.

The tractor (Unit 50) proposed for replacement is dedicated to natural resource management activities throughout the Shire. It operates up to six days per week and ten hours per day.

Replacement of the tractor is in line with council's long term plant replacement program. The replacement is due and the current unit has completed over 9000 hours of operation.

Replacement now is desirable to avoid more significant exposure to unplanned maintenance, downtime for dedicated operational staff and assets, impacts on the appearance of public spaces and community amenity. This timing also facilitates improving service delivery over the next peak spring growing season.

As a major growth municipality Cardinia has a growing volume of road traffic. The climate within the Shire supports abundant natural growth. Encroachment of growth on the roadside represents a risk

to public safety by obscuring the visibility of signage, wildlife and other road users. Managing natural growth on roadside is important to preserve the safety of road users.

Benchmarked against other councils and the private sector, Cardinia has high utilisation of this tractor.

The recognised benefits for the council and community will include:

- A more reliable fleet with minimal down time, thus maximising the opportunities to maintain the safety of the road using public
- Higher efficiency and productivity due to technical upgrades and improvements
- Environmental improvements with newer compliance standards and lower CO2 emissions.
- Improved ergonomics reducing driver risk and fatigue with latest technology.
- Significant safety improvements and upgrades to council assets, staff and community.

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

An effective plant replace program will assist in meeting the Council Plan goal of providing and maintaining assets on a life-cycle basis.

CONSULTATION/COMMUNICATION

Council's operational staff has been consulted with in regards to the suitability of the recommended equipment.

In addition to this, a knowledge of other public sector agency practice has been availed of to assist with evaluating alternatives and specifying the proposed solution.

FINANCIAL AND RESOURCE IMPLICATIONS

Provision has been made within the 2019/2020 budget for the replacement of this tractor (Unit 50).

A proposal was received from Darmac Ag was for the supply of one Fendt 514 Profi tractor fitted with a McConnel reach arm mower as specified for the contract sum of \$247,748 (excl. GST) plus statutory charges (which will be charged at cost at the time of delivery). Statutory charges are variable because of Councils common expiry date for registrations.

At this stage, the delivery of the tractor is anticipated to occur in October 2019.

CONCLUSION

It is recommended that the proposal received from D&S McIntyre Family Trust trading as Darmac Ag for the supply of one Fendt 514 Profi tractor fitted with a McConnel reach arm mower as specified for the contract sum of \$247,748 (excl. GST) plus statutory charges be accepted.

17 CONTRACT 19/23 - SUPPLY OF A NEW TRACTOR

Moved Cr L Wilmot Seconded Cr J Springfield

That:

1. The proposal submitted by D&S McIntyre Family Trust trading as Darmac Ag be accepted for the supply of one Fendt 514 Profi tractor and McConnel reach arm mower as specified for the contract sum of \$247,748 (excl. GST) plus statutory charges;
2. Proponents are advised accordingly;
3. The Common seal of the Council is affixed to the Contract documents.

Cd.

18 MAJOR PROJECTS REPORT

FILE REFERENCE INT1938685

RESPONSIBLE GENERAL MANAGER Peter Benazic; Tracey Parker

AUTHOR Andrew Barr; Ben Wood; Desiree Lovell; Kristen Jackson; Walter Carmignani

RECOMMENDATION

That:

1. The report be noted.

Attachments

Nil.

EXECUTIVE SUMMARY

As part of the reporting process to Council, this monthly report provides an update of the status of major projects and strategies in progress. It includes an update on major projects, capital works, special charge schemes, asset management and strategies current at the time of this report.

CONCLUSION

This regular activity report is provided for Councillors' information.

Capital works

Reserves

James Bathe Recreation Reserve civil works

Project description	Construction of two football/cricket ovals, netball courts and play space.
Funding	The project is funded by Council and a contribution through Sport and Recreation Victoria.
Timelines	The ovals are now on maintenance and not accessible until early 2020. The outstanding works will be completed before the start of Summer.
Update	<p>The following elements are complete:</p> <ul style="list-style-type: none">• bulk earthworks, irrigation and drainage to both ovals• kerb to car park• shelters have been installed• the pump shed, tank and ball catch net poles have been installed• light poles have been stood• sprigging to oval 1 and oval 2 <p>The following elements are underway:</p> <ul style="list-style-type: none">• fencing works to the ovals• electrical installation• playspace works

- finishing works to carpark
- netball, basketball and practice cricket areas

The ovals will be re-sown in the spring time to supplement the sprigging that has occurred to date.

James Bathe Recreation Reserve pavilion

Project description	Construction of a new pavilion servicing netball, football, cricket activities and includes provision for community use.
Funding	Council and the Victorian Government's Growing Suburbs Fund are jointly funding this project.
Timelines	Construction is expected to be complete December 2019.
Update	<p>The following works have been completed:</p> <ul style="list-style-type: none">• structural steel of building including verandah• roofing works• brickwork• carpentry framework• window frames <p>The following works are underway:</p> <ul style="list-style-type: none">• plastering• verandah concrete• painting• tiling

Deep Creek Reserve

Project description	<p>Deep Creek Reserve is a 48-hectare Council 'greenfield' site, bounded by the Pakenham Golf Course to the North and the railway line to the south.</p> <p>The development of this site will include new paths and car park, development of infrastructure (including a sustainable environment complex, including new golf club rooms, all abilities playground, indigenous plant nursery, wetland and education facilities, kick about area, car park and associated drainage) and Melbourne Water wetlands.</p>
Funding	The Deep Creek Reserve development is jointly funded by Council and the Victorian Government's Growing Suburbs Fund, with in-kind support from Pakenham Golf Club
Timelines	The reserve should be ready for public access by September 2019.
Update	<p>Civil works package: complete. This includes the car park, lighting, golf cart shed, drainage , kick-a-bout area and demonstration wetland. The contractor will be coming back to finish off some minor footpath works around the building in early July</p> <p>Play garden: complete. The site is on maintenance and will remain closed until works on the main building are complete to allow an establishment period for the plants. Final play items will be installed prior to opening of the reserve.</p> <p>Landscape package: There is extensive detailed landscaping at this site to enable it to be Council's premium environment education site, for this reason the landscaping has been split into a separate package. The contractor has commenced landscaping and shaping works, with the</p>

balance of planting currently taking place as the weather conditions become more favourable.

Deep Creek Reserve – Nursery and Education Centre

Project description	Construction of a community driven indigenous plant nursery including outdoor education space, retail display garden, propagation facilities, irrigation, shade houses and green houses to grow the plants.
Funding	This project is jointly funded by Council and the Andrew's Foundation and is part of the Deep Creek Reserve.
Timelines	The reserve should be ready for public access by September 2019.
Update	<p>The following works have been completed:</p> <ul style="list-style-type: none">• foundation /services risers• concrete slab works <p>The following works are underway:</p> <ul style="list-style-type: none">• steel framing is currently being erected• off site manufacture of green houses in progress .

Deep Creek Reserve – Cardinia Community and Education Centre

Project description	The Cardinia Community and Education Centre is a multi-user shared facility, combining ecological values, education and sport. The building will combine the requirements of the Pakenham and District Golf Club and Cardinia Environment Coalition (CEC). The building will incorporate separate and shared spaces for the golf club and CEC users, including a multi-function room, lounge/dining/bar area, café, pro shop, environmental training areas, administration areas, and a commercial kitchen. Kirchner Constructions Pty Ltd have been appointed to undertake the building works.
Funding	This part of the Deep Creek Reserve project is funded by Council.
Timelines	The reserve should be ready for public access by September 2019.
Update	<p>The following works have been completed:</p> <ul style="list-style-type: none">• all in ground mains services• floor slab• internal timber stud framing• roof construction• air conditioning units have been installed• final window/door framing installation works• driveway and pathways to the building perimeter and access to the centre via eco playgarden• internal brick work feature walls• plaster finish to Golf Club Pro Shop <p>The following works are underway:</p> <ul style="list-style-type: none">• plaster finishes to Café areas and reception/admin areas• joinery detail to reception area• floor tiling to toilet areas• fire place detail• bar/food servery areas• cool room /refrigerated areas• pathways to pro shop and cafes

Officer Recreation Reserve No. 2 (Western) oval reconstruction

Project description	<p>Reconstruction of the western oval at the Officer Recreation Reserve, Starling Road Officer.</p> <p>The works include, but are not necessarily limited to reorientation, reshaping and resurfacing of the oval and the installation of subsurface drainage, irrigation and perimeter fence.</p> <p>A funding application has been made to the Australian Government for ball catch nets, lighting upgrades and to upgrade the proposed gravel footpaths to a concrete footpath</p>
Funding	This project is fully funded by Council
Timelines	Works are expected to be complete in July 2019, with a maintenance period to follow
Update	Irrigation sub-surface drainage to the oval is complete, the spoon drain and external drainage has been laid, oval fencing is well progressed and the new dam is now connected to the old dam. The placement of sand, followed by planting of the oval is currently underway.

Bunyip Recreation Reserve Soccer pavilion

Project description	Construction of a new pavilion servicing soccer, cricket activities and includes provision for community use.
Funding	Council and the Victorian Government's Building Better Regions Fund are jointly funding this project.
Timelines	Construction to be completed by February 2020.
Update	Works commencing on site have been delayed due to issuing of the building permit and additional consultation but are due to commence soon

Worrell Recreation Reserve pavilion upgrade

Project description	Construction of a new pavilion for football and cricket. Facilities will also include a gym for community use.
Funding	The project is fully funded by Council (\$2.8m)
Timelines	Works are due to be completed in January 2020.
Update	<p>The following works have been completed:</p> <ul style="list-style-type: none">• demolition works/site clearance /preparation• rerouting of the main services <p>The following works are underway:</p> <ul style="list-style-type: none">• ground excavation and foundation works• underground services and riser locations pre floor slab• the structural steel frame is being manufactured

Lang Lang Community and Recreation Precinct pavilion

Project description	The construction of a major recreation and community precinct being undertaken in partnership with the Lang Lang Community Bank. It will include sporting facilities, multipurpose community spaces, parks and other spaces for recreational activities.
Funding	Lang Lang Community Bank purchased the 36-hectare parcel of land upon which the precinct will be constructed, and have committed \$3.2 million including land purchase to the project. \$1.5 million has been received from the Australian Government's Building Better Regions Fund. Council and our partners have committed so far \$13.5 Million to the design and construction of civil and building works between 2015-16 and 2020-21.
Timelines	The pavilion is due to be completed by December 2019
Update	The following works have been completed <ul style="list-style-type: none">• foundation works and services riser locations• pre-cast panel manufacture The following works have commenced <ul style="list-style-type: none">• steel framework• pre-cast panelling erection• roofing works

Comely Banks Recreation Reserve – pavilion

Project description	Construction of a new pavilion servicing rugby, football, cricket, bowls activities and includes provision for community use.
Funding	Council and the Victorian Government jointly fund this project
Timelines	Pavilion construction is due to be tendered in July 2019.
Update	The schematic design for the pavilion has been completed and the statutory approval application has been submitted

Koo Wee Rup Primary and Secondary School oval upgrades

Project description	Reconstruction of the Koo Wee Rup Primary School oval and the adjacent Koo Wee Rup Secondary School oval. The primary school oval upgrade includes new sub surface drainage, two new cricket nets and some portable barrier netting to protect school infrastructure. The secondary school oval upgrade includes new sub surface drainage, irrigation, and flood lighting, installation of a bore, power upgrade, and construction of a new pavilion and extension of the synthetic hockey pitch to meet Australian standards.
Funding	The primary school upgrade is funded by Sport and Recreation Victoria and Council The secondary college is funded by the Victorian Government's

Department of Education of which a portion is allocated for the oval upgrade works.

Timelines Works are expected to commence in September and be completed in February 2020, which will be the commencement of the establishment/maintenance period.

Update The contract has been awarded, program of works is being finalised and the school is being kept informed.

Koo Wee Rup Recreation Reserve netball pavilion upgrades

Project description Extend and upgrade the netball pavilion to provide home and away change and unisex toilet and shower facilities

Funding Council and the Victorian Government (\$400,000) fund this project.

Timelines The project is due for completion by December 2020

Update Council has been working with the netball club and the reserve committee of management to prepare draft concept plans for the pavilion upgrade project. Architect appointed and final schematic plans for the upgrade ready prior to detail design. The plans will be finalised with the clubs and committee once Council's new Sport Facility Standards Policy is endorsed.

Koo Wee Rup Recreation Reserve football/cricket pavilion upgrades

Project description Construct new football/cricket change rooms on the site of the existing building.

Funding Council, the Victorian Government (\$400,000) and the Australian Government (\$1.208m)- through the Building Better Regions Fund 3 Program fund this project

Timelines The project is due for completion by December 2020

Update Council has been working with the football, cricket and equestrian clubs and the reserve committee of management to progress the project and seek additional funding. Draft concept plans for the new pavilion have been prepared for discussion. The plans will be finalised with the clubs and committee once Council's new Sport Facility Standards Policy is endorsed.

Cora Lynn change room upgrades

Project description Construction of new change rooms at Cora Lynn Recreation Reserve.

Funding This project is jointly funded by Council and the Victorian Government (\$3m) through Community Sports Infrastructure Fund

Timelines Project is currently in the design phase. A construction timeline is to be developed.

Update Concept plans have been prepared for the new change rooms. The scope of the project will be finalised with the Victorian Government, reserve committee of management and reserve user groups once Council's new Sport Facility Standards Policy is endorsed.

Hills Hub

Project description	The Hills Hub will be a multipurpose facility that will enhance existing community activities delivered by the Emerald Mechanics Institute, establishing a long-term base for Emerald U3A, Emerald Men's Shed and other existing stakeholders. It will also provide opportunity to respond to emerging local needs, including skill development, training and employment creation. An advisory group of community stakeholders across a wide range of community organisations was established. Council has undertaken extensive consultation and negotiations to design a multipurpose facility.
Funding	The project is jointly funded by: <ul style="list-style-type: none">• Council (\$4.88 million)• Australian Government's National Stronger Regions Fund (\$1.5 million)• Victorian Government Growing Suburbs Fund (\$1.5 million)• Eastern Dandenong Ranges Group/Dandenong Ranges Community Bank Group (\$250,000).
Timelines	Construction is due to be complete by September 2019.
Update	<p>The following works are complete:</p> <ul style="list-style-type: none">• structural steel installation• blockwork walls• steelwork to all areas fixing framing /cladding detail• first fix services installation• Roofing• Hydraulic /mechanical services first fix• external cladding fixing detail <p>The following works are underway:</p> <ul style="list-style-type: none">• ground floor fitout• external cladding finishes• hydraulic /mechanical fitout

Koo Wee Rup Tennis Club upgrade

Project description	<p>The construction of two new tennis courts and the refurbishment of the existing tennis courts. The works include acrylic surfacing, improved lighting and shelters.</p> <p>Conversion of swimming clubroom to tennis club facility</p>
Funding	Council and the Victorian Government – Sports and Recreation Victoria are jointly funding this project.
Timelines	The tennis court construction and refurbishment is complete The conversion of the swimming clubroom is to be completed by April 2020
Update	<p>The courts are now complete with the Active Reserves team working with the club to open the courts to the public.</p> <p>The following works for the clubroom conversion are complete:</p> <ul style="list-style-type: none">• approval of the schematic layout• planning permit has been submitted

Detailed documentation for the clubroom conversion is currently being prepared ready to tender later in the year

Roads, paths, drains and bridges

Bridge Road duplication

Project description	Duplication of the northern carriageway of Bridge Road between Niki Place and Optima Street.
Funding	This project is funded through Council Roads program, the Cardinia Road DCP and the Australian Government's Roads To Recovery Program jointly fund the program.
Timelines	The duplication of Bridge Road is complete with guardrails to be installed in the coming months.
Update	The duplication works are now complete, however a reduced speed limit will still be in place at the roundabout until guardrail works are complete.

Kenilworth Avenue construction

Project description	Construction of the first stage of Kenilworth Avenue, extending from Brunt Road to the Princes Highway underpass. The works include a sealed road pavement, kerb and channel on both sides, underground drainage, a concrete path on the south side and a shared concrete pathway on north side.
Funding	This project is funded through the Officer Developer Contributions Plan and is being delivered by an active developer in the immediate area as works in kind against payment of their developer contributions.
Timelines	Stage 1 (Brunt Road to Princess Highway underpass) works will recommence once the legal dispute is resolved.
Update	Kenilworth Avenue has been closed, only allowing access for local traffic, while the developer meets all their requirements. The design of stage 2 works is currently being finalised and will be tendered in the coming months.

Emerald Lake Park

Project description	Replacement of outfall drainage pipe and reconstruction of Emerald Lake Park Road dam wall. The leak in the Emerald Lake Park outfall drain was discovered in March, with expert dam and hydraulic engineers attending the site on the same day. Road closure, response program and inspection regime was put in place immediately.
Funding	The works are fully funded by Council.
Timelines	This project is due for completion in Spring 2019.
Update	The dam wall downstream protection works have been quoted and are currently being assessed, these are to take place over winter, when park usage numbers decline. These works will be followed by the installation of guardrail.

Toomuc Creek pedestrian bridges north and south

Project description	Toomuc Creek pedestrian bridges are a design and construct project which involves removal and replacement of the existing pedestrian bridge near Toomuc Reserve and design and installation of a new pedestrian bridges over Toomuc Creek south of the train line.
Funding	Council funds the northern bridge and the new pedestrian bridge south of the rail line is funded through the DCP.
Timelines	The project is due for completion by late 2019.
Update	The contract has been awarded and contract document finalised. The program of works has been finalised and the local schools are being advised of the projects progress.

PB Ronald Reserve car park

Project description	The removal of the fuel tanks from the old depot site, the demolition of the old depot building and the construction of a car park.
Funding	The program is fully funded by Council.
Timelines	The car park works are expected to be completed early August.
Update	Construction of the new portion of car park is well underway. Following this, rehabilitation of the adjoining existing car park will be undertaken.

Blackspot Project – installation of w-beam safety barriers at Paternoster Road

Project description	Installation of profiled (audio tactile) edge lines along entire section of Paternoster Road and installation of w-beam safety barriers at two accident-prone locations identified as black spots.
Funding	VicRoads fully funds this project through their Black Spot Program.
Timelines	The project is due for completion by December 2019
Update	7.8 kms of audio tactiles have been installed along the edge lines of Paternoster Road. Stage 2 will be installation of guardrail with removal of several trees required to complete the works. This work is proposed to be undertaken in September/October and will complete blackspot requirements.

Blackspot Project – guardrail and w-beam safety barriers on Main Drain Road South

Project description	A 2.3km section of Main Drain Road South, Bunyip, from Bunyip Modella Rd to 13 Mile Road, has been identified for blackspot works. The works include installing W Beam Safety Barriers along the Bunyip River side, and guardrail along the residential side of the road
Funding	VicRoads fully funds this project through their Black Spot Program.
Timelines	The project is due for completion by December 2019
Update	Negotiations with Melbourne Water (MW) are complete and a tender for the works is being prepared.

2018-19 Drainage program

Project description	The maintenance and upgrading of Council's drainage network.
Funding	The \$421,000 program is fully funded by Council.
Timelines	This program is due to be completed by end of June 2019.
Update	Final designs and updated flood modelling are underway for the stormwater drainage replacement and realignment works to be undertaken in the rear of properties along Caroline Avenue, Cockatoo. The final design will be completed by mid June with construction to commence immediately after.

A detailed stormwater investigation is to be undertaken at the Rossiter Road Station Street intersection in Koo Wee Rup. This investigation will include locating all drainage and services within the immediate area, assessment of the condition of the existing assets, flood modelling for the intersection and determination of the current outfall and its suitability. The investigation is due to be completed by the end of June 2019.

2018-19 Road renewal and resurfacing program

Project description	The significant proactive maintenance and upgrade of Councils road network as per Council's asset management system.
Funding	Council and the Australian Government's Roads To Recovery Program jointly fund the program.
Timelines	The works program for 2018-19 is finished.
Update	The additional bushfire recovery works at Garfield North Road including drainage rectification and increased environmental (silt loading) protection following the fires is now complete.

2018-19 New Footpath Program

Project description	Council's footpath program looks to extend the footpath network in and around townships. The footpaths to be constructed in 2018-2019 are:
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Footpath location	Construction dates (proposed)	Status
Tivendale Road, Officer	October	Complete
Station Street, Pakenham	Pedestrian Crossing	Under construction
Kennilworth Ave , Beaconsfield	October	Complete
Bald Hill Road, Pakenham	January	Complete
Anderson Road, Bunyip	October/November	Complete
Main Street, Bunyip	October/November	Complete

Gembrook Road and Redwood Road , Gembrook	November	Complete
Pinnocks Road, Emerald (Gravel path)	April 2019	Deferred
Grange Court, Koo Wee Rup	January/February 2019	Complete
O'Neil Road, Beaconsfield	October/November	Complete
Webster Way, Pakenham	October/November	Complete
Princes Hwy: Brunt Road to Panorama Avenue, Beaconsfield	October/November	Complete

Funding The \$680,000 program is fully funded by Council through the footpath and pedestrian and bicycle strategy programs.

Update The new footpath program is complete.

Station Street, Pakenham pedestrian crossing with flashing lights is under construction, and nearing completion.

A pedestrian crossing with flashing lights in Windermere Boulevard, Pakenham is proposed to be constructed. This will require extensive footpath, kerbing, asphalt and electrical works. A tender for construction is currently being prepared.

Railway Avenue Road closure

Project description The closure of Railway Avenue at the intersection of Racecourse Road

Funding The program is fully funded by Council.

Timelines The works are expected to be completed by the end of June 2019.

Update Asphalt and line marking works were completed in late May and permanent bollards to prevent entry are to be installed mid-June

Other capital projects

Cardinia Cultural Centre (CCC), Stage 1 Upgrade Incorporating Arts Space

Project description The upgrade of the CCC is stage 1 of a proposed 3-stage upgrade. Stage 1 includes the provision of an arts space, significant improvements to the foyer/crush space and the provision of flexible dance of flexible dance/rehearsal rooms.

Funding The project is jointly funded by Council and the Victorian Government's Growing Suburbs Fund.

Timelines This project is due for completion early July 2019.

Update The following works have been completed

- steelwork, roofing and framing
- external cladding complete.
- installation of services
- new car park area

The following works are underway

- internal fit out works
- toilet amenities (temporary toilet facility is still in operation)
- external ground /paving works/landscaping

My Place and the Operations Centre solar electricity systems

Project description Installation of solar electricity systems at the Operations Centre on the new office building and My Place.

Funding This project is funded by Council.

Timelines This project is due for completion in winter 2019.

Update The installation of the 31kW solar electricity system on My Place is complete.

Structural engineering approval for the solar electricity system for the new office building at the operations centre, has been finally been received.

Officer Town Centre landscape works

Project description Developer delivered landscape embellishments to northern part of Siding Avenue, around Central Energy Plant and Stormwater Tanks Park. Finalisation of landscape works around the Civic Centre.

In addition to the required infrastructure around the tank, the works around the stormwater tank are designed to create a public square in the middle of officer. Stairs and decking leading up to the existing generator shed will have garden beds and will form an amphitheatre to allow this to become a 'city square' style park for all to enjoy.

Funding Fully funded by Development Victoria under their permit for Officer Town Centre.

Works on the tank park itself are costed at over \$750,000

Timelines Works are due to be completed by October 2019.

Update Works are well under way on the tank park. Tank stabilisation, underground drainage and subsurface requirements are complete. Formwork for decking and walls are complete with cladding commencing and the majority of concrete has now been laid. Works on the main structure will begin shortly.

Works around the central energy plant are complete, with a treatment to the Ausnet electricity box to be completed within 6 months.

Kaduna Park Neighbourhood Park

Project description Developer delivered landscape embellishments to 1ha public open space being created in the first stages of Kaduna Park Estate

The centrepiece of the park is a 6m tall slide tower complimented by other play elements such as swings and climbing units. There is also a basketball half court, large kickabout zone, shelters and BBQ facilities being delivered. The park will be landscaped with predominantly indigenous and native vegetation fitting the Australian Landscape Theme in the PSP.

Funding Embellishment works are part of the DCP provisions for Cardinia Road

Employment Precinct and any overspend will be fully funded by Parklea. Total cost is estimated at \$1m.

Timelines Works are due to be complete in Spring 2019.

Update Playground equipment and major structures are beginning to be installed and concrete embellishments finalised prior to soft landscaping.

Arcadia Neighbourhood 2 (NH02) Reserve

Project description Developer delivered landscape embellishments to 1ha public open space adjoining future drainage reserve in Arcadia Estate. Park is adjacent to Officer South Road and Flanagan Avenue.

The theme of the park is 'Where the Wild Things Are' highlighted by 5m tall tree sculptures on site. A dual flying fox, accessible carousel, swings, climbing frames, shelters and skate zone will ensure this park caters to all ages and abilities, given its proximity to Officer Specialist School and Officer Secondary College.

Funding Fully funded by Satterley under their permit for Arcadia Neighbourhood 2. Works are valued at over \$1.4m

Timelines Works are due to be completed late 2019.

Update Playground and skating area installation is well underway with most structures and larger features installed. Final rock work and concrete will be complete in coming weeks allowing soft landscaping to commence.

18 MAJOR PROJECTS REPORT

Moved Cr B Owen Seconded Cr R Brown

That the report be noted.

Cd.

REPORTS OR MINUTES OF COMMITTEES

The Mayor advised of minutes received from various committees and recent briefing sessions that were available for perusal.

REPORTS BY DELEGATES

Cr Ryan reported on her recent activities including visiting senior citizens clubs, attending the Pakenham U3A, meeting with a business proprietor that constructed tiny houses, attended Edward O'Donohue's office for an afternoon tea regarding the 2018 and 2019 Harold Bould Award and an event involving wheel chair dancing and tennis that focussed light on how people with disabilities can cope in the community.

Cr Ross advised that together with the Mayor and Cr Brett Owen he had attended the funeral of Margaret Mitchell, wife of Jack Mitchell a senior citizen of the year in 2014 and commented that Margaret was the strength behind Jack, and conveyed the Council's condolences to Jack and the family.

Cr Brown advised that he had attended the Koo Wee Rup Lions Club handover dinner and advised that the Club had distributed funds raised through the Club's opportunity shop, and that he had also visited the Deep Creek Reserve and the thank you for the Bushfire Volunteers event conducted at the Seikh Temple in Officer.

Cr Wilmot advised that she had attended Emerald Lake Park for an update on the weed management works being undertaken over the last seven year noting that all Councillors will be invited to another event at the Park in September. Cr Wilmot also advised that in company with the Mayor she had attended the opening of the Cockatoo Community House that was being operated by Taskforce and commented on the reinvigoration of the House. Cr Wilmot also commented on her attendance at the City of Casey business leaders dinner on Friday with a tourism focus.

Cr Owen advised that he had attended a Pakenham Rotary Club event regarding their project to recycle old playground equipment for distribution to third world countries with the first project being the old playground equipment to be removed from Dick Jones park as part of the renewal of the equipment currently in the Park. Cr Owen also advised that he had attended the fight MND event conducted by the Pakenham Football. Cr Owen also noted the recent passing of Billy Holmes of Emerald who was heavily involved in the Emerald RSL, Cr Owen also noted the facility upgrade projects currently underway organised by the Access and Inclusion Committee.

The Mayor also commented on the fight MND fundraising event conducted by the Pakenham Football Club and noted the recent passing of Mr Max Murray from Nar Nar Goon who was a past President of the Nar Nar Goon RSL and a tireless volunteer.

PRESENTATION OF PETITIONS

Cr Ryan tabled a petition from local residents requesting that Council fund the provision of a public toilet facility at Rotary Park on the Toomuc Creek in Pakenham.

The Mayor advised that the petition will lay on the table for consideration by the Council at the next meeting.

COMMUNITY QUESTION TIME

The Mayor advised of several questions received and referred the questions to relevant staff

members to read and answer the questions, as follows:

Tony O'Hara Question 1

As a regular at Council meetings I look through the agenda items prior to and at the Council meetings, I am constantly frustrated by the low resolution scanning or saving of documents, making them unreadable. e.g. Page 5 of item 5 on tonight's agenda. The question is: Is there any reason why the documents, especially maps or scanned documents are scanned at low resolution and can they be provided in a easily readable format in the future?

Answer by Manager Governance

Thank you for your question. I agree that at times some of the documents attached to reports for Council Meetings available on the website are difficult to read due to the low resolution of the document. This is particular relevant to documents provided as a scanned image not a separate document. We are working with our software supplier to see if this can be improved.

Tony O'Hara Question 2

Is there any reason why referred to documents on the agenda are not presented as searchable documents, such as; the Council Plan, Draft Budget and even the Library Plan and Draft Budget 2019-20 (which is publically available online on the CCLC website) as presented tonight?

Answer by Manager Governance

Again thank you for your question.

The documents loaded to the website are in a searchable PDF format, it may depend on what PDF reader that you are using to access these documents, perhaps we could discuss this matter after the meeting.

Gloria O'Connor Question 1

Will you please advise when it will be possible for some consultation between responsible Council staff and members of the Berwick-Pakenham Historical Society regarding the forward plans for the Pakenham Museum and its surrounding area. Those responsible, many who come from Berwick put in a lot of time and effort managing the museum and its contents, and providing information for visitors and interesting programs. Common opinion is that little attention is given to this important location and its important value to the community.

Answer by General Manager Liveable Communities

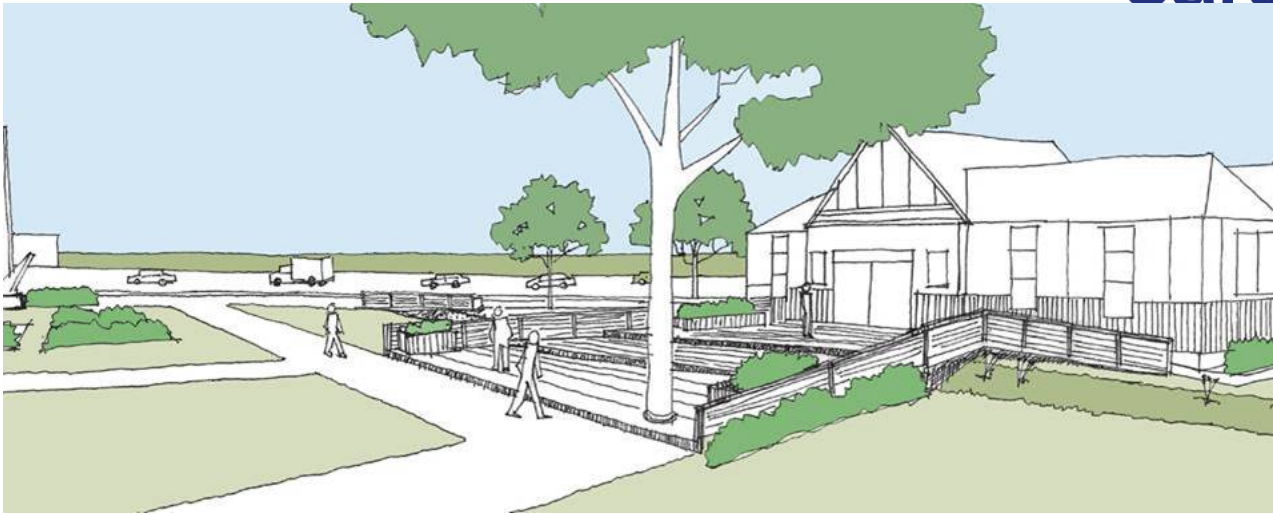
The work that Council staff have been doing in regard to the Pakenham Urban Design Framework includes a Future Character statement for the North West Gateway Precinct that includes the Old Shire Building / Pakenham Museum state the following:

'This site encompasses the main entrance to the activity centre from the west. Within the site there are several significant elements including historic buildings, large established native trees, a creek line and a large sculpture.

The gateway area could improve views of the heritage buildings and increase their utilisation. There are opportunities to improve connectivity between the elements of the site through the introduction of features such as decking to span the creek, new paths and a crossing to link both sides of the gateway.

The stand of established trees should be utilised for a shaded gathering place.

The museum [and significant improvement to the landscape area surrounding it] is seen as playing a central role in the revitalisation of the gateway.'



The UDF is tied to the Pakenham Structure Plan process so should be on exhibition in July

Gloria O'Connor Question 2

Now that some good recognition is being given to importance of preserving environmental areas of Cardinia Shire and intention is to provide increased funding, what is expected to be the result of the Cardinia Railway Towns and plans for urban expansion through Nar Nar Goon, Tynong, Garfield and Bunyip, which will inevitably impact on existing environment, and with loss of green wedge, additional traffic congestion, pollution etc. by the development of 'mini suburbs' with business and industry?

Answer by General Manager Liveable Communities

- An analysis of the Railway Towns was commissioned by Council to provide a snapshot of the current service provisions in the towns and identify the capacity for future growth including potential requirements for service improvements.
- The report also provided a set of draft principles that would need to be met by any future growth so that the character of the Railway Towns was protected.
- This report has been completed and is currently available to the public and other stakeholders to review and provide comment on. And provide their views on how growth should occur [or not] beyond current planning controls.
- The report has been presented to the Progress Associations of NNG and Tynong in May and has been advertised in the newsletters of Bunyip and Garfield as these 2 towns do not have Associations.
- Submissions close on the Friday 19th July.
- The submissions will be reviewed and utilised to form a set of options for the direction and scale of future growth of each of the towns and these options will be presented to Council for consideration.
- This is proposed to occur in mid September

Gloria O'Connor Question 3

What progress has been made with the application for 'clean fill' on the Latta Road property in Nar Nar Goon?

Answer by General Manager Infrastructure and Environment,

Planning Permit application T180774 for Use of the land and works associated with the disposal of fill at 21 Latta Road, Nar Nar Goon is proposed to be heard at the July 2nd Town Planning Committee Meeting.

Meeting closed at 9.49pm

Minutes Confirmed
Chairman