



Cardinia

MINUTES OF GENERAL COUNCIL MEETING

MONDAY, 9 DECEMBER 2019

MINUTES OF GENERAL COUNCIL MEETING

held in the Council Chambers, 20 Siding Avenue, Officer
on Monday, 9 December 2019
The meeting commenced at 7pm

PRESENT: Mayor, Jeff Springfield, Chairman
Councillors Collin Ross, Graeme Moore, Leticia Wilmot, Brett Owen
Messrs Carol Jeffs (CEO), Peter Benazic (GMIE), Tracey Parker (GMLC), 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 acknowledged that we are on the traditional land of the Bunurong and Wurundjeri people and pay our respects to their elders past and present.

APOLOGIES:

Crs Michael Schilling, Carol Ryan, Jodie Owen, Ray Brown, Jenny Scicluna (GMCP),

CONFIRMATION OF MINUTES OF MEETINGS

Moved Cr L Wilmot Seconded Cr C Ross

THAT MINUTES OF THE FOLLOWING MEETINGS BE CONFIRMED-

- General Council Meeting 18 November 2019
- Town Planning Committee 2 December 2019

Cd.

DECLARATION OF PECUNIARY AND OTHER INTERESTS

Nil.

COMMUNITY QUESTION TIME

The Mayor advised that he intended to bring Community Question Time forward as several of the questions relate to Item 1 on the Agenda being Cardinia Motor Recreation and Education Park Development Plan (DPO16) and if the questions were not answered before consideration of the Item the question may be moot and asked if there was any opposition to this.

Councillors agreed to bringing Community Question Time forward.

The Mayor advised of a series of 10 Questions from Tony O'Hara and referred the first 9 Questions to Tom McQualter to read and answer, as follows:

Question

Ref DPO16. Page 4, states: Attachment 3, Summary of Submissions - Circulated to Councillors only
Question in two parts:

1. Are there are issues in the submissions that the general public should not be made aware of?

Answer

There are no specific planning issues raised in the submissions that would warrant withholding from the general public.

2. If not, as Council is expected to be open and accountable, why are the concerns not publicly available as per attachment 3?

Answer

Submissions that were submitted as part of the advertising of the DPO16 application have been received under the provisions of the *Planning & Environment Act*, this is a different provision to the *Local Government Act*. Under the process the Council is required to consider any submissions received prior to making a decision, however, the submissions received are not considered public documents as they contain personal details and identifiable information of the individual lodging the submission.

Question

Ref DPO16. Page 13 states: "A summary of each submission and a response to each of these can be found at Attachment 3"

Question in two parts:

3. If the responses are recorded, why have the objectors not been provided those responses?

Answer

As previously responded to, the submissions related to the *Planning & Environment Act*, submissions under this Act are not made available to the public. Responses will be provided to individual objectors following the meeting as per the usual practice.

4. Can the general public be assured that Councillors have all viewed and been briefed in detail on the responses to the objector's concerns when these responses have not even been sent to or been made available to the objectors?

Answer

Yes. Councillors have been provided an in-depth summary of the submissions received that were in objection to the proposal as well these as briefing sessions. Councillors were provided copies of such community submissions in full today.

Question

Ref DPO16. Page 1 states, RECOMMENDATION: The Development Plan will provide the framework in which planning permits will be assessed. Also, page 15 states, the purpose of the Development Plan Overlay is to exempt an application from notice and review if it is generally in accordance with a development plan.

5. As a development Plan is never the final design of a Facility, just the intent and I believe Council wants to be seen as open and accountable. Why is it considered fair on residents that future Planning Applications be exempted from notice and review?

Answer

Under Clause 43.04-3 of the Cardinia Planning Scheme, if a development plan has been prepared and approved, any planning permits associated with the development plan is exempt from advertising. This requirement cannot be altered under the *Planning & Environment Act*.

However, any future planning permits within this precinct would be considered at an open council meeting or town planning meeting.

Question

Ref DPO16. Page 14. As DELWP requires a setback of 200 metres from Toomuc Creek, to provide an appropriate corridor for Southern Brown Bandicoot to traverse through this habitat, and noting that Toomuc Creek running through Lot 2 is only 90 metres away from the fence-line of Lot 3

6. As the purpose of the Development Plan Overlay is to exempt an application from notice and review and as DELWP is the relevant authority, why does the realignment of the fence-line need to wait for future proposed works rather than being defined at this time in the process?

Answer

The development plan provides an overview on what activities and uses can occur on the site. Any building and works will require separate planning approvals, with detailed design plans to be submitted at that point of time and can be assessed under the requirements of the Scheme taking into account the views of all of the relevant authorities. The planning permit application will be referred to DEWLP, at this referral process; DEWLP will stipulate the required setback.

Question

Ref DPO16. Page 14, In reference to the Environmental Protection Agency (EPA) Section 52 Referral (Notice). There were general comments provided for the proponent to note in future works approvals. The EPA also provided comments for Council's information as they relate to legislation and practicalities in controlling noise emissions. EPA

7. Have the Councillors been presented with and briefed in detail on all comments presented to the proponent as well as all the EPA's comments, as provided for Council's information?

Answer

As per usual practice, councillors were provided with summarised advices received from referral authorities. EPA provided no objection to the proposal and provided comments in relation to sewerage treatment, as well as offering assistance from a noise management perspective at the planning permit stage of the process.

Question

Ref DPO16. Page 14, in reference to the Environmental Protection Agency (EPA) Section 52 Referral (Notice) the EPA also supported the recommendation of the submitted acoustic report of further noise assessments being undertaken, including the provision of a noise management plan, and noting that the purpose of the Development Plan Overlay is to exempt an application from notice and review.

8. Ref DPO16. As the outcome of the further Noise assessment can seriously impact on the viability of the facility, why are these further noise assessments not being undertaken prior to the decision being made on the recommendation tonight, if not, why not?

Answer

High level noise mitigation measures were required to be addressed under DPO16, with the detailed design being considered at planning permit stage. Once detailed design has been undertaken, specific noise mitigation measures can then be recommended by acoustic engineers to the satisfaction of the responsible authority. Council peer reviewed the noise assessments undertaken by the proponent at this point in time and they were deemed satisfactory to meet the requirements of the DPO.

Question

Ref DPO16. On the assumption that this application will be approved, as recommended.

9. What avenues of appeal do normal residents have to challenge this decision? and at what cost?

Answer

Under the *Planning and Environment Act* and *Victorian Civil Administration Appeals Act*, there are no appeal rights to challenge approval. Any such person seeking to challenge this decision of council would need to seek their own independent advices as to how this could be done and any costs involved.

Question

In accordance with LOCAL LAW NO. 19, MEETING PROCEDURE LOCAL LAW
Division 6 – Community Question Time
Para 56. Councillor may be assisted

A Councillor who has been asked a question from the gallery may call on any member of Council staff or another Councillor to assist in the answering of such question.

Therefore; indicating that I can ask a question directly of a Councillor or councillors.

Question:

I request that each Councillor; without any pecuniary interest and present for voting and; respond to the question.

10. Have you as a Councillor of the Shire of Cardinia; read all submissions against the Proposal and the associated documentation from authorities, in particular the EPA relevant to DPO16”?

Answer

The Mayor responded to this question as follows:

I can speak for all councillors and state that we all take our responsibilities seriously and undertake the responsibility to discharge our responsibilities under the Planning and Environment Act with the appropriate due diligence and care as is required by our position. The Mayor also stated that Mr O'Hara may care to discuss this with the councillors after the meeting.

The Mayor advised of 2 questions received from Rosa Santo and referred the questions to Peter Benazic to read and answer as follows:

Question 1

Would you please advise who is now responsible for cleaning of the main street of Pakenham since the person who has been doing it for so long is now unable to do so?

Answer

Council staff perform the following duties in Main St: rubbish pick up, hot washing, street cleansing, street furniture maintenance and rejuvenation and graffiti removal.

Question 2

Also, when are the plants and vegetation in the main street being watered and who is responsible for ensuring that is done regularly?

Answer

The four planter boxes adjacent to the pedestrian crossings have self-watering containers and are checked periodically by both operations staff, contactors and members of the community. The established trees and roundabouts are not on a watering schedule.

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1 CARDINIA MOTOR RECREATION AND EDUCATION PARK DEVELOPMENT PLAN (DPO16)

FILE REFERENCE INT1994475

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Emma Brennan

RECOMMENDATION

That the Cardinia Motor Recreation and Education Park Development Plan be approved subject to the recommendations attached to this report.

Attachments

1	Development Plans	46 Pages
2	Development Plan Map	1 Page
3	Summary of Submissions - Circulated to Councillors only	11 Pages
4	Documents for Endorsement - Circulated to Councillors Separately	408 Pages

EXECUTIVE SUMMARY:

APPLICATION NO.: DPO16

APPLICANT: Podium 1 Pty Ltd ('Applicant')

LAND: 21, 75 & 115 Key Lane, Pakenham ('Subject Site'; or the 'Site')
 21 Key Lane: Lot 1 on PS746980A ('Lot 1')
 75 Key Lane: Lot 2 on PS746980A ('Lot 2')
 115 Key Lane: Lot 3 on PS746980A ('Lot 3')

The land is formerly known as 335 McGregor Road, Pakenham
 Lots 1, 2 and 3 on PS746979J

PROPOSAL: Cardinia Motor Recreation and Education Park Development Plan

PLANNING CONTROLS:

Special Use Zone (Schedule 5 – Cardinia Motor Recreation and Education Park ('SUZ5'))

Development Plan Overlay (Schedule 16 – Cardinia Motor Recreation and Education Park) ('DPO16')

Land Subject to Inundation Overlay ('LSIO')

Flood Overlay ('FO')

Public Acquisition Overlay (Schedule 1) – ('PAO')

NOTIFICATIONS & SUBMISSIONS: Public notice was undertaken in accordance with the DPO16, by way of four (4) signs, 850+ letters and notice in

newspaper (Pakenham Gazette). A total of 13 submissions were received, summarised at Appendix A.

KEY PLANNING CONSIDERATIONS: Whether the proposal meets the requirement of Clause 3.0 of the Development Plan Overlay (Schedule 16)

RECOMMENDATION: That Council approve the Cardinia Motor Sports and Education Park Development Plan pursuant to Development Plan Overlay (Schedule 16) in accordance with the approved documents. The Development Plan will provide the framework in which planning permits will be assessed.

BACKGROUND:

The following provides some background to the processes which have led to the preparation of this development plan:

Amendment C160

On 6 September 2011, the Minister for Planning exercised their power under section 20(4) of the Planning and Environment Act 1987 to exempt notice and prepare, adopt and approve Amendment C160 to the Cardinia Planning Scheme.

The amendment introduced the Special Use Zone (Schedule 5) and the Development Plan Overlay (Schedule 16) into the Scheme. This resulted in the parent site, 335 McGregor Road, Pakenham, being rezoned from the Green Wedge Zone.

Amendment C217

On 19 January 2017, the Minister for Planning approved Amendment C217 (later amended to C224) to the Cardinia Planning Scheme. The Amendment was gazetted on the 25 January 2017 and introduced an Incorporated Document within the Scheme.

This Incorporated Document was introduced to allow the use of 335 McGregor Road, Pakenham ('parent site') for a Motor Recreation and Education Park, being 'Site Specific Control – CA51A, 335 McGregor Road, Pakenham, dated October 2016'. The purpose of this document was to override the use provisions of Clause 57 Metropolitan Green Wedge only.

The amendment was undertaken for the purpose of facilitating the development of a Motor Recreation and Education Park. In 2013, Amendment VC100 was approved which, inter alia, made changes to the provisions of Clause 57 – Metropolitan Green Wedge Land, with one of the changes incidentally prohibiting the use and development of the land for a Motor Recreation and Education Park and associated ancillary uses. In order to overcome this, Amendment C217 therefore applied a site specific control allowing this use and development within land otherwise set aside for green wedge purposes.

It is noted that since the approval of C217/C224, Amendment VC148 was approved by the Minister for Planning on 31 July 2018. The amendment introduced changes to the Victorian Planning Provisions (VPP) and all planning schemes arising from the Victorian Government's Smart Planning program. The program aimed to simply and modernise Victoria's planning policy, which included amendments to the provision relating to Metropolitan Green Wedge Land. This provision is now found at Clause 51.02, is titled 'Metropolitan Green Wedge Land: Core Planning Provisions' and, in the absence of the Site Specific Control, continues to prohibit a motor racing track and associated ancillary uses on land that is outside the Urban Growth Boundary. The Incorporated Document can be found at the Schedule to Clause 72.04 – Documents Incorporated in this Planning Scheme.

Subdivision of 335 McGregor Road, Pakenham

The parent lot (335 McGregor Road) is wholly owned by Cardinia Shire Council. The parent lot was re-subdivided into the configuration shown in the below plan, to create Lot 1 (21 Key Lane), Lot 2 (75 Key Lane) and 115 Key Lane. This subdivision was approved on 4 December 2017.

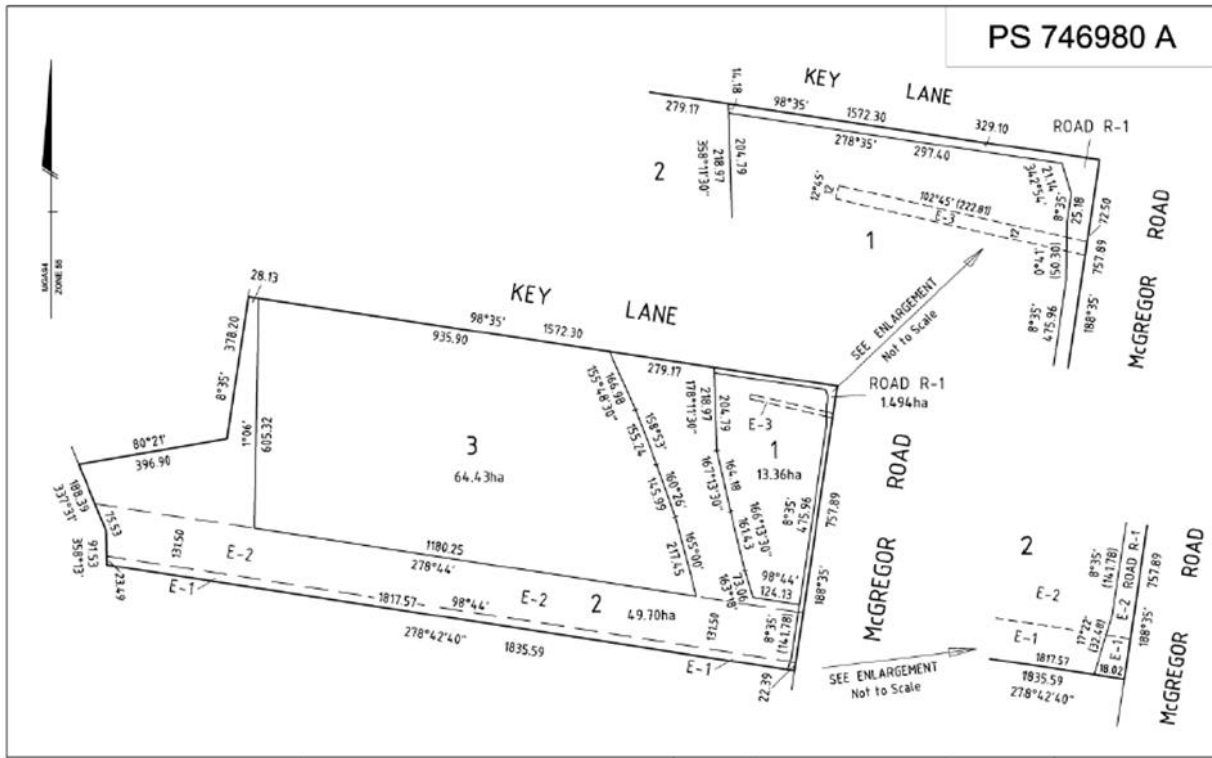


Figure 3: Site Title Plan

Lot 1 is currently leased from Cardinia Shire Council by the Pakenham Auto Club.

Lot 2 is currently utilised by the Koo Wee Rup Motorcycle Club under a recreation licence.

It was resolved by Council to sell Lot 3 to the appropriate developer, the details of which are below.

Council’s EOI Process and Sale of Land

By way of Council’s public procurement (EOI) process, Podium 1 Pty Ltd were selected as the preferred developer and future purchaser of the Site. At a Special Council Meeting held on Monday 28 May 2018, Council resolved to give public notice of the proposed sale of Lot 3, pursuant to sections 189 and 223 of the Local Government Act 1989. Over 4000 submissions were received during this public notification process, which were considered at a further Special Council Meeting on Monday 23 July 2018. Council resolved to sell Lot 3 on PS746980A for the following reasons:

- The development of the land for a motor sport facility is in keeping with the zoning of the land;
- The development will inject substantial investment into the local economy and generate significant full time jobs both direct and indirect as well as tourism opportunities;
- The Koo Wee Rup and District Motor Cycle Club will be guaranteed a permanent home either on Lot 2 or an alternate subject site (subject to rezoning);
- The proceeds received from the sale of Lot 3 will be used solely to purchase additional land for the use of the Koo Wee Rup and District Motor Cycle Club and the Pakenham Auto Club and to provide for capital works for either building/accommodation or track works for the clubs;

- Concerns with respect to noise, drainage, access and amenity issues associated with the development will be addressed as part of the planning approval process.

Heads of Agreement and Contract of Sale

Council has entered into a Heads of Agreement ('HOA') with Podium 1 Pty Ltd on 28 May 2018, relating to the sale and development of Lot 3 on PS746980A. Council has also entered into a Contract of Sale with Podium 1 Pty Ltd on 3 August 2018, for the same land. The HOA was prepared by Maddocks Lawyers on behalf of Council and contains a range of conditions, including:

- It was subject to Council exercising appropriately its powers to sell land which have been complied with and this condition is now satisfied;
- A sale price of \$3,000,000 of which a \$300,000 deposit has been paid;
- Settlement is to occur 30 days after the last of Planning Approval or registration of the Plan of Subdivision;
- The sale is subject to the granting of Planning Approval for the use and development of the land consistent with the Concept Plans;
- The parties will enter into a section 173 agreement, requiring Podium 1 Pty Ltd to, amongst other things, have substantially commenced the Development within 12 months of the development approval date, practically complete the development within three years and construct a number of roads. Failure to meet these timeframes may require the land to be retransferred to the Council.

These conditions are required to be met by the purchaser in order to finalise the sale of land and the development. If planning permission is unable to be obtained, then the contract may come to an end without the sale proceeding.

Environmental Effects Statement

In Victoria, environment assessment of the potential environmental impacts or effects of a proposed development may be required under the Environmental Effects Act 1978. The process under this Act is not an approval process itself, rather it enables statutory decision-makers to make decisions about whether a project with potentially significant environmental effects should proceed.

If the Minister for Planning decides that an Environmental Effects Statement ('EES') is required, the project proponent is responsible for preparing the EES and undertaking the necessary investigations. The triggers for which are approximately 10ha (or more) of native vegetation being removed and consideration of potential amenity impacts. This process is undertaken outside the planning process, however this can be completed either by the proponent or Council as the local government agency (as stated in the Ministerial guidelines for assessment of environment effects under the Environmental Effects Act 1978). As the preparation of an EES is not a specific requirement of the DPO16 and the applicant is investigating this requirement outside the planning process, an EES is not triggered at the time of making a decision on a Development Plan. The applicant will be required to have this matter addressed prior to any decision on future planning applications as they relate to the motor sports facility.

SUBJECT SITE

The site is located on the western side of McGregor Road and on the southern side of Key Lane in Pakenham. The Key Lane/McGregor Road/Greenhills Road intersections is located on the north-eastern corner of the site. Locality maps can be found at Appendix A.

The site is defined as the area laden with the DPO16, being Lots 1, 2 and 3 on PS746980A, as shown on the map excerpts below. The three lots make up an area of approximately 128ha.

The site is made up of three lots, with existing conditions described below:

Lot 1 – has a 297m frontage to Key Lane to the north and a 475m frontage to McGregor Road to the east. The southern and western boundaries are bordered by Lot 2. Easement E-3 encumbers the lot for the purpose of a power line route. Lot 1 is currently used for a dwelling.

Lot 2 – currently contains numerous tracks and temporary clubrooms/shipping containers which facilitate motor racing activities for the Koo Wee Rup Motorcycle Club and Pakenham Auto Club. Toomuc Creek bisects the western portion of the lot. The McGregor Road Drain bisects the lot approximately midway through.

Lot 3 – the land which will be sold to Podium 1 Pty Ltd if planning permission is provided for this proposal. The McGregor Road Drain bisects the centre of the site. Approximately five dams are present on this lot.

Surrounding area – current conditions

At present, the immediate surrounding areas are predominantly used for agriculture (grazing), with ancillary dwellings supporting the agricultural activity. This surrounding land is zoned either Urban Growth Zone (which is in place to manage the transition of non-urban land into urban land and is subject to future precinct structure plan) or Green Wedge Zone (which is provided for the use of agriculture and conserve green wedge areas). Eight artificial dams are present which are utilised for agricultural purposes. A drainage dam is also present.

Native vegetation on site is predominately confined to the areas around the McGregor Road drain and Toomuc Creek and within three of the farm dams. Six canopy trees are also present on site. Potential habitat for Southern Brown Bandicoot and Growling Grass frog are also present on site. Large sections of the site have been disturbed by agricultural activities, primarily grazing. These areas are devoid of native vegetation and instead see exotic pasture grasses.

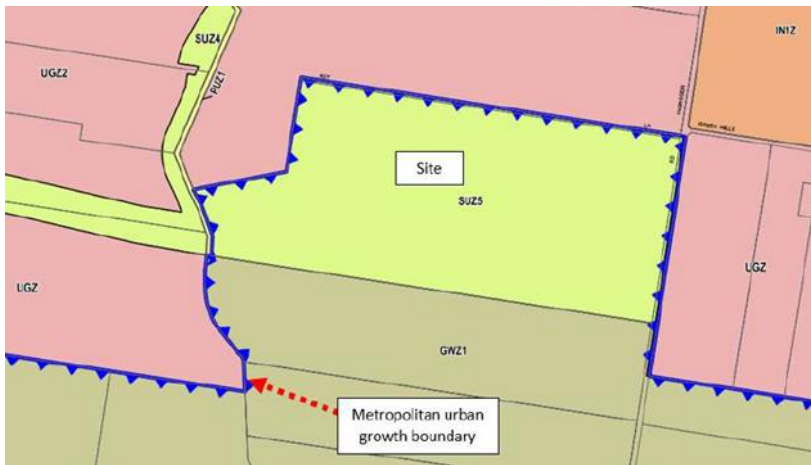
The surrounding area can be described as follows:

North: Land immediately to the north forms part of the Urban Growth Zone (UGZ) and is predominately used for agricultural activities. Toomuc Creek and McGregor Road Drain flow from the north into the subject site. Approximately 850m north of the site are the McGregor Road on/off ramps to the Princes Freeway. Beyond the freeway, at approximately 1.3km, is the established residential area of Pakenham.

East: Land immediately to the east also forms part of the UGZ, predominately used for agricultural purposes. Beyond this, approximately 1km east of the subject site, is an emerging industrial estate in the vicinity of Corporate Terrace.

South: Land immediately and further south of the subject site is located within Green Wedge Zone, used predominately for agricultural activities.

West: Land immediately and further west of the site also forms part of the UGZ, predominately used for agricultural purposes.



Surrounding area - future conditions

In the coming years, the surrounding area will undergo widespread change, with the current semi-rural conditions expected to convert to employment generating land uses with the associated major infrastructure upgrades.

Future employment generating land uses will ultimately infill the areas to the north, east and west of the site. The future Precinct Structure Plans (PSPs) are yet to be fully developed. These PSP areas are the Pakenham West, Pakenham South Employment and the Cardinia Road precincts respectively. Ultimately, it is envisaged that these PSP areas will not be residential.

Other future changes include significant arterial road development and other major road upgrades, including the north-south Koo Wee Rup Bypass (Stage 1A) , with land set aside on Lot 2, encumbered by the PA01; as well as the future Greenhills/Thompsons road extension (bordering Lot 1 and 3 to the north).

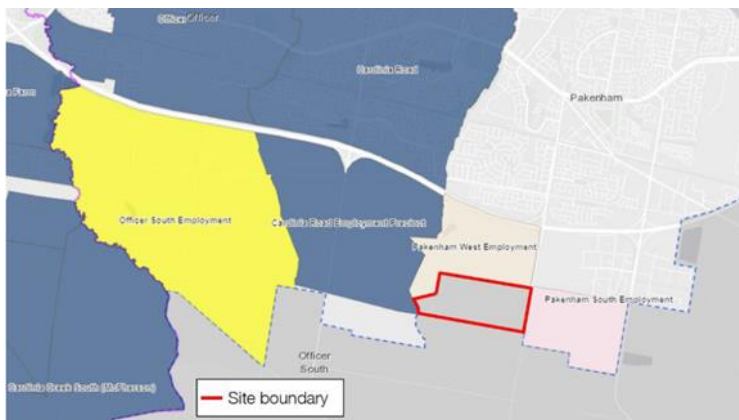


Figure 4: Precinct Structure Plan Context

PROPOSAL

The proposed Development Plan sets out high-level parameters to guide future planning applications and approvals for the use and development of the site for a Motor Racing Track and a range of complimentary use and developments. See Appendix A for the Development Plan map.

The layout of the site will be generally configured with a centrally-located racing circuit, bordered by the pit building to the north, sport shooting facility to the west and vehicle stores to the south. The eastern boundary is bordered by the future Koo Wee Rup Bypass, separating the subject site with Lot 1.

The complimentary and ancillary uses and development proposed throughout the site include accommodation and commercial facilities, driver education centre, sport shooting club, go-karting facility, operational and vehicle storage buildings and various access and drainage infrastructure works. Each will be delivered across precincts A to J, which include the Pakenham Auto Club and

the Koo Wee Rup Motorcycle Club which fall within the boundaries of the Development Plan Overlay. The general layout of these uses and developments are represented in the Development Plan map.

The applicant has indicated in Table 1 the range of uses which could potentially operate within each precinct.

The development plan contemplates development of the site for the purposes of a function/exhibition centre, driver experience centre, offices, shooting club and hotel, i.e. day to day operations. On occasion, the site will also be used to hold events including motor racing, concerts, exhibitions and club competitions. A further explanation to each precinct is below:

Precinct	Potential Uses
Precinct A: Circuit	Motor Racing Track Driver Education Recreational Driving Experiences
Precinct B: Commercial & Accommodation	Residential Hotel Office Food and Drink Premises Hospitality Function Centre
Precinct C: Pit Building	Administrative offices Medical centre Hospitality Automotive workshops Function Centre
Precinct D: Driving Facility #1	Motor Racing Track (Karting) Hospitality Driver Education Helipad
Precinct E: Sport Shooting Facility	Indoor Target Shooting Outdoor Target Shooting Hospitality
Precinct E: Driving Facility #2	Motor Racing Track (Karting) Driver Experience Centre Hospitality
Precinct G: Vehicle Storage	Vehicle Store Workshop
Precinct H: Multi-purpose Area	Place of Assembly Car Parking
Precinct I: Auto Club	Motor Racing Track
Precinct J: Motorcycle Club, Secondary Access, Drainage & Overflow Car Parking	Motor Racing Track Car Parking

Table 1: Potential Land Uses

Precinct A: Circuit

Precinct A comprises the key components, or the primary use of the site, being a Motor Racing Track and Driver Education Centre.

The racing circuit will consist of a primary circuit, being approximately 3.2km length, with associated vehicle run-off areas, safety barriers, service lanes and track infrastructure, including wetlands which will collect, treat and distribute stormwater to the site outlet. The precinct includes grassed areas that may, depending on the particular event circumstances, function as spectator areas.

The driver experience centre will provide for driver education and will facilitate the sale of driver education and training services and commercial recreational driving experiences.

Precinct B: Commercial & Accommodation

Another key component of the Motor Recreation and Education Park is the residential hotel. The accommodation is likely to be sited in the north-east area of Lot 3, allowing the future building to

have frontages to both the circuit and the (future) upgraded Greenhills/Thompson Road. Siting in this location will also enable views across the racing circuit. This location will also ensure the use is proximate to the main site entry, enabling guest and delivery vehicle access and circulation with minimal encroachment into the areas of the site required for racing circuit or other development.

The scale of the residential hotel is anticipated to accommodate a minimum of 70 rooms, with a potential upper limit of 300 rooms. The Development Plan will also allow flexibility in complimentary uses to the residential hotel, including the possibility of an associated restaurant, spa, function/exhibition/event hosting and hospitality and/or catering activities.

Precinct B also has scope to accommodate commercial facilities which provide for administrative space available for lease by local businesses. A range of other commercial uses, such as office, showrooms or a standalone function centre may equally be appropriate.

An estimated 432 car parking spaces are proposed within Precinct B.

Precinct C: Pit Building

The racing circuit will be serviced by a multi-storey pit building located in the northern area of Lot 3. It is proposed to comprise a race control area, pit garages, a welcome centre and/or similar.

A race control area will carry out a range of functions, likely including race control, briefing room, timekeeping, a fully-equipped medical centre and administration offices.

Pit garages will likely incorporate a scrutineering area including at least three race official garages and numerous (30+) pit garages, with each pit garage having a two-car capacity.

A welcome centre will be positioned to provide a distinct gathering area separate to the pit area, to maintain separation between race crew activities and non-participants. It is anticipated that the primary pit building will provide a large rooftop deck and hospitality area suitable for spectators to congregate and obtain views over the track activity to the south.

The height of the pit building is expected to be between 5 to 25 metres (1-5 storeys). A minimum setback of approximately 80 metres will be maintained between the pit building and the northern boundary of Lot 3, as identified on the Development Plan.

Precinct D: Driving Facility #1

A driver experience centre is proposed to be located within Precincts D and F, with this use also forming part of the primary use of the site. The driver experience centre will facilitate the sale of driver education and training services and commercial recreational driving experiences.

At least one building is anticipated within Precinct D, with a height expected between 4 to 16 metres (1-4 storeys). The building would be positioned approximately 50 metres from the northern boundary, on the eastern side of this precinct.

A helipad is proposed within Precinct D, generally west of the proposed building in this precinct. Helipad siting will be required to comply with civil aviation and relevant permit requirements.

An estimated 320 car parking spaces are proposed to be provided within Precinct D.

Precinct E: Sport Shooting Facility

Precinct E is to be used and developed for the purposes of an indoor and outdoor shooting range. The indoor and outdoor target shooting ranges are expected to be situated within a building with a height between 5 to 20 metres (1-4 storeys) and located towards the south-west corner of Lot 3.

A substantial earth berm constructed to the western boundary of Precinct E, as to provide for the operational safety requirements associated with an outdoor shooting range. The earth berm may encroach onto land within Lot 2, with any such encroachment requiring a lease or licensing arrangement to be entered into. Other earthen berms or artificial structures may also be required to provide acoustic mitigation. The detail of such measures and works (if needed) will form part of any future planning permit application/s.

Precinct E may also include associated hospitality and or retail use/s, subject to future planning permit applications.

An estimated 119 car parking spaces are proposed within Precinct E.

Precinct F: Driving Facility #2

At least one building is anticipated within Precinct F, central to the racecourse with a height ranging from approximately 4-16 metres (1-4 storeys). Precinct F may also include hospitality, subject to future planning permit application/s.

An estimated 58 car parking spaces are proposed within Precinct F.

Precinct G: Vehicle Storage

The vehicle storage buildings located within Precinct G are expected to be a height of between 4-16 metres (1-4 storeys) with an approximate 10 metre southern setback from the boundary of lot 3. This area may include ancillary uses such as function spaces during race days.

Precinct H: Multi-purpose Area

Precinct H is likely to be developed with temporary structures associated with events and spectator activities, such as concert stages, marquees, spectator stands etc. Details will be subject to any future planning permits. Additionally, any permanent structures will also be included in any future planning permit application/s.

Precinct I: Auto Club

The Pakenham Auto Club currently leases Lot 1 from Cardinia Shire Council. The Development Plan anticipates that Lot 1 will continue to be utilised by the Pakenham Auto Club.

Precinct I (which corresponds to Lot 1) is not proposed to be developed by the proponent of this Development Plan. Future development of that site may be pursued by Council (as the landowner) and/or the Pakenham Auto Club (as the leaseholder).

Precinct I, however, may be used for temporary car parking in association with events held at the Cardinia Motor Recreation and Education Park. Any such arrangement will be subject to the agreement of the relevant stakeholders and the requirements of any applicable Site Management Plan(s).

Precinct J: Motorcycle Club, Secondary Access & Drainage

Precinct J is encumbered by part of the Toomuc Creek corridor and the existing electricity transmission line easement. The Koo Wee Rup Motorcycle Club currently utilises part of Lot 2 (75 Key Lane) for club related motor racing activities. The balance of Lot 2 will continue to be available to the Koo Wee Rup Motorcycle Club, until such time as the Koo Wee Rup bypass is constructed in the PA01 alignment and/or other mutually agreed arrangements are made.

Development in Precinct J (as it relates to Lot 2) will include drainage infrastructure and wetlands associated with the realignment of the McGregor Road Drain, the provision of access to Lot 3 from

McGregor Road, and the construction of an earthen berm associated with the sport shooting facility, subject to necessary lease agreements, owner(s) consent(s) and relevant planning permission(s).

PLANNING SCHEME PROVISIONS

The following planning controls apply to the site:

- Clause 37.01 Special Use Zone (Schedule 5 – Cardinia Motor Recreation and Education Park)
- Clause 43.04 Development Plan Overlay (Schedule 16 – Cardinia Motor Recreation and Education Park)
- Clause 44.03 Floodway Overlay
- Clause 44.04 Land Subject to Inundation Overlay
- Clause 45.01 Public Acquisition Overlay (Schedule 1 – Roads Corporation)

It is noted that Aboriginal cultural heritage was dealt with under Amendment C160, with Aboriginal Affairs Victoria approving the Cardinia Motor Recreation & Education Park Cultural Heritage Management Plan (reference 11147) on 30 September 2010.

PUBLIC NOTIFICATION

Prior to the approval of any development plan, a 14 day public notification period is directed pursuant to Clause 3.0 of DPO16. Notice was given by way of:

- 842 letters to surrounding land owner and occupiers. The extent of notice given was determined by the acoustic mapping submitted with the application.
- Four (4) signs on site, located on Key Lane, intersection of Key Lane & McGregor Road and two (2) evenly spaced out along McGregor Road
- Public notice in the Pakenham Gazette on 11 September 2019.

The Statutory Declaration was received by Council on 24 September 2019, confirming that notice was given in accordance with the above.

A total of 12 submissions (including one petition from residents of Blue Horizon Estate) were received raising concerns about the proposed Development Plan.

A total of 853 submissions were received providing support for the proposed Development Plan.

A summary of each submission and a response to each of these can be found at Attachment 3.

REFERRALS

<p>Melbourne Water As required by DPO16</p>	<p>Supported.</p> <p>Melbourne Water placed conditions on their response however, due to detailed design being considered under multiple future planning applications, conditions will be placed upon any permit issued in response to any future statutory referrals. Melbourne Water have been notified of this. Melbourne Water have consented to this process moving forward.</p>
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	<p>It is also noted that Melbourne Water reserves the right to call upon information requirements as set out within Section 173 Agreement (AR283639T) on the Land Title for the subject site.</p>
<p>Department of Environment, Water, Land and Planning (DELWP)</p> <p>As required by DPO16</p>	<p>Adequate setback is required from Toomuc Creek, being 200 metres. This is for the purposes of providing an appropriate corridor for Southern Brown Bandicoot to traverse through this habitat.</p> <p>It has also been recommended that prior to the approval of the Development Plan, an EES Referral and EPBC Act Referral are both undertaken. However, these are matters which sit outside the scope of the Development Plan Overlay (Schedule 16) and indeed the <i>Planning and Environment Act 1989</i>.</p> <p>Council officer comments:</p> <p>A 200m setback from Toomuc Creek has been shown on the Development Plan, which is supported by DELWP. Any future works proposed within this setback are subject to the approval from the relevant authorities.</p> <p>The Environmental Effects Act does not require referral prior to the approval of a development plan. An EES referral and subsequent assessment of the detailed design is to be considered at planning permit stage.</p> <p>The <i>EPBC Act 1999</i> referrals also sit outside the planning process, with the onus on the proponent to determine with the Commonwealth Department of Environment and Energy whether a referral is required.</p>
<p>Department of Transport (formerly VicRoads)</p> <p>Section 52 Referral (Notice)</p>	<p>Supported.</p> <p>A referral and assessment of the detailed design will occur at planning permit stage.</p>
<p>Environmental Protection Agency (EPA)</p> <p>Section 52 Referral (Notice)</p>	<p>No objection.</p> <p>General comments were provided for the proponent to note in future works approvals.</p> <p>The EPA have also provided comments for Council’s information as they relate to legislation and practicalities in controlling noise emissions. EPA also supports the recommendation of the submitted acoustic report of further noise assessments being undertaken, including the provision of a noise management plan.</p>

DISCUSSION

The following provides a detailed assessment of the proposed Cardinia Motor Sports and Education Park Development Plan against the application requirements as set out at Clause 3.0 of the Development Plan Overlay (Schedule 16):

Development Plan Overlay (Schedule 16 – Cardinia Motor Recreation and Education Park)

The purpose of the Development Plan Overlay is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.
- To exempt an application from notice and review if it is generally in accordance with a development plan.

Pursuant to Clause 43.04-2, a planning permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority. Any planning permit issued must be generally in accordance with the development plan and include any conditions or requirements specified in the schedule to the overlay. A planning application that is considered to be 'generally in accordance' with the Development Plan will not be subject to public notice requirements.

Schedule 16 to the overlay requires a condition to be placed on any permit granted for land uses associated with the Motor Recreation and Education Park which ensures use and development of the site is undertaken in accordance with the management plan and environmental management plan approved as part of the development plan.

The Site Management Plan ('SMP') submitted with the Development Plan application sets out a broad framework for how future events of various scales and types will be managed. The future hours of operation, number of events per year, number of patrons, management of noise emissions and the emergency plan will be governed by the conditions and endorsed plans/reports which form part of future planning permits. The SMP has been reviewed by planning officers and is recommended for endorsement.

Environmental Management Plan ('EMP') submitted with the Development Plan application details the potential environmental impacts of the proposed development and the ways in which these impacts may be reduced through management strategies and site practices. A key focus of this EMP is on the Growling Grass Frog and Southern Brown Bandicoot, species of national significance known to occur in the region. These matters will be assessed by DELWP under a referral at planning permit stage.

In summary, both the Site Management Plan and the Environmental Management Plan submitted with the application will be endorsed and form part of the development plan.

Application requirements pursuant to Clause 3.0 of DP016

The DP016 sets out the specialist studies and report requirements for the Cardinia Motor Recreation and Education Park Development Plan, which are as follows:

- Existing natural and built features of the land including topography, vegetation, buildings, other works, utility services, drainage lines and watercourses.

The Development Plan documentation provides a written and visual assessments (feature and level survey, aerial imagery) of the topography, vegetation, buildings, other works, utility services, drainage lines and watercourses. This assessment is to the satisfaction of Council.

- Relationship to existing and proposed surrounding development, including the Kooweerup-Healesville Road extension.

The Development Plan documentation provides the context of the development, including the relationship of the site with the wider region and locality, in both current and future scenarios. This includes consideration of the future Koo Wee Rup Bypass.

- A plan indicating the type of existing native vegetation and any areas where it is proposed to remove native vegetation.

The Biodiversity Assessment (dated July 2019, prepared by Ecology and Heritage Partners Pty Ltd) and the Environmental Management Plan ('EMP') (dated August 2019, prepared by Ecology & Heritage Partners Pty Ltd) includes details regarding the type of existing native vegetation on site. Figure 2 of the Biodiversity Assessment provides details of the ecological features of the site, including the vegetation impacted by any development on the land (and therefore marked as for removal as part of any future planning permit application). The assessments of both reports consider the principles of avoid, minimise and offset.

It is noted the following conclusions were made in the Biodiversity Assessment and the EMP report:

- The condition of the broader study area has been found to be 'poor'
- Considering the SUZ5 of the land for a motor recreation and education park (and supporting/other uses), is impractical to avoid vegetation removal and the McGregor Road Drain through the centre of the site;
- The McGregor Road Drain supports the Plains Grassy Wetland vegetation throughout the site, which must be removed to enable the construction of the Motor Recreation and Education Park (and supporting/other uses);
- As vegetation removal cannot be avoided, any removal should be minimised (where possible) and offset;
- The Biodiversity Assessment provide high level examples of best practice mitigation measures to be applied on site, including avoiding works within close proximity to Toomuc Creek, minimising native vegetation removal through construction and micro-siting techniques (including fencing of retained areas of native vegetation) and making contractors aware of ecologically sensitive areas to minimise likelihood of inadvertent disturbance. This report also recommends that a CEMP, weed management plan, conservation management plan and fauna management plan (or similar) are implemented before construction as a condition of any permit issued. The report also confirms that the land owner's offset obligations generated by this proposal can be satisfied through existing credits registered in DELWPs Native Vegetation Credit Register.
- The EMP suggests pre-construction management techniques, construction management actions, post construction techniques and ongoing monitoring and reporting management approaches to deal with any removed/retained native vegetation. These measures should be embedded in any future planning permit approval(s), where relevant.

It is also noted that Clause 52.17 Native Vegetation will trigger planning permission and vegetation removal will be assessed against the relevant decision guidelines under future planning permit applications.

Based upon the above recommendations, it is considered that the proposed documents adequately indicate the type of existing vegetation and vegetation proposed for removal, as per this requirement under the DPO16.

A flora and fauna assessment including consideration of:

- Corridors for Growling Grass Frog habitat
- Dwarf Galaxia habitat
- Corridors for Southern Brown Bandicoot habitat
- Adequate waterways setbacks

The Biodiversity Assessment (dated July 2019) prepared by Ecology and Heritage Partners Pty Ltd addresses matters relating to the Growling Grass Frog, Dwarf Galaxia and Southern Brown Bandicoot habitats.

The Growling Grass Frog was not found during targeted surveys, however habitats may be present along Toomuc Creek and McGregor Road. As part of the approval of the Development Plan, a Growling Grass Frog Management Plan, will be approved as part of the Environmental Management Plan ('EMP'). The EMP will include pre-development, development and post-development phase measures and techniques which may also be imposed by way of conditions on any future planning permits, as appropriate.

The Biodiversity Report states that targeted surveys of Dwarf Galaxia have previously been undertaken and none have been found in the study area.

The Southern Brown Bandicoot was not found on site during targeted surveys, however they were recorded on three occasions, two of which being located further south along Toomuc Creek adjacent Wenn Road. It is noted in the report that the subject site is not considered to contain suitable habitat features for the Southern Brown Bandicoot, given the vegetation within this area is either exotic pasture paddocks or a wetland area that does not contain a structural shrub layer as preferred by the Southern Brown Bandicoot. Despite this, the vegetation along Toomuc Creek is considered to likely provide a habitat corridor within the broader landscape context. As such, suitable habitat for the species needs to be appropriately managed within the study area to enhance the existing areas supporting suitable habitats. As such, site management techniques relating to the Southern Brown Bandicoot, will be approved as part of the Environmental Management Plan ('EMP'). A specific Fauna Management Plan will also be required to the relevant future planning permit/s.

With respect to wildlife corridors, the application was referred to DELWP whom have requested that a 200m setback from Toomuc Creek to be applied. This is for the purposes of providing an appropriate corridor for Southern Brown Bandicoot to traverse through this habitat. A 200m setback from Toomuc Creek has been shown on the Development Plan, which is supported by DELWP. Any future works proposed within this setback are subject to the approval from the relevant authorities.

It is also noted that any future planning permits will be subject to conditions requiring the preparation and approval the following documents prior to the commencement of any works:

- Construction Environmental Management Plan
- Weed Management Plan
- Significant Species Conservation Management Plan
- Fauna Management Plan/s

A stormwater drainage strategy including details of any onsite water retention, effects on water quality and hydraulic impacts on waterways; and

How the existing floodplain and overland flow paths will be accommodated by the proposed development.

Site Drainage History

The parent lot, 335 McGregor Road, is subject to significant watercourses including Toomuc Creek, the McGregor Road Drain and Deep Creek South Drain. The McGregor Road Drain, which runs through the central portion of the site, drains a catchment of 370ha to the north, 280ha of which is developed land north of the freeway. The subject site is subject to the Land Subject to Inundation Overlay (LSIO) and the Flood Overlay (FO) on the southern portion of lot 2, where flooding occurs from Toomuc Creek along the transmission line easement.

In 2007, Melbourne Water advised Council that a drainage scheme was being prepared for this southern area of Pakenham and that wetlands would be required on the main drainage outfall. At this time, Melbourne Water considered the transmission line easement to be a desirable location for the outfall drain and wetlands, due to its low lying nature, being subject to flooding and having limited potential for other uses.

In 2013, Council commissioned a drainage masterplan for the Cardinia South East Growth Corridor to ensure appropriate drainage infrastructure was provided for future residential development. This masterplan reflected Melbourne Water's preference regarding the provision of wetlands under the transmission lines.

In 2017, Melbourne Water prepared a drainage scheme for the McGregor Road Drain which provided details of piped networks and open channels from the freeway to the site (335 McGregor Road) as to cater for future development, including the prospects of future PSPs in the surrounding area.

Proposed Site Drainage Conditions under the Development Plan

Stormy Water Solutions prepared the Cardinia Motor Recreation and Education Park Stormwater Management Plan, which provides the drainage strategy for the subject site, including interim wetland arrangement for Lot 2. The plan has been informed by the previous masterplan and advice from Melbourne Water and proposes a series of outfall drains and wetlands through the site, including Lot 2. The drainage strategy provides a high level plan for the treatment of stormwater via the following strategies:

- Augmenting the McGregor Road Drain, which runs north to south through the subject site by diverting the flow along a new vegetated waterway which along the eastern boundary of Lot 1, into Lot 2 which connects to an interim wetland channel. This will flow into wetlands beyond the second set of pylons within Lot 2, with the outlet located central to the southern boundary of Lot 2.
- Diverting a small percentage of the McGregor Road Drain flow into the subject site for additional treatment and to provide landscape wetland features within the site;
- Retrofitting waterways, sediment ponds and wetlands along the McGregor Road Drain to perform flood conveyance, flood reduction and stormwater treatment functions; and
- Using the "lower" water levels of the wetland systems to facilitate site drainage outfall and outfall for upstream and adjacent catchments.

The Stormwater Management Plan was referred to Melbourne Water and Council's engineers for review. Both parties have supported the plan.

It is also noted that unless Section 173 Agreement AR283639T is ended, amended or ceases, all stormwater management, maintenance and obligations must comply with this agreement.

- Development setback at least 20 metres from the top of bank for the Toomuc Creek and McGregor Road drain. The 10 metres closest to the top of bank must support core riparian habitat only, and must not include any other infrastructure unless agreed in writing by Melbourne Water.

One of the previous application requirements (above) states 'A flora and fauna assessment including consideration of...corridors for Southern Brown Bandicoot habitat... [and]... corridors for Growling Grass Frog... [and]... adequate waterways setbacks'. No infrastructure has been proposed within 20 metres of Toomuc Creek and Melbourne Water have provided their written support.

However, as discussed previously, DELWP had raised concerns regarding inadequate setbacks provided along Toomuc Creek. A 200m setback was required as to provide appropriate buffers to protect the riparian environment, which acts as a corridor for Southern Brown Bandicoot.

- The location, height and dimensions of all proposed buildings and works.
- The proposed use of each building and facility.

The location, height and dimensions of all buildings and works are shown on the Development Plan and described above in 'The Proposal'. The location of all buildings and works are considered to be acceptable, for the following reasons:

Precinct A (Circuit): The works involved will include the racing circuit (with associated vehicle run-off areas, safety barriers, service lanes and track infrastructure), wetlands for stormwater management and open grassed areas. No building are proposed in this area. No buildings are proposed. The design of wetlands are supported by Melbourne Water and Council's engineers.

Precinct B (Commercial & Accommodation): Includes a residential hotel (and a range of other commercial uses such as office or showrooms), sited in the north-east area of Lot 3. Siting in this location will ensure the use is proximate to the main site entry, enabling guest and delivery vehicle access and circulation with minimal encroachment into the areas of the site required for racing circuit or other development. Siting in this location will also enable views across the racing circuit. The height is expected to be between 2 and 10 storeys, setback at least 40 metres from the north and eastern boundaries. A standalone function centre may also be applied for, complying with these height and setback parameters. The indicative heights and setbacks are considered appropriate, given that the future land uses of adjoining properties are earmarked for employment PSP areas, which are expected to have heights of moderate scale.

Precinct C (Pit Building): A pit building is proposed to be located in the northern area of Lot 3, with a height of between 5 to 25 metres (1-5 storeys). A minimum setback of approximately 80 metres will be maintained between the pit building and the northern boundary of Lot 3. The pit building is well located, being adjacent the racing circuit and main entry point, as well as being buffered by the proposed accommodation to the east

Precinct D (Driving Facility #1): At least one building is anticipated within Precinct D, with a height expected between 4 to 16 metres (1-4 storeys). The building would be positioned approximately 50 metres from the northern boundary, on the eastern side of this precinct. The building is also well setback from the Toomuc Creek corridor, with the driving track works being located to the west of this building. All works will also be located outside the Toomuc Creek corridor, which is considered acceptable. Space for a helipad is proposed within Precinct D, generally central to this precinct. Helipad siting will be required to comply with civil aviation and relevant permit requirements.

Precinct E (Sport Shooting Facility): The indoor and outdoor target shooting ranges are expected to be situated within a building with a height between 5 to 20 metres (1-4 storeys) and located towards the south-west corner of Lot 3. At present, the building and works (including a substantial earth berm) are shown to be located within the setback of the 200m Toomuc Creek corridor. Any buildings or works located within this 200m setback are subject to the approval from the relevant authorities, including DELWP. This will be dealt with under any future planning approvals.

Precinct F (Driving Facility #2): At least one building is expected to be located central to the racecourse with a height ranging from approximately 4-16 metres (1-4 storeys). This height is consistent with other proposed building heights across the site and will not impact upon any sensitive interfaces.

Precinct G (Vehicle Storage): The vehicle storage buildings located within Precinct G are expected to be a height of between 4-16 metres (1-4 storeys) with an approximate 10 metre southern setback from the boundary of lot 3. This area may include ancillary uses such as function spaces during race days.

Precinct H (Multi-purpose Area): Precinct H is likely to be developed with temporary structures associated with events and spectator activities, such as concert stages, marquees, spectator stands etc. Details will be subject to any future planning permits.

Precinct I (Auto Club): This precinct corresponds to Lot 1, which is utilised by the Pakenham Auto Club. The Development Plan anticipates it will continue to do so under this Development Plan. No new buildings or works are proposed at this time.

Precinct J (Motorcycle Club, Secondary Access & Drainage): The Koo Wee Rup Motorcycle Club currently utilises part of Lot 2 (75 Key Lane) for club related motor racing activities. The balance of Lot 2 will continue to be available to the Koo Wee Rup Motorcycle Club, until such time as the Koo Wee Rup bypass is constructed in the PA01 alignment and/or other mutually agreed arrangements are made.

Precinct J is partially encumbered by Toomuc Creek corridor and the existing electricity transmission line easement. Works within Precinct J (as it relates to Lot 2) will include drainage infrastructure and wetlands associated with the realignment of the McGregor Road Drain, the provision of a interim secondary access to Lot 3 from McGregor Road, and the construction of an earthen berm associated with the sport shooting facility, with retention of access from Lot 2 to Keys Lane (subject to necessary lease agreements, owner(s) consent(s), support from relevant authorities and the relevant planning permission(s)).

The siting of wetlands within the southern area of Lot 2 will form a key role and link in the development of a wider regional drainage scheme. An interim wetland proposal will be provided at the eastern end of Lot 2 under the transmission lines to enable the motor cycle club to effectively operate on a 17 hectares site. Refer to plan drainage plan 1957/SWMP/1. Stormwater management and other associated works may extend outside the Precinct J boundary, subject to planning permission, lease agreements and necessary owner(s) consent(s), where required. Access will be maintained to Lot 2 for Council, AusNet Services and the Koo Wee Rup Motorcycle Club's purposes. Any works occurring within proximity to the Toomuc Creek corridor will be subject to the approval from the relevant authority. Given the above, the proposed works within Precinct J are supported.

- Landscaping treatments to be undertaken.

A Concept Landscape Plan has been submitted with the application. Whilst the Development Plan is high level, it does indicate appropriate space available for landscaping opportunities throughout the site and along site boundaries. The Concept Landscape Plan indicates that plantings will generally comprise native trees and shrubs, as well as suitable species for the wetlands areas. All future planning permits will include conditions requiring the submission for detailed landscaping plans prepared by a suitably qualified landscaping professional.

- The proposed stages of development, if more than one, and the time for commencement and completion of each stage.

A Staging Plan has been submitted with the application, setting out five stages across the subject area. Lot 3, being used for the Motor Recreation and Education Park will be undertaken in three stages, with remaining stages 4 and 5 relating to lots 1 and 2 (to be developed by others, subject to necessary planning permission).

Stage 1 and 2 of the development on Lot 3 will include the site development (as discussed above), with the exception of the sport shooting range, which will be undertaken in Stage 3.

The timing for commencement and completion is managed within the contract of sale for Lot 3. The contract currently anticipates that Stage 1 will reach practical completion within 3 years from the purchase settlement date. Stage 2 is to reach a stage of practical completion within 4 years after settlement. This is subject to any contractual changes at the discretion of the parties.

- The provision of utility services and infrastructure associated with the development, use and maintenance of the land.

A Services and Utilities Concept Plan has been submitted with the application, indicating proposed electrical, water, sewerage and NBN connections, including a potential location for the lead in. It also acknowledges the existing 500kV transmission line easement which encumbers the length of Lot 2.

All future connections will be addressed via condition of future planning permit/s, which will require each to be undertaken to the satisfaction of the relevant service authority. It is also noted that any future planning application for works within 60 metres of the transmission line assets are subject to referral requirements.

Site drainage is detailed within the submitted Stormwater Management Strategy, which has been discussed above.

- Use and management of portions of the site not being used for the Motor Recreation and Education Park.

It is anticipated that Lot 1 will continue to be utilised by the Pakenham Auto Club. This is reflected on the Development Plan documentation. No new buildings or works are proposed at this time. Temporary car parking may be considered in association with events on Lot 3, subject to agreement/s with the relevant stakeholders.

Lot 2 will continue to be partially utilised by the Koo Wee Rup Motorcycle Club for club related motor racing activities. This site is encumbered by a number of other uses and elements, including:

- Temporary secondary access is also proposed at the eastern end of Lot 2, which will provide emergency access to the southern boundary of Lot 3.

- The eastern side of this lot is subject to the PA01 and will ultimately be developed with the Koo Wee Rup bypass.
- Drainage infrastructure works and wetlands associated with the realignment of the McGregor Road Drain,
- The western side of this lot comprises the Toomuc Creek corridor, which will be protected by a 200m setback.
- The construction of an earthen berm associated with the sport shooting facility (subject to necessary lease agreements, owner(s) consent(s), support from relevant authorities and the relevant planning permission(s)).

It is noted for Lot 2 that a 10m access point from Key Lane will be set aside for all weather access to this lot. The berm wall will taper out in this location to provide for this width.

- Noise mitigation measures.

An Acoustic Report was submitted with the application prepared by Marshall Day Acoustics. The report discusses the different noise policy guidelines for the various uses proposed; competition motorsport, commercial activities, shooting range, outdoor concerts, PA system noise and helicopter movements. Each use or activity has a different Victorian policy or guideline.

In the case of competition motorsport, the upper design objective outlined in table 6 by Marshall Day Acoustics is 65dBA.

The Noise from Industry in Regional Victoria [NIRV], as well as EPA Publications 1508 and 1254 provide guidance when assessing the shooting range, PA system noise and helicopter movements. SEPP N-2 assists when assessing outdoor concerts.

The Acoustic Report outlines the appropriate noise targets and criteria and includes a range of engineering and management measures which may achieve these targets.

This report has been peer reviewed by an external consultant (Clarity Acoustics), whom have determined that appropriate engineering and noise mitigation measures can be effectively applied to manage the predicted noise levels. Specifically, the peer review found:

- A conservative approach was utilised in measuring the ambient noise to nearby residences. This has been documented well in the report.
- Current legislation does not cover competition motor sports, with only non-competition motor sports being legislated.
- Detailed mitigation measures need to be provided (which will be dealt with at planning permit stage).
- It is recommended that the number of event days is capped and the hours of operation and noise (in dB) are carefully managed.
- Any compensation provided to affected residents needs to be detailed and agreed upon prior to planning permit approvals.

Any subsequent planning permit application will need to detail the engineering and/or mitigation techniques to achieve these targets, including the shooting range, outdoor concerts and helicopter movements. This may result in a Noise Management Plan being prepared under the relevant planning application.

- Proposed traffic and access arrangements and associated works.
- The location and capacity of all car parking areas and access to and from them.

- The location and design of all pedestrian and vehicle access ways.
- Provision for the loading and unloading of vehicles associated with the development and use of the land.

A Traffic Impact Assessment Report ('TIAR') was submitted with the application which assesses the merits of the car parking and traffic movements associated with the motorsport and education facility.

The report contains recommendations to assist the assessment of future planning applications that are prepared for the development. Recommendations include the consideration of statutory parking rates, the submission of Car Parking Demand assessment/s, operational details of any proposed use (including staff and patron numbers), implications of the surrounding PSP processes, and whether the proposed traffic generation is generally consistent with the assessment undertaken of this TIAR.

It also recommends the submission of Event Management Plan/s ('EvMP') which considers the size of events, impacts of events upon the road network, parking management strategies, access arrangements, signage, traffic management procedures, timing for arrivals and departures, contingency plans, alternate modes of transport, waste management plan.

In summary, the report concludes:

- Car parking demands for the day-to-day operations are proposed to be accommodated on the site, and be provided near to each of the proposed uses. A Car Parking Demand Assessment shall be undertaken to vary the requirements of car parking, or to justify parking demands of innominate uses as part of a TIAR of any planning permit application.
- During event mode, car parking and traffic management plans will form part of the documentation within an EvMP. The recommendations of this TIAR will form the basis for the EvMP.
- The concept plans for the McGregor Road / Greenhills Road intersection should be modified to include fully directional access to Key Lane in order to accommodate the projected traffic movements generated by day to day operations of the development plan area.
- The traffic assessment assumes that the roadworks and upgrades to McGregor Road between the Pakenham Bypass and Key Lane will be completed prior to occupation of the development plan uses as part of the South East Business Park development.
- The traffic assessment assumes that the roadworks and upgrades to Key Lane between McGregor Road and proposed development plan access points will be completed prior to occupation of the development plan uses.
- Modifications to the proposed McGregor Road / Greenhills Road intersection are required under Access Scenario 2 in order to accommodate the projected Development Plan generated traffic movements. The plans attached at Appendix D.

This TIAR was referred to Council's traffic engineers, as well as the Department of Transport (formerly known as VicRoads). Both departments are supportive of the high level plans, acknowledging each stage will be subject to the relevant planning permissions and referrals.

- An environmental management plan addressing:
 - The impact of the use and development on the flora and fauna on the site and its surrounds and methods to avoid or mitigate those impacts.

- The need to protect and enhance the biodiversity of the area, including the retention of native vegetation and fauna habitat and the re-vegetation of important areas of habitat and integration of native vegetation into landscaping of the site.
- Avoidance and mitigation of impacts on Growling Grass Frog ecological community and habitat and the implementation of a Growling Grass Frog Management Plan approved to the satisfaction of the responsible authority.
- Management of impacts on creek lines and surrounding environment.
- Water sensitive urban design including methods for water collection and reuse.
- The management of impacts, if any, during the construction and carrying out of works, including erosion and sediment, dust, noise, litter, traffic and other amenity impacts.

An Environmental Management Plan ('EMP') has been submitted with the Development Plan application, which details the potential environmental impacts of the proposed development and the ways in which these impacts may be reduced through management strategies and site practices. A key focus of this EMP is on the Growling Grass Frog and Southern Brown Bandicoot, species of national significance known to occur in the region. The report addresses each of these matters above and is considered to satisfy this requirement. A detailed assessment will be carried out by DELWP upon referral at planning permit stage.

For the portions of land to be used for the Motor Recreation and Education Park, the development plan must also include:

- A management plan, detailing:
 - Hours of operation
 - Number of events per year
 - Number of patrons each type of event will cater for
 - Management of noise emissions
 - An emergency management plan

A Site Management Plan was submitted with the application, which sets out a broad framework for how future events of various scales and types will be managed. The future hours of operation, number of events per year, number of patrons, management of noise emissions and the emergency plan will be governed by the conditions and endorsed plans/reports which form part of future planning permits. It is noted that due the high level nature of any approval at the Development Plan stage of the process, it is unreasonable to require specific details for each event/activity plan at this time.

This plan has been reviewed by planning officers and is recommended for endorsement.

Notice of Development Plan

As stated above, a 14 day public notification period was undertaken in accordance with the requirements set out at Clause 3.0 of the DPO16.

The views of the Department of Environment, Land, Water and Planning (DELWP) and Melbourne Water were also sought prior to the approval of the development plan. A summary of their views can be found in the referrals table earlier in this report.

CONCLUSION

Having assessed the submitted documentation against the application requirements of Clause 3.0 of the Development Plan Overlay (Schedule 16), it is recommended that the Cardinia Motor

Recreation and Education Park Development Plan be approved and the following supporting appendices endorsed to form part of the Development Plan:

- Appendix A - Development Plan Map
- Appendix B – Certificates of Title
- Appendix C – Project Staging Plan
- Appendix D – Site Management Plan
- Appendix E – Acoustic Review
- Appendix F – Stormwater Management Strategy
- Appendix G – Biodiversity Assessment
- Appendix H – Environmental Management Plan
- Appendix I – Plan of Vegetation Removal
- Appendix J – Landscaping Concept Plan
- Appendix K – Emergency Exits
- Appendix L – Services Utilities Concept
- Appendix M – Traffic Impact Assessment
- Appendix N – Site Access Plan
- Appendix O – Transportation Network Plan
- Appendix P – SBB Survey Report
- Appendix Q – Interim Stormwater Management Plan

1 CARDINIA MOTOR RECREATION AND EDUCATION PARK DEVELOPMENT PLAN (DPO16)

Moved Cr B Owen Seconded Cr G Moore

That the Cardinia Motor Recreation and Education Park Development Plan be approved subject to the recommendations attached to this report.

Cd.

The following supporting appendices were endorsed to form part of the Development Plan:

- Appendix A - Development Plan Map
- Appendix B –Certificates of Title
- Appendix C –Project Staging Plan
- Appendix D –Site Management Plan
- Appendix E –Acoustic Review
- Appendix F –Stormwater Management Strategy
- Appendix G –Biodiversity Assessment
- Appendix H –Environmental Management Plan
- Appendix I –Plan of Vegetation Removal
- Appendix J –Landscaping Concept Plan
- Appendix K –Emergency Exits
- Appendix L –Services Utilities Concept
- Appendix M –Traffic Impact Assessment
- Appendix N –Site Access Plan
- Appendix O –Transportation Network Plan
- Appendix P –SBB Survey Report
- Appendix Q –Interim Stormwater Management Plan

2 AMENDMENT TO PLANNING PERMIT T170301-1 INCLUDING THE RELOCATION OF THE DWELLING AT 18 BOTTOMLEY DRIVE, EMERALD

FILE REFERENCE INT1993344

RESPONSIBLE GENERAL MANAGER Tracey Parker

AUTHOR Tracey Parker

RECOMMENDATION

That a Refusal to Grant Planning Permit T170301-1 be issued for Amendment to the Permit including the relocation of the dwelling at 18 Bottomley Drive Emerald, on the following grounds:

- The proposal is inconsistent with the Planning Policy Framework including Clause 13.05-1S Noise Abatement Clause 13.06-1S Air Quality Management, Clause 14.01-1S Protection of Agricultural Land, Clause 14.01-1R Protection of Agricultural Land – Metropolitan Melbourne in that the proposed relocation of the dwelling will result in conflicts with the existing agricultural operations of a broiler farm and will unreasonably impact on this existing use.
- The proposal is inconsistent with the Local Planning Policy Framework in particular and Clause 21.04-2 Agriculture.
- The proposed has not provided sufficient information to provide a rationale for the relocation of the dwelling, with some information provided of poor or questionable quality and information submitted does not clarify uncertainties in relation to the proposal.
- The proposal is inconsistent with the orderly and proper planning of the area.

Attachments

1	Locality Map	1 Page
2	Development Plans	8 Pages
3	Copy of Objections - Circulated to Councillors only	11 Pages

EXECUTIVE SUMMARY:

APPLICATION NO.: T170301 - 1

APPLICANT: Ms Maria Lewis

LAND: 18 Bottomley Drive, Emerald VIC 3782

PROPOSAL: Amendment to the planning permit to relocate the dwelling, Planning Permit T170301 allowed the Use and development of the land for a dwelling and earthworks

PLANNING CONTROLS: Green Wedge A Zone Schedule 1
Bushfire Management Overlay,
Environmental Significance Overlay Schedule 1

NOTIFICATION & OBJECTIONS:

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987 by sending notices to adjoining land owners.

2 objections have been received to date

KEY PLANNING CONSIDERATIONS:

Proximity of the dwelling to neighbouring broiler farms.
Access arrangements, information provided

RECOMMENDATION: Refusal

BACKGROUND:

An application for a planning permit on the subject site (T160048) for a dwelling and an outbuilding to be used as a horse training facility was refused by Council at the Town Planning Meeting on 4 July 2016. This application included a dwelling within the separation distance of the broiler farm with one of the grounds of refusal clearly stating this as a reason for this refusal.

Council Officers met with the current applicant for T170301 prior to their purchasing of the property and before the original planning permit application was lodged, Council Officers detailed the previous refusal, the refusal by VCAT of the neighbouring property of the broiler farm and the potential difficulties in gaining a planning permit for this subject site.

The initial application was lodged by the applicant with the dwelling within the separation distance (approximately 110 metres from the broiler farm) and the officers throughout the process of the application clearly indicated that the location of the dwelling within close proximity of the broiler farm would not be supported. This assessment was further supported by the EPA in comments and recommendations that were provided to Council. The applicant was advised of the officer's position, and amended the permit application to provide the dwelling outside the separation distance with a minimum 229 metres from broiler sheds. Supporting documentation, including a Bushfire Management Statement in the location was lodged with no objection from the CFA subject to some minor changes to the bushfire management plan which will result in a minor relocation of the dwelling to include defendable space on the subject site which was included as permit conditions. The permit is still active and subject to the endorsement of plans to comply with condition 1 and CFA conditions a dwelling can be constructed on the site.

An amendment to the permit was initially submitted at the end of 2018 for this application although was lodged without an associated fee, as such, was not a complete application subject to the requirement of the Planning and Environment Act 1987. With discussion with the applicant Council agreed to waive the amendment fees.

SUBJECT SITE

The site is located on the south east side of Bottomley Drive Emerald. A crossover is located on the southern end Bottomley Road frontage with the south boundary of the site also abutting Dallas Street which at present is not constructed to the subject property.

The land is developed with a shed in the southern portion of the site and predominately clear of vegetation with some scattered trees including both native and planted vegetation. The topography of the land is undulating with steeper slope located in the east section of the site.

The main characteristics of the surrounding area are:

North West:

Bottomley Drive abuts the site to the north west, abutting this road is an existing broiler farm with two broiler sheds. A VCAT decision at 9 Bottomley Drive saw the tribunal refuse an application to use and develop the land for a house as the dwelling would be located within the separation distance set out in the Broiler Code of Practice.

South:

The properties abutting the south boundary include a number of rural residential properties with frontage to Mary Street. These are developed with dwellings generally well separated from the common boundary with a hedge located along the common boundary and open grazing area also abutting the site.

East:

The land to the east includes a rural residential property with a dwelling located to the south east of the common property with a creek and vegetation located long the common boundary.

PROPOSAL

The following is summary of the proposed amendment to the existing Planning Permit T170301 issued on 23 July 2018;

Substantial changes to plans:

- The proposed amendment is essentially a request to relocate the dwelling. The plans in which this permit was assessed showed the dwelling 229 metres from the adjoining broiler farm, condition 1 of the permit specifies that the plans must be generally in accordance with plans submitted. The amended plans show a separation to 110 metres from the broiler farm.
- The second substantial change to the submitted plan that is not generally in accordance with the permit relates to the access to the site. The proposed amendment includes access from Dallas Street an unmade road on the southern boundary of the site.

Change to conditions:

The third amendment relates to the Bushfire Management Statement associated with Condition 17 of the permit.

Condition 1 d) states that amended plans are to show the requirement of this condition. This condition states that an amended bushfire management plan to be submitted generally in accordance with Practical Ecology's BMP titled 18 Bottomley Drive Emerald (*date 27/02/2018, Version 1*).

A new bushfire management statement and bushfire management plan has been submitted therefore the amendment requests the deletion or alteration of this condition to replace the

previous bushfire management plan. This plan shows the relocated dwelling, revised defendable space and BAL rating and revised access way.

PLANNING SCHEME PROVISIONS

The following is summary of the proposed amendment to the existing Planning Permit T170301 issued on 23 July 2018;

Substantial changes to plans:

- The proposed amendment is essentially a request to relocate the dwelling. The plans in which this permit was assessed showed the dwelling 229 metres from the adjoining broiler farm, condition 1 of the permit specifies that the plans must be generally in accordance with plans submitted. The amended plans show a separation to 110 metres from the broiler farm.
- The second substantial change to the submitted plan that is not generally in accordance with the permit relates to the access to the site. The proposed amendment includes access from Dallas Street an unmade road on the southern boundary of the site.

Change to conditions:

The third amendment relates to the Bushfire Management Statement associated with Condition 17 of the permit.

Condition 1 d) states that amended plans are to show the requirement of this condition. This condition states that an amended bushfire management plan to be submitted generally in accordance with Practical Ecology's BMP titled 18 Bottomley Drive Emerald (date 27/02/2018, Version 1).

A new bushfire management statement and bushfire management plan has been submitted therefore the amendment requests the deletion or alteration of this condition to replace the previous bushfire management plan. This plan shows the relocated dwelling, revised defendable space and BAL rating and revised access way.

PLANNING PERMIT TRIGGERS

The proposal for use and development of the land for a dwelling requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 35.05-1 of Green Wedge A Zone, a planning permit is required to use the land for a dwelling.
- Pursuant to Clause 35.05-1 of Green Wedge A Zone, a planning permit is required for buildings and works associated with a Section 2 Use (dwelling and outbuilding) and earthworks.
- Pursuant to Clause 44.06-1 of Bushfire Management Overlay, a permit is required for buildings and works associated with 'accommodation'.

PUBLIC NOTIFICATION

The application has been advertised as per Section 52 of the Planning and Environment Act 1987, by sending notices to the owners and occupiers of adjoining land.

Council has received two (2) objections to date. The key issues that were raised in the objections are:

- Proposal does not meet the separation distance required from the broiler farm and is not supported by the EPA and is inconsistent with a similar application heard by VCAT.
- Impact of the existing broiler farm on the proposed sensitive use (dwelling) due to separation distance provided, potential odour complaints from the new residents and impact on the continuation of the broiler farm.
- Consistency with previous decisions of Council

REFERRALS

CFA

The application was referred to CFA as a statutory referral and the CFA requested additional information in relation to the bushfire management statement (BMS) in support of the application. The applicant provided two revised bushfire management statements which were re-referred to the CFA although Council officers were concerned about their content. The CFA requested additional information for a second time at 25 October 2019, this advice was provided to the applicant. Subsequent to this advice the applicant submitted a revised BMS to the referral authority directly.

At this stage the CFA have not provided a formal response as all the additional information has not been provided to the CFA.

EPA

The application was referred to the EPA for comment. The EPA was not satisfied that the separation distance provided is sufficient in that the proposal encroaches upon an existing land use with adverse amenity impacts.

The EPA advised that appropriate weight should be given to protecting existing broiler farm operations and it is within Council's discretion to refuse an application for a new use or development if Council considers that it would adversely impact the existing broiler farms capacity to operate in accordance with existing approvals or existing use rights.

DISCUSSION

The proposal has been assessed against all relevant Clauses of Cardinia Planning Scheme and determined that the amendment is inappropriate for the site.

Site Constraints

A critical site constraint for this property is the location of an established broiler farm at 19 Bottomley Drive. A fundamental element of good planning is to avoid incompatible land uses in close proximity to each other. These elements are reinforced in Clause 13.05-1S Noise Abatement and Clause 13.06-1S Air Quality Management of the Cardinia Planning Scheme.

The broiler farm located at 19 Bottomley Drive opposite the subject site has been established with a planning permit, P887, being issued on 18 December 1973, thus can lawfully continue to operate as a broiler farm. Under the Green Wedge A Zone the current broiler farm which is over 10,000

birds is prohibited, although the existing agricultural use should be protected in terms which is established in the Planning Policy Framework of the Cardinia Planning scheme at Clause 14.01-1S Protection of Agricultural Land, Clause 14.01-1R Protection of Agricultural Land – Metropolitan Melbourne and Local Planning Policy Framework at Clause 21.04-2 Agriculture.

However, according to the requirements of the Victorian Boiler Code 2009, the broiler farm would not be able to expand due to the inability of meeting the separation distances. The refusal of the sensitive use, in this case the proposed dwelling, is due to the potential impacts that the broiler farm operation, such as odour, noise, traffic movement and so forth can have on the proposed sensitive use.

The Victorian Code for Broiler Farms 2009 (plus amendments 2018) advises that Responsible Authorities should consider the impacts of existing broiler farm emissions when deciding on applications for proposed sensitive land use developments and ensure the separation distance is as large as reasonably possible. The applicant has questioned the use of the code of practice and has noted that it does not restrict where the house can be located. It is noted that Chapter 11 of the code titled 'Strategic and Land Use Planning Considerations' states;

When considering land use and development applications...that will permit the establishment of dwellings and other sensitive uses nearby an existing broiler farm, responsible authorities should consider the impacts of broiler farm emissions on potential future sensitive uses and restrict their encroachment into the separation distances required under this code.

...

They can be used as a guide to identify the locations where a future sensitive use may be adversely impacted by broiler farm emissions.

The applicant has not supplied any evidence that would support the reduced separation (i.e. odour emissions or noise report) to allow officers to fully assess that the reduced separation distances would address amenity concerns relating to the conflicting uses.

The EPA in its consideration of the initial application stated the following:

Not only does the Code seek to manage the introduction of new broiler farm operations, but the Code further seeks to ensure that exiting broiler farm operations are safeguarded from the encroachment of sensitive uses.

In addition, as detailed below a number of VCAT cases have established that the separation distances in the code are an appropriate guide for the need to separate sensitive uses from established broiler farms as such is considered an appropriate guide for competing land uses.

The code provides a formula to calculate the separation distance based on the bird numbers. The proposed dwelling at 18 Bottomley Drive should, according to the Victorian Code for Broiler Farms, provide a separation distance of 229 metres from the 52,000 capacity bird broiler farm at 19 Bottomley Drive. This has been calculated based on a formula established in the code that includes the farm capacity. Council officers estimated floor area of the broiler shed calculated from the aerial photos and the maximum capacity of 21.5 birds per square metre specified in the broiler code to establish the bird numbers. This distance was the basis of site plans that were submitted with the initial application when officers supported the application, which the applicant is seeking to alter.

The proposed amendment will result in a separation distance for the proposed dwelling of approximately 110 metres from the closest broiler shed which is considerably less and not considered to be as 'large as reasonably possible' as directed the Code of Practice. This concept is

to ensure minimal conflict between the uses and satisfy Clause 13.05-1S Noise Abatement and Clause 13.06-1S Air Quality Management. The applicant has provided limited evidence of how at this location these amenity concerns would be abated other than the existing broiler farm has had limited complaints. Although this is accepted this may be due to the good operations of the broiler farm although reduced distance to just over 100 metres from the shed may alter this situation and future occupants of the proposed dwelling may be impacted by the broiler farm operations.

In the consideration of this application are the proximity of this sensitive land use (dwelling) to an existing broiler farm, and whether the applicant has made sufficient effort to locate the dwelling as far as possible away from the farm combined with providing enough information to fully assess the application to satisfy officers that there will be no conflict between the uses (i.e. odour and/or noise report).

While it is acknowledged that a large portion of the subject site is within the separation distance of the neighbouring broiler farm, there is the potential to locate a dwelling in the north-eastern corner and south-eastern corners of the lot, which would result in it being outside of the separation distance and a distance from the broiler farm to ensure the ongoing operations of the farm are not detrimentally impacted and the amenity of future occupants are not impacted.

Council officers agree that siting the dwelling outside the separation area may result in higher costs to build, however it can be achieved and throughout the planning process Council has indicated that support would be more forthcoming if one of these locations were selected.

The initial comments from the EPA with the application stated the following:

EPA considers the current separation distance of approximately 100 metres proposed to be insufficient to mitigate possible adverse impacts due to the proximity of the broiler farm.

It is EPA's view that the existing dwellings do not warrant disregarding the restrictions and recommendations of the Code, and it is EPA's understanding that the existing dwellings are not as close as the proposed dwelling to the broiler sheds. It is also EPA's understanding that many of the existing dwellings have a significant vegetation separation that could assist in reducing odour impacts.

The EPA provided detailed advice in terms of a previous application on the site in 2016 which was refused by Council on a number of grounds including the separation distance from the broiler farm. The amendment was referred to the EPA for comment, their response included;

- *Previous EPA's responses have highlighted the Victorian Code for Broiler Farms 2009 due to proposed sensitive use near a broiler farm.*
- *As previously stated by EPA, not only does the Code seek to manage the introduction of new broiler farm operations, but the Code further seeks to ensure that existing broiler farm operations are safeguarded from the encroachment of sensitive uses.*
- *Therefore, even though the Code applies only to the development or expansion of broiler farms, EPA recommends to Council that they can be used as a guide to identify the locations where a sensitive use may be adversely impacted by broiler farm emissions.*
- *As such, EPA maintains its position that the sensitive use (dwelling) on the site should still be located a minimum of 250 metres from the broiler farm.*

In the case Holder vs Cardinia Shire Council in relation to the application for a dwelling at 9 Bottomley Drive the member stated the following:

“The important principle involved is keeping potentially incompatible uses apart. The Code provides guidance on how far apart they should be kept. It is immaterial, having regard to the purpose of the separation, and for that matter of the Code, whether new broiler farms are kept away from existing houses, or new houses kept away from existing broiler farms. The purpose is defeated by establishing new houses in close proximity to broiler farms, just as it would be defeated by establishing new broiler farms in close proximity to existing houses.”

It is considered that the separation distance is a vital element to assess when allowing a sensitive use near a broiler farm. The reason behind this consideration is that a sensitive use, particularly a dwelling near a broiler farm, could raise issues in relation to odour, traffic movements (transporting birds in and out of the site), and appearance. On the other hand, it would also put a burden on the broiler farm to operate in a manner to minimise impacts on the neighbouring dwellings.

In addition to the existing provisions and the reasonable assessment of amenity implications of the development including reverse amenity concerns and the impact on the established agricultural use within the Green Wedge Zone the State Government more particularly DELWP is currently reviewing the state controls with regard to separation distances. This has been prompted by the 5 year implementation plan associated with Plan Melbourne 2017-2050 more particularly Action 98 which states:

Review and update relevant guidelines to inform the location of and separation distances for sensitive uses and, where appropriate, provide planning, building and urban design advice about how air emissions and noise exposure can be reduced.

During the process of review and updates the department has noted that discussion with regard to reverse amenity is under consideration particularly for agricultural uses including broiler farms and likely to be included within the revised provisions. Although this is the consultation phase and no planning scheme amendment has been exhibited this provides support for the importance of separation distances in terms of land use management.

Having considered the aforementioned factors allowing a dwelling in the proposed location would not result in a good planning outcome and the amendment to the permit should be refused.

Bushfire Risk and Management

The applicant has noted that part of the reason for the relocation of the dwelling related to the bushfire impact on the proposed dwelling.

The initial application included a bushfire management statement that indicated that the development of dwelling outside the separation distance of the broiler farm can comply with the approved measure of Clause 53.02 and satisfied the requirements of the Planning Policy Framework particularly, Clause 13.02 Bushfire Planning and the Bushfire Management Overlay.

The applicant has noted that planning authorities must prioritise the protection of human life over all policy considerations. This was the first consideration of the initial application and evidence that was provided supported that compliance with the objectives approved measures of the Cardinia Planning Scheme subject to some minor relocation of the dwelling further north to ensure that the defensible space can be managed on the site which was addressed through permit conditions.

The argument that the dwelling ‘must’ be relocated due to bushfire considerations is not supported and if the initial Bushfire Management Statement along with CFA advice stated that the only location of the dwelling that would ensure compliance with the standards in terms of bushfire management and the protection of life was locating the dwelling within the separation distance of

the broiler farm the application would have been refused. This has been clearly demonstrated and communicated with the applicant through the initial permit process whom amended the application to provide the dwelling outside the separation distance which was supported by the submission of the Bushfire Management Statement in this location.

This is acknowledged as a condition on the permit which was reiterated by the initial referral of the amendment, although it is noted that the applicant has submitted a revised Bushfire Management Statement (BMS) and Bushfire Management Plan (BMP) to demonstrate the compliance of the re-located dwelling with the relevant planning scheme provisions.

Council officers have fundamental concerns with the submitted information which is summarised as:

- *The authoring of the document is not clear and accuracy of the information provided is questioned.*
- *Justification of the proposed location of the dwelling as sought by the Application, as opposed to the location already approved by the Permit, particularly given the motivation for the proposed location was noted by the application related to bushfire risk, yet no expert material has been provided which substantiates or explains that line of thought.*
- *The report references Clause 52.47 with the relevant Clause under the Cardinia Planning Scheme has been changed to Clause 53.02 adding to the questioning of the accuracy of the information.*
- *Inconsistency with regard to the BAL ratings and defendable space throughout the document.*
- *No detail with regard to access from Dallas Street which is currently unconstructed.*

Although these concerns have been expressed to the applicant it was re-referred to CFA on 2 October 2019 and the CFA requested additional information on 25 October 2019 regarding the revised document given a number of conflicting information including:

- *Inconsistency in the BAL rating providing throughout the report*
- *Inconsistency in the defendable space provided throughout the document;*
- *Access from an unmade road.*

Further advice from the CFA was noted that a revised BMS & BMP was assessed due to update information provided by the applicant, also noting that the CFA's view is that a BAL 12.5 with a 33 metre defendable space around the proposed dwelling location would satisfy the requirement of Clause 44.06 and 53.02 and that access from the existing Bottomley Road frontage would be acceptable. The CFA have advised Council officers that the applicant had directly resubmitted a revised BMS and BMP with the BAL rating and defendable space and provided comment about the access arrangements although the revised BMS & BMP and detail with regard to access have not been provided to Council officers as such have not addressed the fundamental concerns with both the information provided with regard to the bushfire risk.

The applicant has been provided with substantial opportunity to provide this information and given the applicants reason for the relocation of the dwelling it was considered vital to ensure full assessment can be undertaken. As such the contention that the dwelling must be relocated due to bushfire risk is not accepted.

Information submitted

As detailed above the proposed amendment has not provided all the required information for a full assessment of the proposal. This application raises a number of issues that would ultimately need to be considered and weighed up on behalf of Council. That will not necessarily be an easy exercise,

it involves consideration of various areas of recognised expertise, potentially including bushfire risk, traffic engineering, native vegetation, and amenity impacts associated with odour, dust and noise.

The material before Council, and the standard of the plans, is not of a standard that Council would normally expect in respect of an application of this nature. Suffice to say, any lack of information, or lack of relevant expert input, does not assist Council in its assessment of the Application.

It is noted that insufficient information has been provided to Council has not been provided which goes to addressing following issues (in addition to that noted above relating to bushfire risk which will be discussed above):

- Any expert material in relation to amenity impacts associated with the neighbouring broiler farm;
- Any material to justify or support the proposed creation of a new driveway, within the subject land, connecting the proposed dwelling directly with the end of Dallas Street which is not constructed to the subject site;
- Any material explaining the nature of any improvement or construction of the existing Dallas Street alignment that would be necessary to facilitate the use of that proposed new driveway, including the impact on any structures that may be currently located within close proximity of the road construction and an indication as to whether the Applicant would accept responsibility for carrying out such construction;
- Any information in relation to vegetation removal that would be involved in any of those works (whether within the subject land or within the existing Dallas Street alignment), or any kind of assessment of such vegetation;
- A plan of the subject site in its entirety, showing all existing structures, as well as the site of the dwelling and driveway, within the context of the site as a whole including setbacks required under condition 1 (a);
- A plan showing the extent and location of any excavation or other earthworks required (noting the slope of the land in the location of the proposed dwelling);
- An indication as to whether any amendment is sought to condition 1(d) of the Permit.

Objector's Concerns

The owners of the broiler farm have placed an objection mentioning the adverse impact of the broiler farm on the proposed dwelling. This is due to the odour generated by the broiler farm. Council considers the proposed separation distance to be insufficient to minimise the impacts generated by the broiler farm.

The applicant has not provided a response to the potential noise and odour impact of the broiler farm on the proposed residential use.

CONCLUSION

In summary the proposed amendment is inconsistent with the orderly and proper planning of the area and should be refused.

2 AMENDMENT TO PLANNING PERMIT T170301-1 INCLUDING THE RELOCATION OF THE DWELLING AT 18 BOTTOMLEY DRIVE, EMERALD

Moved Cr L Wilmot Seconded Cr C Ross

That a Refusal to Grant Planning Permit T170301-1 be issued for Amendment to the Permit including the relocation of the dwelling at 18 Bottomley Drive Emerald, on the following grounds:

- The proposal is inconsistent with the Planning Policy Framework including Clause 13.05-1S Noise Abatement Clause 13.06-1S Air Quality Management, Clause 14.01-1S Protection of Agricultural Land, Clause 14.01-1R Protection of Agricultural Land – Metropolitan Melbourne in that the proposed relocation of the dwelling will result in conflicts with the existing agricultural operations of a broiler farm and will unreasonably impact on this existing use.
- The proposal is inconsistent with the Local Planning Policy Framework in particular and Clause 21.04-2 Agriculture.
- The proposed has not provided sufficient information to provide a rationale for the relocation of the dwelling, with some information provided of poor or questionable quality and information submitted does not clarify uncertainties in relation to the proposal.
- The proposal is inconsistent with the orderly and proper planning of the area.

Cd.

3 PLANNING SCHEME AMENDMENT C222 REZONING OF 85 MCNAMARA ROAD, BUNYIP REQUEST FOR PLANNING PANEL

FILE REFERENCE INT1992176

RESPONSIBLE GENERAL MANAGER Tracey Parker

AUTHOR Genna Walkley

RECOMMENDATION

That Council:

1. Receive and consider all submissions received during the exhibition of Planning Scheme Amendment C222.
2. In accordance with Section 23 of the *Planning and Environment Act 1987*, refer all submissions for consideration to an independent planning panel to be appointed by the Minister for Planning.

Attachments

- 1 Submission Summary and Responses to Proposed Amendment C222 9 Pages

EXECUTIVE SUMMARY

The *Bunyip Township Strategy (September 2009)* identifies the land located at 85 McNamara Road, Bunyip for future potential low density residential development. The proposed Amendment implements the development requirements for the site identified in the Strategy through a proposed Development Plan Overlay (DPO).

A request has been made by the landowner to rezone the land from Farming Zone (FZ) to Low Density Residential Zone Schedule 3 (LDRZ3), apply the Development Plan Overlay Schedule 21 (DPO21), apply the Design and Development Overlay Schedule 1 (DDO1), and delete the Environmental Significance Overlay Schedule 1 (ESO1).

The proposed Amendment facilitates the implementation of the above mentioned new planning controls with the future development of the site, being subject to a future planning permit application. The proposal will assist with the facilitation of a future development that will provide the following:

- Approximately 30 residential lots
- Open space of approximately 5,000 square metres adjacent to significant vegetation
- Protection of the Southern Brown Bandicoot corridors and Tree Protection Reserves
- Retarding basins and constructed wetlands
- Shared pathways connecting open space to the town centre
- Upgrade and widen McNamara Road between Wattletree Road to Petty Road Reserve
- Upgrade and widen the unsealed portion of Wattletree Road that connects to McNamara Road.

The Amendment was placed on public exhibition from Thursday 8 August 2019 to Friday 6 September 2019 and during this time, eleven (11) submissions were received, four (4) from individuals and seven (7) from the Public Authorities. One individual submission was provided on

behalf of the proponent. One (1) submission objects to the Amendment. Five (5) submissions requested changes and remain unresolved. Four (4) submissions generally support the amendment. As there are some complex matters requiring resolution all submissions should be referred to an independent planning panel to be appointed by the Minister for Planning.

BACKGROUND

The subject land 85 McNamara Road, is located on the west side of McNamara at the western end of Wattletree Road. The land is 11.09ha and has a frontage of approximately 596 metres to McNamara Road. There is an existing dwelling on the southern part of the lot, the land mainly comprises of cleared paddocks and remnant woodland area.

The subject site is currently zoned Farming Zone and is affected by ESO1. The site also has an identified Aboriginal Cultural Heritage Sensitivity area.

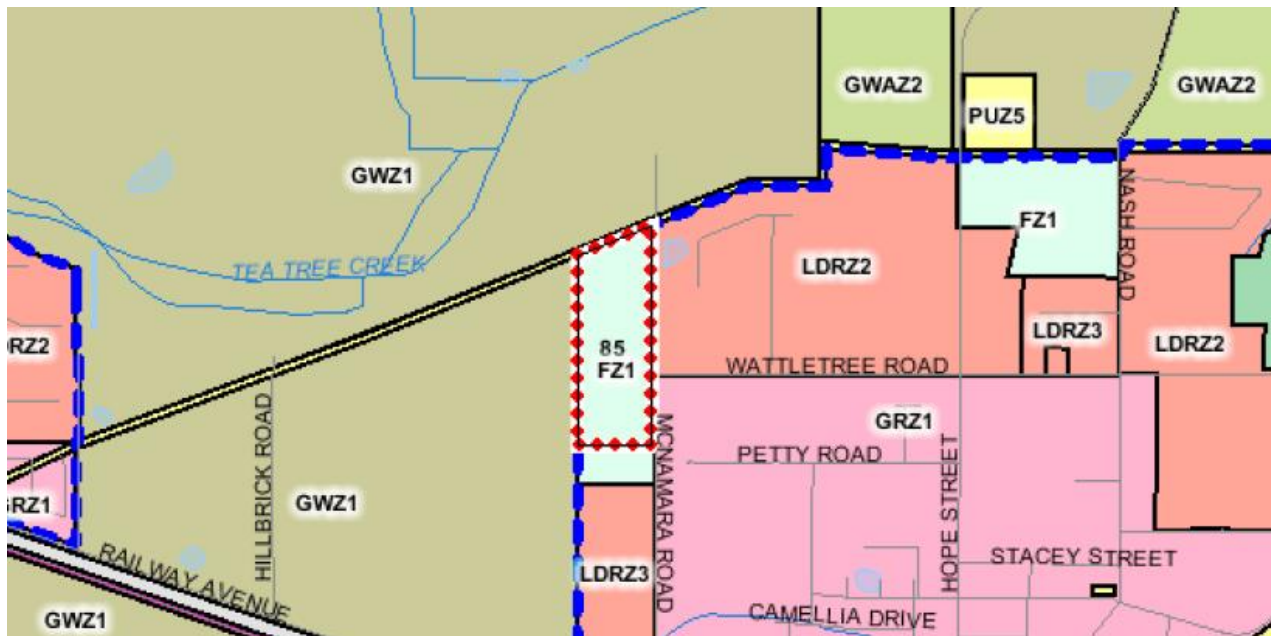


Figure 1. 85 McNamara Road, Bunyip

The Proposed Amendment

The proposed Amendment rezones the land from Farming Zone to Low Density Residential Schedule 3 (LDRZ3). LDRZ3 facilitates low density style of residential development that is consistent with the style of development currently occurring on the edges of the Bunyip. It is also considered an acceptable zone that appropriately transitions to the adjoining Green Wedge Zone to the west and transition to the urban centre of Bunyip to the east.

The proposed application of the DDO1 to the site, in-conjunction with the LDRZ3, ensures the low density design of residential buildings, incorporates the environmental features and constraints of the land.

An ecological assessment of the site has also been undertaken and recommends the protection of the remnant woodland area in the south-west corner of the site, protection of the Aboriginal Cultural Heritage site, provision of open space and tree protection zones within lots abutting McNamara Road and the western property boundary, the protection of the Southern Brown Bandicoot habitat. This has resulted in no direct access to residential lots from McNamara Road and a considerable protective corridor on the northern boundary of the site.

As the proposal seeks to remove the ESO1, the application of DPO21 ensures the significant landscape and environmental values are adequately protected and preserved.

The subject site located within a Bushfire Prone Area. An initial Bushfire Risk Assessment has been undertaken for the site. Defendable space and setbacks have been illustrated on the concept map in DPO21.

DPO21 provides guidance for internal road networks, subdivision layout, open space, environment and landscaping, traffic and transport, infrastructure and drainage, and urban design and character.

The proposed Amendment will facilitate the following:

- Approximately 30 residential lots
- Open space of approximately 5,000 square metres adjacent to significant vegetation
- Protection of the Southern Brown Bandicoot corridors and Tree Protection Reserves
- Retarding basins and constructed wetlands
- Shared pathways connecting open space to the town centre
- Upgrade and widen McNamara Road between Wattletree Road to Petty Road Reserve
- Upgrade and widen the unsealed portion of Wattletree Road that connects to McNamara Road.

Responses to Submissions

A summary of submissions and Council Officer responses are provided in Attachment 1.

No changes to the Amendment have been proposed by Council Officer's at this stage.

POLICY IMPLICATIONS

Plan Melbourne 2017-2050 - Melbourne Metropolitan Planning Strategy

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

- *Direction 2.2. Deliver more housing closer to jobs and public transport*
- *Policy 2.2.5. Require development in growth areas to be sequences and stages to better link infrastructure delivery to land release.*
- *Direction 2.5. Provide greater choice and diversity of housing*
- *Policy 2.5.1. Facilitate housing that offers choice and meets changing household needs*

Cardinia Planning Scheme – Planning Policy Framework

- *Clause 11 Settlement*
- *Clause 12 Environmental and landscape values*
- *Clause 13 Environment risks and amenity*
- *Clause 14 Natural resource management*
- *Clause 15 Built environment and heritage*
- *Clause 16 Housing*

Local Planning Policy

- *Clause 21.01-5* - identifies the locations of the rural townships and the urban growth area.
- *Clause 21.02-7* - provide for the protection and management of significant Aboriginal heritage sites, material culture, and places of historical and spiritual significance to relevant contemporary Aboriginal people.

- *Clause 21.03-3* - classifies Bunyip as a Large Rural Township which needs to provide a diversity of housing types and densities while ensuring the consistency of the character of the township.
- *Clause 21.03-4* - recognising rural residential and rural living development impacts on the environmental characteristics and constraints of the area, encroachment on agricultural land and integration with the urban area or township.
- *Clause 21.06-1* - recognising design issues in the rural townships including the need to protect and enhance the character and appearance of the town centres and associated sites of cultural and heritage significance.
- *Clause 21.07-6* provides local area implementation for Bunyip. Ensure that any proposed use or development within or around the Bunyip Township is generally consistent with the *Bunyip Township Strategy (September 2009)*.
- *Clause 72.04 - Bunyip Township Strategy (September 2009)* is an incorporated document in the Cardinia Planning Scheme which guides the development in Bunyip Township. The Strategy specifically mentions the development potential of 85 McNamara Road, Bunyip.

RELEVANCE TO COUNCIL PLAN

3. Our Environment

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

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.

CONSULTATION/COMMUNICATION

The intention to rezone 85 McNamara Road was identified by the *Bunyip Township Strategy (September 2009)* which was exhibited to the community via Planning Scheme Amendment process C124 in June 2012.

Amendment C222 was placed on public exhibition from Thursday 8 August 2019 to Friday 6 September 2019. All owner/occupiers, community groups and the relevant public authorities were notified of the exhibition of the Amendment and a total of 91 letters and 42 emails were sent.

In addition to the above, the Amendment was promoted using the following methods:

- Notice in the Pakenham Gazette - 7 August 2019
- Notice in the Government Gazette - 8 August 2019
- Relevant Council departments notified
- Cardinia Shire Council website
- Media release
- DELWP website
- C222 Amendment documents were made available at the Cardinia Shire Council Civic Centre customer service desk.

Next Steps

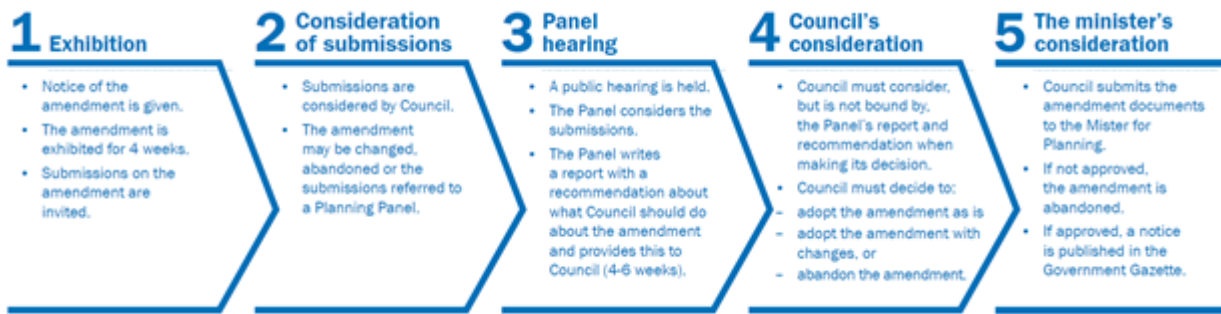


Figure 2. Steps in the Planning Scheme Amendment process

We are at **Stage 3** of the Planning Scheme Amendment process as detailed above in Figure 1. Once the Planning Panel has been appointed, a panel hearing is scheduled to occur in the week of 18 November 2019. Following the panel hearing, the panel will prepare a report that will be put forward to Council at a future Council meeting outlining a recommendation as to how to proceed with the Amendment.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no additional resource implications associated with undertaking the Planning Scheme Amendment and costs associated with this process are paid for by the proponent of the amendment. The rezoning and application of DPO21 Overlay provides a clear framework to assist Council planners when assessing and making decisions for the subject site.

CONCLUSION

The Amendment was placed on exhibition from Thursday 8 August 2019 to Friday 6 September 2019. Eleven (11) submissions in response to the Amendment were received.

It is recommended that Council in accordance with Section 23 of the *Planning and Environment Act 1987*, refer all submissions that could not be resolved for consideration to an independent planning panel to be appointed by the Minister for Planning.

3 PLANNING SCHEME AMENDMENT C222 REZONING OF 85 MCNAMARA ROAD, BUNYIP REQUEST FOR PLANNING PANEL

Moved Cr G Moore Seconded Cr L Wilmot

That Council:

1. Receive and consider all submissions received during the exhibition of Planning Scheme Amendment C222.
2. In accordance with Section 23 of the *Planning and Environment Act 1987*, refer all submissions for consideration to an independent planning panel to be appointed by the Minister for Planning.

Cd.

4 CARDINIA PLANNING SCHEME AMENDMENT C241 - PUBLIC ACQUISITION OVERLAY TO FACILITATE OFFICER PSP INTERSECTIONS

FILE REFERENCE INT1992116

RESPONSIBLE GENERAL MANAGER Tracey Parker

AUTHOR Michelle Nichols

RECOMMENDATION

That Council resolve to seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C241 to the Cardinia Planning Scheme.

Attachments

1	Explanatory Report	5 Pages
2	Instruction Sheet	1 Page
3	Scheme Maps 11 and 13	3 Pages
4	Location Map of all Public Acquisition Overlays	1 Page
5	Extract of Officer Precinct Structure Plan Road Network Plan	1 Page

EXECUTIVE SUMMARY

The proposed Amendment is required to implement the recommendations of the Officer Precinct Structure Plan 2011 (PSP). The Officer PSP guides the delivery of a quality urban environment and sets a vision for how land should be developed. Plan 15 'Road Network' of the Officer PSP details the location for the future transport network including development of intersections.

A Public Acquisition Overlay (PAO) is required to facilitate the design and development of three signalised intersections along the Princes Highway, involving the upgrading of two (Whiteside Road and Tivendale Road) and one new signalised intersection (McMullen Road). The land required on each property either exceeds 10% of the total area of the lot or negotiations with the landowner have failed, and as such, a PAO is necessary to reserve the land for transport purposes and to facilitate acquisition of the land.

BACKGROUND

The objective of Amendment C241 is to reserve land for future intersection development via a PAO to ensure that changes to the use or development of the designated land do not prejudice the purpose for which the land is to be acquired. Early reservation of the land avoids possible buildings and works occurring prior to acquisition, potentially resulting in the need to compensate owners. Where land is subject to a PAO, any use, development or subdivision of the land will generally require a planning permit.

Plan 15 'Road Network' in the Officer PSP demonstrates a sustainable transport network that ensures the efficient operation of the existing and future arterial network. Implementation of the transport network is guided by Table 16 'Transport and Movement Planning and Design Guidelines' and Table 20 'Infrastructure Project List' of the Officer PSP. A summary of the land to be acquired for the development of transport infrastructure for the Whiteside/Brunt, Tivendale/Station and McMullen intersections is outlined in the following table.

Address of property	Title details	Proposed Public Acquisition Overlay	Land to be acquired	Land acquired for	Timing of infrastructure projects in Officer PSP (Table 20) Small - 2011-16 Medium - 2017-22 Long - 2023 +	Lead Agency of Infrastructure Project List in Officer PSP (Table 20)
Princes Highway, Beaconsfield (corner of Whiteside Rd)	L2 PS346905	PA03	632 sqm	Ultimate intersection	S-M	Cardinia Shire Council
10 McMullen Rd, Officer	L2 LP209820	PA03	1957sqm	Ultimate intersection	M	Cardinia Shire Council
4 Station St, Officer	PC361120	PA03	38 sqm	Ultimate intersection	S	Cardinia Shire Council
432 Princes Highway, Officer	L2 PS512528	PA03	23 sqm	Ultimate intersection	S	Cardinia Shire Council
10 Brunt Rd, Officer	L1 PS321253	PA03	88 sqm	Ultimate intersection	S-M	Cardinia Shire Council
1 Station St, Officer	L1 TP189196	PA03	22 sqm	Ultimate intersection	S	Cardinia Shire Council

Table 1. Land Proposed to be Acquired

Under the *Land Acquisition and Compensation Act 1986* "(1) A Council may purchase or compulsorily acquire any land which is or may be required by the Council for or in connection with, or as incidental to, the performance of its functions or the exercise of its powers". The *Land Acquisition and Compensation Act 1986* places strict obligations on an acquiring authority in relation to the process for acquisition. Before the commencement of the acquisition process, the land must first be reserved under a planning scheme through a Planning Scheme Amendment.

Amendment C241 is required to implement the recommendations from the Officer PSP and Officer Development Contributions Plan (DCP).

Specifically the Amendment will:

- Amend the Cardinia Planning Scheme Maps No 11 and 13 to demonstrate the location of the proposed Public Acquisition Overlays

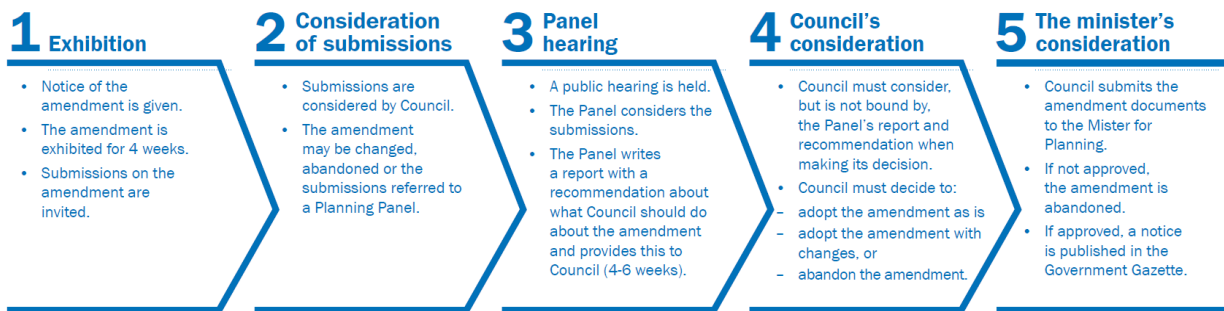


Table 2. Steps in the Planning Scheme Amendment Process

If Council resolves to seek Authorisation from the Minister for Planning at the 9 December 2019 Council Meeting, the sub stages within Stage 1 will be undertaken and public exhibition of the Amendment will commence.

POLICY IMPLICATIONS

The draft C241 Amendment aligns with key Commonwealth, State, and local policies as they relate to planning and delivering transport infrastructure.

Plan Melbourne 2017-2050 - Melbourne Metropolitan Planning Strategy

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

Direction 3.2 - *Improve transport in Melbourne's outer suburbs*

Policy 3.2.1 - *Improve roads in growth areas and outer suburbs*

Cardinia Shire's Liveability Plan 2017-2029

In particular the Amendment aligns with the following policy based on the need for safe and efficient roads for residents as identified in the Officer PSP:

Housing - Supporting high quality residential developments that respond to best practice in sustainability, environmental, safety and healthy by design guidelines.

The Amendment documentation is also informed by:

- Officer Precinct Structure Plan (2011)
- Officer Development Contributions Plan (2011)
- Cardinia Planning Scheme - relevant Clauses include:
 - Clause 11.03-2S *Growth Areas - to locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas*
 - Clause 18.01-2S *Transport system - to coordinate development of all transport modes, including reserving land for strategic transport infrastructure*
 - Clause 18.02-3S *Road system - to manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure*
 - Clause 19.03-1S *Development and infrastructure contributions plans - facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans and infrastructure contributions plans*
 - Clause 19.03-2S *Infrastructure design and provision - to provide timely, efficient and cost-effective development infrastructure that meets the needs of the community*

- Clause 21.03-2 *Urban growth area - to create a functional, attractive, safe and sustainable urban environment for the existing and future community of the Cardinia Urban Growth Area*
- Clause 21.05-2 *Freeways, declared arterial roads - to provide for an efficient, safe and attractive arterial road network and to ensure effective integration of land use, transport and environmental outcomes*

RELEVANCE TO COUNCIL PLAN

The proposed Amendment aligns with the Council Plan under the following objectives:

3. Our Environment

3.1 Provision and maintenance of assets on a life-cycle basis

3.1.1 *Maintain all Council roads and supporting infrastructure in accordance with the Road Management Act 2004*

3.2 Transport Linkages connecting towns

3.2.1 *Upgrade Council roads to improve safety while considering the traffic demand of the community*

3.5 Balanced needs of development, the community and the environment

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*

CONSULTATION/COMMUNICATION

Planning Scheme Amendment C241 documents will be exhibited to the public for a period of 4 weeks in February/March 2020. Direct notification will only be to those landowners affected by the Amendment and discussions with the landowners have already commenced.

The intention to acquire land to upgrade the intersections was identified in the Officer PSP and Officer DCP which were exhibited to the community via Planning Scheme Amendment process C149.

FINANCIAL AND RESOURCE IMPLICATIONS

The financial implications have been considered in the Officer Development Contributions Plan and the rates are adjusted annually.

If the Amendment is adopted by Council the resourcing implications for implementation of the Amendment is accounted for in the Growth Area Planning 2019-2020 business plan.

CONCLUSION

The proposed Amendment seeks to ensure the delivery of three intersection upgrades as identified in the Officer Precinct Structure Plan 2011 and Officer Development Contributions Plan 2011.

It is recommended that Council resolve to seek authorisation from the Minister for Planning to prepare Planning Scheme Amendment C241 to the Cardinia Planning Scheme to:

- Amend the Cardinia Planning Scheme Maps No 11 and 13 to demonstrate the location of the proposed Public Acquisition Overlays.

4 CARDINIA PLANNING SCHEME AMENDMENT C241 - PUBLIC ACQUISITION OVERLAY TO FACILITATE OFFICER PSP INTERSECTIONS

Moved Cr B Owen Seconded Cr L Wilmot

That Council resolve to seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C241 to the Cardinia Planning Scheme.

Cd.

5 APPOINTMENT OF COMMITTEE MEMBERS TO THE BUNYIP HALL COMMITTEE OF MANAGEMENT

FILE REFERENCE INT1992781

RESPONSIBLE GENERAL MANAGER Tracey Parker

AUTHOR Helena Moloney

RECOMMENDATION

That the following appointments be made to the Bunyip Hall Committee of Management under Section 86 of the Local Government Act (1989).

That the following members be appointed to the Committee:

- Chris Kelly President
- Lindy Fitzpatrick Vice President
- Heather King Secretary
- Chris Kelly Treasurer
- Colin Teese Committee Member
- Sue Anderson Committee Member
- Tony Arrigo Committee Member

Attachments

Nil.

EXECUTIVE SUMMARY

This report advises Council of the membership of Committee of Management that have been appointed as the result of a public meeting that has been conducted by Councillors or Council Officers.

BACKGROUND

Members of Special Committees require appointment by Council resolution pursuant to Section 86 of the Local Government Act. The election of Special Committees of Management is organised by Council and takes place annually or at other specified times.

The Act requires that Council approves the membership of Special Committees. It also notes those who are no longer members.

At a meeting held on Wednesday 20th November 2019 the members detailed above were elected to be appointed by Council to the Bunyip Hall Committee for the current term as specified in the Instrument of Delegation (bi-annually).

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

Establishing and maintaining Committees of Management is directly relevant to the Council Plan goals of actively engaging with communities and increasing levels of community participation.

CONSULTATION/COMMUNICATION

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

CONCLUSION

It is appropriate for the Council to confirm the appointment of these new members to the Bunyip Hall Committee.



5 APPOINTMENT OF COMMITTEE MEMBERS TO THE BUNYIP HALL COMMITTEE OF MANAGEMENT

Moved Cr G Moore Seconded Cr L Wilmot

That the following appointments be made to the Bunyip Hall Committee of Management under Section 86 of the Local Government Act (1989).

That the following members be appointed to the Committee:

- Chris Kelly President
- Lindy Fitzpatrick Vice President
- Heather King Secretary
- Chris Kelly Treasurer
- Colin Teese Committee Member
- Sue Anderson Committee Member
- Tony Arrigo Committee Member

Cd.

6 APPOINTMENT OF COMMITTEE MEMBERS TO THE KOO WEE RUP TOWNSHIP COMMITTEE OF MANAGEMENT

FILE REFERENCE INT1992782

RESPONSIBLE GENERAL MANAGER Tracey Parker

AUTHOR Helena Moloney

RECOMMENDATION

That the following appointments be made to the Koo Wee Rup Township Committee of Management under Section 86 of the Local Government Act (1989).

That the following members be appointed to the Committee:

- Frank Crameri Vice President
- Cathy McNulty Treasurer
- Lou Bucello Committee Member
- Joyce Light Committee Member
- Audrey Mills Committee Member
- Gus Moore Committee Member
- Rob Mure Committee Member
- Garry Oates Committee Member
- Geoff Stokes Committee Member
- Chris Thomas Committee Member
- Valmai Walker Committee Member
- Trevor Westmore Committee Member
- Frank Worcester Committee Member

All previous members in the above positions are removed from this committee and are acknowledged and thanked for their past contribution.

Attachments

Nil.

EXECUTIVE SUMMARY

This report advises Council of the membership of Committee of Management that have been appointed as the result of a public meeting that has been conducted by Councillors or Council Officers.

BACKGROUND

Members of Special Committees require appointment by Council resolution pursuant to Section 86 of the Local Government Act. The election of Special Committees of Management is organised by Council and takes place annually or at other specified times.

The Act requires that Council approves the membership of Special Committees. It also notes those who are no longer members.

At a meeting held on Wednesday 6th November 2019 the members detailed above were elected to be appointed by Council to the Koo Wee Rup Township Committee for the current term as specified in the Instrument of Delegation (annually for committee members and bi-annually for office bearers).

Note: the positions of President and Secretary remain unchanged - appointments made on a bi-annual basis.

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

Establishing and maintaining Committees of Management is directly relevant to the Council Plan goals of actively engaging with communities and increasing levels of community participation.

CONSULTATION/COMMUNICATION

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

CONCLUSION

It is appropriate for the Council to confirm the appointment of these new members to the Koo Wee Rup Township Committee.

6 APPOINTMENT OF COMMITTEE MEMBERS TO THE KOO WEE RUP TOWNSHIP COMMITTEE OF MANAGEMENT

Moved Cr G Moore Seconded Cr L Wilmot

That the following appointments be made to the Koo Wee Rup Township Committee of Management under Section 86 of the Local Government Act (1989).

That the following members be appointed to the Committee:

- Frank Crameri Vice President
- Cathy McNulty Treasurer
- Lou Bucello Committee Member
- Joyce Light Committee Member
- Audrey Mills Committee Member
- Gus Moore Committee Member
- Rob Mure Committee Member
- Garry Oates Committee Member
- Geoff Stokes Committee Member
- Chris Thomas Committee Member
- Valmai Walker Committee Member
- Trevor Westmore Committee Member
- Frank Worcester Committee Member

All previous members in the above positions are removed from this committee and are acknowledged and thanked for their past contribution.

Cd.

7 PETITION OBJECTING TO PLANNING PERMIT APPLICATION

FILE REFERENCE INT1992785

RESPONSIBLE GENERAL MANAGER Tom McQualter

AUTHOR Doug Evans

RECOMMENDATION

That the petition lodged by residents of Guys Hill objecting to a planning permit application for a telecommunications tower at 145 High Street, Guys Hill be received and noted and be considered as an objection to planning permit T190287 when this application is considered by the Council or Town Planning Committee in the New Year.

Attachments

1 Petition - Circulated to Councillors only 6 Pages

EXECUTIVE SUMMARY

At the October General Council Meeting, Cr Brett Owen tabled a petition from 15 residents of Guys Hill objecting to a planning permit application, this report proposes that the petition be received and referred for consideration as an objection when the application is considered by the Council or Town Planning Committee in the New Year.

BACKGROUND

The petition tabled at the last Council Meeting included the following prayer:

"We, the undersigned hereby petition Cardinia Shire Council to reject Planning Permit T190287 for a proposed 30 metre telecommunications tower to be located at 145 High Street, Guys Hill and seek an alternative suitable location and retain the trees and native vegetation in line with Cardinia's Biodiversity Conservation Strategy."

In accordance with the Councils Meeting Procedure Local Law, the petition has laid on the table for consideration by the Council at this meeting.

The petition has been included with other objections received to T190287 and will be considered formally considered in the New Year.

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

Nil.

CONSULTATION/COMMUNICATION

Town planning application T190287 has received sufficient objections that it is required to be considered by the Town Planning Committee and this is proposed to be undertaken in February 2020.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

CONCLUSION

It is appropriate for the Council to receive and note this petition and refer it for consideration as an objection to the planning permit application to be considered by the Council or Town Planning Committee in the New Year.

7 PETITION OBJECTING TO PLANNING PERMIT APPLICATION

Moved Cr B Owen Seconded Cr L Wilmot

That the petition lodged by residents of Guys Hill objecting to a planning permit application for a telecommunications tower at 145 High Street, Guys Hill be received and noted and be considered as an objection to planning permit T190287 when this application is considered by the Council or Town Planning Committee in the New Year.

Cd.

8 RESOLUTION REGARDING PARKING INFRINGEMENT PENALTIES PURSUANT TO SECTION 87 OF THE ROAD SAFETY ACT

FILE REFERENCE INT1993269

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Owen Hardidge

RECOMMENDATION

The Cardinia Shire Council resolves, in accordance with Section 87(4) of the Road Safety Act 1986, to fix the penalty for certain parking infringements according to the below table, “Prescribed parking infringement penalties”:

Item No. Column 1	Code Column 2	Summary of parking infringement Column 3	Prescribed parking infringement reference Column 4	Infringement penalty Column 5
1	0701	Parking for longer than indicated	RR 205	0.5 penalty unit
2	0702	Parked—fail to pay fee and obey instructions on sign, meter, ticket or ticket-vending machine	RR 207(2)	0.5 penalty unit
3	0704	Stopped on a bicycle parking area	RR 201	0.5 penalty unit
4	0705	Stopped on a motor bike parking area	RR 202	0.5 penalty unit
5	0706	Parked contrary to requirement of parking area	RR 209(2)	0.5 penalty unit
6	0707	Parked—fail to comply with angle parking requirement	RR 210(1)	0.5 penalty unit
7	0708	Parked—fail to comply with 90° angle parking requirement	RR 210(1)	0.5 penalty unit
8	0711	Parked not completely within a parking bay	RR 211(2)	0.5 penalty unit
9	0712	Parked—long vehicle exceeding minimum number of bays	RR 211(3)	0.5 penalty unit
10	0713	Parked—wide vehicle exceeding minimum number of bays	RR 211(3)	0.5 penalty unit
11	0621	Stopped contrary to a no parking sign	RR 168(1)	0.5 penalty unit

The Cardinia Shire Council resolves that, for the purposes of Section 87 (4A) of the Road Safety Act 1986, the penalty specified in Column 5 of the table “Prescribed parking infringement penalties” is the penalty prescribed for the parking infringements in breach of the Road Safety Road Rules 2017 specified in Column 4 of the table, when the parking infringement occurs in the municipal district of Cardinia Shire Council.

Attachments

- | | |
|--|-----------|
| 1 Resolution Pursuant to Section 87 (4) and (4A) of the Road Safety Act, and Table:
Prescribed Parking Infringement penalties | 1
Page |
|--|-----------|

EXECUTIVE SUMMARY

The Road Safety Act and regulations create parking infringement offences, and authorise local government to enforce breaches of parking infringements.

The penalty for some infringements is set at 0.2 penalty units (\$33), but the Act allows Councils to fix higher penalties, up to 0.5 penalty units (currently \$83).

Cardinia SC resolved to do this in 2009, and must re-make the resolution due to the re-making of the Road Safety (General Regulations) 2019 and does not constitute a change of policy.

BACKGROUND

The Road Safety Act 1986, and the regulations, create parking infringement offences, and authorise local government officers to enforcement breaches of parking infringements, usually by issuing infringement penalties or by prosecution.

The Road Safety (General Regulations) indicates the infringement penalty amounts for parking infringements. Some offences have a default penalty of 0.2 penalty units (currently \$33), and the Road Safety Act allows Councils to fix penalties for these offences, up to a maximum amount of 0.5 penalty units (currently \$83).

Cardinia Shire Council has previously resolved to fix penalties of 0.5 penalty units.

With the expiry of the 2009 Road Safety (General Regulations), and the creation of the 2019 Road Safety (General Regulations), it is formally necessary for the Council to re-make this resolution and to re-fix penalties in the amount specified in the resolution.

Other parking offences with higher infringement penalties are not affected by this resolution.

It is submitted that the 0.5 penalty unit penalty for the relevant parking infringements is appropriate, having regard to:

- The prevalence and frequency of the infringement offences in the community, and
- To deter individual drivers from deliberately infringing the parking controls that are created to balance the needs of all road users, and
- To promote consistency with the past practice of Cardinia Shire Council, and consistency of practice with other metropolitan Councils.

POLICY IMPLICATIONS

The Council has previously fixed parking infringement penalties at 0.5 penalty units, under the previous Road Safety (General Regulations) 2009, as did most metropolitan Councils.

This resolution confirms the continuation of this policy.

RELEVANCE TO COUNCIL PLAN

This resolution supports Council Plan objectives to balance the needs of development, the community and the environment (3.5), by supporting the efficient and transparent distribution of parking resources among local road users who have competing needs.

CONSULTATION/COMMUNICATION

No consultation has occurred prior to this resolution. This resolution will continue to give effect to the previous decision of the Council.

FINANCIAL AND RESOURCE IMPLICATIONS

The making of this resolution has been assumed into current budget projections.

CONCLUSION

The recommended resolution is necessary to maintain the current infringement penalty amounts for the offences specified in the attachment, in line with the previous resolution of Council.

These infringement penalty amounts are consistent with the past practice of the Cardinia Shire Council and are consistent with the practices of other metropolitan Councils.

8 RESOLUTION REGARDING PARKING INFRINGEMENT PENALTIES PURSUANT TO SECTION 87 OF THE ROAD SAFETY ACT

Moved Cr G Moore Seconded Cr L Wilmot

The Cardinia Shire Council resolves, in accordance with Section 87(4) of the Road Safety Act 1986, to fix the penalty for certain parking infringements according to the below table, “Prescribed parking infringement penalties”:

Item No. Column 1	Code Column 2	Summary of parking infringement Column 3	Prescribed parking infringement reference Column 4	Infringement penalty Column 5
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10	0713	Parked—wide vehicle exceeding minimum number of bays	RR 211(3)	0.5 penalty unit
11	0621	Stopped contrary to a no parking sign	RR 168(1)	0.5 penalty unit

The Cardinia Shire Council resolves that, for the purposes of Section 87 (4A) of the Road Safety Act 1986, the penalty specified in Column 5 of the table “Prescribed parking infringement penalties” is the penalty prescribed for the parking infringements in breach of the Road Safety Road Rules 2017 specified in Column 4 of the table, when the parking infringement occurs in the municipal district of Cardinia Shire Council.

Cd.

9 TEMPORARY COMMUNITY ADVERTISING SIGNAGE POLICY REVIEW

FILE REFERENCE INT1987122

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Debbie Tyson

Council at its meeting on 18 November 2019 resolved that the matter be deferred to the meeting to be held on 09 December 2019.

RECOMMENDATION

That Council adopts the Temporary Community Advertising Signage Policy V 1.01 (attached to the report) and implement the revised fee structure, being:

- First three signs no charge
- \$20 application fee for every three subsequent signs

Attachments

1 Temporary Community Advertising Signage Policy V1.01 12 Pages

EXECUTIVE SUMMARY

The regulation of advertising signs is an important function of Council; it ensures the orderly display of advertising signs in Council's road reserves, can reduce visual clutter that could otherwise detract from the natural environment of Cardinia Shire and reduce risk to road users. These controls need to be balanced with the needs of community groups and organisations to successfully advertise events in their community.

BACKGROUND

In 2016 Council's Senior Traffic Engineer, Planning Enforcement Officer and Community Development Officer undertook a review of four townships in the Ranges Ward area to establish appropriate sites to locate signage.

The result was the implementation of a Temporary Signage Policy which provided direction for the Ranges ward. A commitment was undertaken to review Central Ward and other townships in the Shire over the following year and once safe sites were identified, these sites will also form part of the policy.

A review of the policy has been undertaken, as well as incorporating locations in the Central Ward and a section of the Port Ward.

POLICY IMPLICATIONS

This policy does not impact any other Council policies. The policy allows for consistent, transparent and fair process for community groups to place signs around our municipality. The sites named in

the policy have been assessed by Councils Traffic Engineer and Compliance teams to ensure that they are safe for motorists, pedestrians and our community.

RELEVANCE TO COUNCIL PLAN

This policy is in alignment with the Council Plan, in that it will encourage community participation, supporting community groups in their activities as well as protecting the built and natural environment.

CONSULTATION/COMMUNICATION

Community consultation was undertaken for a period of four weeks, ten (10) submission were received. The table below summarises these submissions and offers a response to the comments.

<u>Community Group/Submitter</u>	<u>Comments</u>	<u>Response</u>
Pakenham Show	Concern of cost to community groups - \$20 per sign.	The \$20 fee has been identified to assist in the administration of the signs and the proactive enforcement of signage in the Shire. If a community group were to apply for the maximum of 9 signs, the cost would be \$180, which is not considered a large amount. It is noted that the majority of signs are applied for and paid by Real Estate Agents. Alternative fee structure has been proposed.
	Whole of Shire not included in the Policy	This policy has been implemented in stages, with the Ranges area as stage one, and this review, incorporating the Central Corridor. A further review will be undertaken to identify locations in our smaller townships
	Number of signage allowed (8) for big events is not considered enough to promote events	Nine safe sites in the Central Ward have been identified. The number of permitted sites can be increased from 8 to 9
	Real Estate For Sale signs and Open for Inspection signs not included in the policy	This policy relates to Temporary Advertising Signage on Councils Road Reserves. Real Estate signage does not form part of this policy.
	Document needs to be clearer in wording	Noted
	How do the stickers on rear of signs help in managing the process	Officers require a mechanism to allow easy identification of permitted or unpermitted signs when on the road. This sticker system has been successful in the past year, allowing easy enforcement and saving Officer time.
	Enforcement of policy - Is Council intending to fine community groups	Councils Compliance and Enforcement Policy stipulates that Officers educate our community where possible before issuing infringements. If infringements were issued, this would most likely be to the Real Estate Agent.
Ray White Pakenham	Temporary Real Estate	Council recognises a community need to

	Community Boards should be banned in Shire	advertise events throughout the municipality
Pakenham Art Show	Road Reserve to be clarified in policy	The policy will be amended to provide a definition of Council Road Reserve
	Concern on the cost to community groups at \$20 per sign.	The \$20 fee has been identified to assist in the administration of the signs and the proactive enforcement of signage in the Shire. If a community group were to apply for the maximum of 9 signs, the cost would be \$180, which is not considered a large amount. It is noted that the majority of signs are applied for and paid by Real Estate Agents. Alternative fee structure has been proposed.
	Number of signage allowed (8) for big events is not considered enough to advertise events	Nine safe sites in the Central Corridor have been identified. The number of permitted sites can be increased from 8 to 9
	Sticker system appears problematic and outdated	Officers require a mechanism to allow easy identification of permitted or unpermitted signs when on the road. This sticker system has been successful in the past year, allowing easy enforcement and saving Officer time.
	More locations need to be provided in policy	Nine safe sites in the Central Corridor have been identified. The number of permitted sites can be increased from 8 to 9. There are also sites available in the Ranges area
	Concern that the policy does not mention signage allowed at the location that an event is being held	The policy relates to road reserve signage only. Signage at events are administrated by Passive Reserves Team
	Should be the inclusion of wording to reflect unusual circumstances, events outside of Cardinia	The policy is in place to offer the best outcome for the community of Cardinia, provide consistency and transparency and to enable community events run in the Shire to be appropriately advertised. Events outside of Cardinia Shire are not covered in this policy
	Koo Wee Rup should not be included in Central Corridor list	This will be changed in the policy, Koo Wee Rup will be identified as the Port Ward area.
Gulsen Ozer	Sticker system seems problematic and outdated	Officers require a mechanism to allow easy identification of permitted or unpermitted signs when on the road. This sticker system has been successful in the past year, allowing easy enforcement and saving Officer time
	Concern on charging fees to community groups	The \$20 fee has been identified to assist in the administration of the signs and the proactive enforcement of signage in the Shire. If a community group were to apply for the maximum of 9 signs, the cost would be \$180, which is not considered a large amount. It is noted that the majority of signs are applied for and paid by Real Estate Agents. Alternative fee structure has been proposed.

	Greater contextual analysis and understanding of policy	Noted
First National Ranges	Should not disallow other events to be advertised in our Shire	The policy is in place to offer the best outcome for the community of Cardinia and to ensure community events run in the Shire are appropriately advertised. Events outside of Cardinia Shire are not covered in this policy
Garry Oates	Council to provide solid posts for groups to use/place signs on	For Council to provide infrastructure is problematic, it would need to be maintained and safety measures put in place.
Cardinia Art Society	Concern of the cost to community groups at \$20 per sign.	The \$20 fee has been identified to assist in the administration of the signs and the proactive enforcement of signage in the Shire. If a community group were to apply for the maximum of 9 signs, the cost would be \$180, which is not considered a large amount. It is noted that the majority of signs are applied for and paid by Real Estate Agents. Alternative fee structure has been proposed.
	Number of signage allowed (8) for big events is not considered enough to advertise events	Nine safe sites in the Central Corridor have been identified. The number of permitted sites can be increased from 8 to 9
	Sticker system seems problematic and outdated	Officers require a mechanism to allow easy identification of permitted or unpermitted signs when on the road. This sticker system has been successful in the past year, allowing easy enforcement and saving Officer time
	Policy does not include Council venues where events are being held	The policy relates to road reserve signage only. Signage at events are administrated by Passive Reserves Team
	Other townships not included in policy	This policy has been implemented in stages, with the Ranges Ward area as stage one, and this review incorporating the Central Ward. A further review will be undertaken to identify locations in our smaller townships. Any applications in smaller townships will be assessed upon receipt of an application
	Koo Wee Rup should not be included in Central Corridor	This will be changed in the policy, Koo Wee Rup will be identified as the Port Ward.
Non Blair	Real Estate branding should be less than 15% - recommended 10%	The 15% coverage has been identified due to the existing arrangement with Real Estate Agents and Community groups. The existing sponsorship arrangements have been considered, which sits at 15%
	Need to increase number of locations in Emerald	The locations in Emerald have been identified as safe for motorists and pedestrians. However Council will review other sites, the policy can be amended to include more sites if they meet safety criteria
	Do not believe there should be limit on number of signs in the	Consideration of proliferation of signage and community expectation has limited the

	areas	number of signs in Emerald, however further sites will be reviewed in the future
	Clarity that the signs are only related to the Real Estate Signage only or for all temporary signage	This policy relates to all Temporary Signage in Council Road Reserves. A large majority of these signs are Real Estate sponsored signs.
	Policy needs to include how long a sign can remain on the site	The policy stipulates that signs can be erected for up to 4 weeks before an event - the policy will be amended to include a removal date of three days after an event
	Clarify who should apply and pay, community group or real estate agents	Council cannot direct who applies and pays for an application
	Include an aesthetic requirement for signs in the policy	The policy states that signage must be professional and quality finished.
	No commercial signage should be allowed	Commercial signage is managed and enforced under the Local Law or Planning and Environment Act
	Signage produced independently by community groups should be exempt from policy	This policy relates to all Temporary Signage in Council Road Reserves
	Concern policy will effect PAVE, Gemco, markets and community events.	PAVE, Gemco and community events are subject to this policy. Markets are not subject to this policy.
Fiona Bridson	Real Estate Agents branding should be less on signs	The 15% coverage has been identified due to the existing arrangement with Real Estate Agents and Community groups. The existing sponsorship arrangements have been considered, which sits at 15%
	Sites in Emerald should include Edenmont Road and Belgrave Gembrook Road, and the corner of Church Street and Belgrave Gembrook Road, Pepis land	Council will review these sites, and if they are deemed as safe sites, the policy will be amended to include them
George Blenkhorn	In the compliance section it states 'that no event outside Cardinia Shire Council can be advertised under this policy'. The word 'Council' should be deleted	Noted, policy changed

From this community consultation, the following changes to the policy will be implemented:

- Council will accept application for one sign per location, per one event (subject to approval and availability of locations). This will result an applicant being able to apply for up to 18 locations throughout the municipality.
- The reduction of fees to
 - First three signs no application fee
 - \$20 application fee for ever three subsequent signs
- The definition of Council Road Reserve to be included in the policy
- Location of sites to be changed to
 - Growth Corridor
 - Hills Region

- Southern Rural Region
- Removal of signage date, (three days to be removed after an event) will be included in policy
- The word 'Council' to be deleted from "Cardinia Shire Council can be advertised under this policy'

The community consultation did raise the concern of community groups being charged \$20 per sign. This fee has been implemented to assist Council in administering the process. The amount assists in the cost of identification material, the administration of the application and the proactive enforcement of signage.

However, after the consultation, an opportunity has been identified to lessen the impact on community groups, whilst still assisting Council to cover a small amount of the costs. The fee structure will allow the first three signs to be at no charge, with the fee of \$20 to be implemented for every three signs further applied for.

- 3 Signs - free
- Up to 6 signs - \$20
- Up to 9 signs - \$40
- Up to 12 signs - \$60
- Up to 15 signs - \$80
- Up to 18 signs - \$100

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

CONCLUSION

A commitment was undertaken to review the Temporary Community Advertising Signage Policy within a year of its adoption in 2018. This commitment also included reviewing sites in the Central Ward area. This review has been undertaken with community consultation highlighting five (5) key changes to the policy, these have been implemented.

It is recommended that Council:

1. Resolve to adopt the Policy
2. Resolve to adopt the fee structure of no fee for the first 3 signs, and \$20 for every subsequent sign

9 TEMPORARY COMMUNITY ADVERTISING SIGNAGE POLICY REVIEW

Moved Cr L Wilmot Seconded Cr C Ross

That Council adopts the Temporary Community Advertising Signage Policy V 1.01 (attached to the report) and implement the revised fee structure, being:

- First three signs no charge
- \$20 application fee for every three subsequent signs

Cd.

10 CULTURAL DIVERSITY PLAN 2019-23

FILE REFERENCE INT1994730

RESPONSIBLE GENERAL MANAGER Tracey Parker

AUTHOR Glenda George

RECOMMENDATION

That Council receive and adopt the Cardinia Shire Council's Cultural Diversity Plan 2019-23.

Attachments

1 Cultural Diversity Plan 2019-23 16 Pages

EXECUTIVE SUMMARY

Cardinia Shire Council adopted its first Cultural Diversity Plan in 2015 in recognition of Cardinia Shire's growing culturally and linguistically diverse (CALD) population. The first plan set out Council's commitment to creating a welcoming, inclusive and accessible community for all, by ensuring that services and programs delivered by Council are accessible, responsive and sensitive to the needs of our culturally diverse community members.

Building on the achievements of the first Cultural Diversity Action Plan, a new plan has been developed to guide Council's work over the next four years. Community consultations has taken place with a range of key stakeholders as well as community groups, service providers and federal government agencies. The findings from the consultations have informed the plan and determined its four strategic priorities over the next four years.

BACKGROUND

Since the early European settlers in the 1800's cultural diversity has been integral to Cardinia Shire's identity. Our traditional migration patterns from overseas countries has seen the majority of our residents originating from the United Kingdom, New Zealand and European countries including the Netherlands, Italy and Germany as part of the post-World War II migration and refugee program. These residents are well established in the Shire and have contributed significantly to our economic, social, political and cultural life.

In recent times, the composition of our migration patterns has changed. The 2016 Australian Bureau of Statistics (ABS) census reported approximately 22 percent of Central Ward residents spoke a language other than English in their homes. This figure is now estimated to have increased significantly in line with the population growth that Cardinia Shire is experiencing. There have also been notable population percentage increases over the past ten years. Our Indian, Sri Lankan, Chinese and Filipino communities were reported as our largest multicultural groups in 2011. Cardinia Shire is also experiencing growth in residents who have come to Australia through the federal government's humanitarian program. These residents are predominantly from the Sub-Saharan region, Afghanistan and Burma.

In line with the Local Government Act 1989, Council plays a fundamental role in facilitating the inclusion and participation of their residents by working in partnership with community groups, service providers and residents, and state and federal agencies to enhance cultural diversity. Council's commitment to supporting its growing multicultural communities will be supported

through Council's second Cultural Diversity Plan. Embedded in the plan are four strategic priorities that were identified during the consultation process.

These priorities will guide Council's approach over the next four years to respond effectively and in an appropriate and timely manner to the needs and aspirations of our culturally and linguistically diverse residents. They include Welcoming Diversity, Building Connections, Promoting Participation and Sharing Outcomes.

Each of these areas has associated actions or projects that will be undertaken over the next four years. The actions and projects will be assessed on an ongoing basis to ensure they are meeting the identified needs of communities and addressing future opportunities and challenges.

POLICY IMPLICATIONS

International

- UN Convention and Protocol Relating to the Status of Refugees 1951
- UN International Convention on the Elimination of All Forms of Racial Discrimination 1996
- UNESCO Universal Declaration of Culturally Diversity 2001

Commonwealth

- Racial Discrimination Act 1975
- Human Rights Framework 2010
- The People of Australia - Australia's Multicultural Policy 2011

State

- Victorian Racial and Religious Intolerance Act 2001
- Victorian Charter of Human Rights and Responsibilities Act 2006
- Equal Opportunity Act 2010
- Multicultural Victoria Act 2011
- Victorian. And proud of it. Victoria's Multicultural Policy Statement 2017

RELEVANCE TO COUNCIL PLAN

The Cultural Diversity Plan 2019-23 has been developed and will be implemented in line with the Council Plan 2019, the Liveability Plan 2017–29 and the Social Justice and Equity Policy 2019.

Council supports programs and activities that promote, develop and improve the health, safety and wellbeing of our communities and is committed to improving the lives of all people who live, work and visit the Shire. This will be achieved through Council's vision as identified in the Council Plan 2019, Creating the Future under the following areas:

Our People:

Access to a variety of services for all / Access to support services and programs for young people
 Learning opportunities for all ages and abilities / Improved health and wellbeing for all
 Variety of recreation and leisure opportunities / Provide active and passive recreation facilities to meet the needs of our residents

Our Community:

Our diverse community requirements met / Engaged communities / Increased levels of participation

Our Environment:

Provision and maintenance of assets on a life cycle basis / Transport linkages connecting towns

Our Economy:

Increased business diversity in Cardinia Shire

Our Governance:

An engaged community

CONSULTATION/COMMUNICATION

In November 2018, Cardinia Shire Council CALD Advisory Committee held the Shire's first Multicultural Forum. The findings from this forum have informed the new plan. Consultations were also held during 2019 with the Advisory Committee, the Shire's Interfaith Network and CALD Network. Consultation sessions were held at Living & Learning and participants at community events were interviewed, to ensure that groups who are traditionally more difficult to engage were provided with an opportunity to provide input.

The plan was open for public online consultation in August/September and an internal staff workshop provided insightful feedback of those that work for Council and live in the shire. A number of new deliverables have been included in the plan as result of the feedback received during the public consultation period.

FINANCIAL AND RESOURCE IMPLICATIONS

The Cultural Diversity Plan's budget has increased from \$5,000 per annum to \$20,000 per annum over the next four years. The increased budget will provide for a number of new projects (which appear as deliverables in the plan) and a strategic focus on supporting our growing new and emerging communities.

The plan will be delivered within the existing resource allocation as outlined in the budget paper attached.

CONCLUSION

The Cardinia Shire Council's Cultural Diversity Plan 2019-23 has been developed in line with Council's commitment to supporting our growing culturally diverse communities. Four strategic priorities have been identified through a consultation process that included our Advisory Committee and Networks as well as a range of community leaders and residents. These priorities will form the basis of the plan over the next four-year period. Its aim is to promote and facilitate good multicultural practice and leadership while building strong and healthy communities that nurture the richness of our cultural diversity.

The Plan has been developed and guided by a sound consultation process and international, Commonwealth and State legislation together with the Council Plan, the Liveability Plan and Social Justice and Equity Policy. It will build on the current initiatives and through effective planning, partnership development and advocacy, it will ensure we remain responsive to local needs and strive to enhance the richness of our culturally diverse communities.

10 CULTURAL DIVERSITY PLAN 2019-23

Moved Cr L Wilmot Seconded Cr C Ross

That Council receive and adopt the Cardinia Shire Council's Cultural Diversity Plan 2019-23.

Cd.

11 CONTRACT 19/15 - BOOKABLE HARD AND BUNDLED GREEN WASTE COLLECTION SERVICE

FILE REFERENCE INT1993217

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Jacqui Kelly

RECOMMENDATION

That:

1. Council proceed to transition from a blanket hard waste collection to an at call service.
2. The scheduled of rates tender submitted by Cleanaway Pty Ltd to undertake the works associated with Contract 19/15 Bookable Hard and Bundled Green Waste Collection Service be accepted for the initial term of 5years with 4 x 1year extension options.

Attachments

- 1 Confidential Memorandum - Circulated to Councillors only 5 Pages

EXECUTIVE SUMMARY

The current Biannual Green and Hard Waste contract expires on 30 June 2020.

The Waste and Resource Recovery Strategy (2017-26) action plan identifies a move to a more efficient and community focussed Bookable Hard and Bundled Green Waste service from 1 July 2020.

The current method of delivery of the green and hard waste service is the 'blanket collection' model, a 'one size fits all' approach whereby all residents are allocated a collection week every six months in approximately May and November, and can put waste out if they wish to during this time. The alternate model is a 'booked collection' which makes the service available to residents throughout the year, at a time convenient to them.

The introduction of a Bookable Hard and Bundled Green Waste Service aligns with several actions from the Waste and Resource Recovery Strategy (2017-26) as well as other strategic and community benefits and it is proposed to do this as part of the new contract.

The new proposed service would also help us meet Council Plan Action 3.3.4 relating to reducing the amount of waste going to landfill to help meet the State Government's waste and resource recovery policy targets.

The new hard waste contract documents made provisions for the introduction of this service. An evaluation panel was formed to evaluate the tender responses received relating to the new service. It is recommend that the tendered submitted by Cleanaway Pty Ltd provides best value for money and that this tender be awarded accordingly.

BACKGROUND

The current Biannual Green and Hard Waste contract expires on 30 June 2020 and is operated by WM Waste Management Pty Ltd. The current service is a blanket service provided to the community twice a year.

At the September 2019 Council meeting, Council resolved to declare a climate emergency. With relation to our waste services, our ability to influence and respond to this situation is best outlined in the Waste and Resource Recovery Strategy (2017-26). The top priorities relating to this position identified within this strategy are:

- **Resource recovery** - increased resource recovery with a particular focus on hard waste service, food within garbage waste, additional kerbside programs and e-waste
- **Reduction in landfill** - achieving long-term secure landfill arrangements by reducing landfill and seeking alternative landfill treatment options
- **Addressing increased illegal dumping** - addressing increasing issues of illegal dumping through improved services and compliance activities
- **Appropriate services** - appropriate consideration of waste provision within developments including increased higher density development, infill development and new Council facilities
- **Supporting the local community** - supporting the local community to be responsible and accountable for their waste generation and disposal practices.

Taking this into account, the Waste Strategy implementation plan identifies a move to a more efficient and community focussed Bookable Hard and Bundled Green Waste service from 1 July 2020. The introduction of a Bookable Hard and Bundled Green Waste Service aligns with these key priorities:

- **Resource recovery** - tender responses provide different options around resource recovery and diversion from landfill.
- **Reduction in landfill** - A bookable service provides residences with a need for hard waste disposal a flexible/available service to meet these needs rather than encouraging the whole community to participate in the program.
- **Addressing increased illegal dumping** - A considerable advantage of the booked collection model is the convenience for residents to dispose of waste correctly, therefore reducing incidents of illegally dumped rubbish, particularly by tenants moving house. Council will also deliver the dumped rubbish service as part of a booked residential green and hard waste service contract. This means that vehicles operating in the shire collecting green and hard waste will also collect dumped rubbish on behalf of Council. This will result in a cost-effective collection of dumped rubbish, and improved service standards.
- **Appropriate services in developments** - An increase in medium and high density housing within the new estates proves problematic for a blanket service with inadequate property frontages for residents to present hard waste. A bookable service improves the availability of service to these areas.
- **Supporting the local community** - a bookable service encourages residents to consider their need for a hard waste service rather than encouraging people to participate twice a year.

As such, Cardinia Shire Council undertook a joint tender process with Manningham City Council. Utilising the joint tender process allowed us to utilise Manningham City Councils' knowledge of a bookable hard waste service and also provided the opportunity for discounts and efficiency methods by the tender applicants. The tender was advertised on Tender Portal and in The Age

newspaper as well as on the Cardinia Shire Council and Manningham City Council webpages. The tender opened on 24 May 2019 and closed on 14 August 2019. The tender document made provisions for tenders to supply prices associated with an at call service as well as traditional blanket service.

The contract term is for an initial period of 5 years with 4 x 1 year extension options available.

Five tender responses from four companies were received, however only four responses were relevant to the schedule of works being tendered out. Tender considered included:

- Cleanaway Pty Ltd - two tender responses received
- WM Waste Management Pty Ltd
- Selkrig Total Waste Solutions Pty Ltd

An evaluation panel was formed to evaluate the four tender responses received relating to the new service and recommend Cleanaway Pty Ltd (tender response 1) be awarded the contract as providing the best value for money service for Council.

POLICY IMPLICATIONS

In addition to the strategic alignment identified above, the introduction of a Bookable Hard and Bundled Green Waste Service aligns with several actions from the Waste and Resource Recovery Strategy (2017-26) including:

- Action 6 - Implement a suite of options that provide alternatives to burning off.
- Action 17 - Review dumped rubbish service for improved delivery (dumped rubbish response services would be included in new service)
- Action 32 - Hard waste – move toward booked services for future hard waste contracts, considering dumped rubbish service synergies
- Action 34 - Hard waste – review future hard waste specifications for tender to ensure they include provision for collection and clearance of waste from emergencies and extreme weather events
- Action 35 - For new contracts, review specifications to allow to explore new materials/opportunities for collection and recycling to maximise recovery and reduce waste to landfill

RELEVANCE TO COUNCIL PLAN

Meets action related to reducing the amount of waste going to landfill to meet the State Government's waste and resource recovery policy targets.

3.3 Enhanced natural environment

3.3.4 Promote practices that result in the reduction per household of the amount of waste going to landfill, particularly food waste.

CONSULTATION/COMMUNICATION

The community survey results undertaken when preparing the waste strategy showed overall support to move to a booked collection method, with a mean result 6.2 out of 10. The key benefits

for the booked service are convenience, opportunity to align the dumped rubbish service, better catering for higher density developments, and minimising contract risk.

A comprehensive communications and engagement plan will be implemented in the lead up to the service start, at the beginning of the new service and throughout service delivery. Communication with the community on the details of this service will continue to be carried out on an ongoing basis to ensure they are aware of the services available to them and how to participate.

FINANCIAL AND RESOURCE IMPLICATIONS

Revenue collected through the Garbage Charge funds the Green and Hard Waste Collection Service.

The annual financial costs to council for this service will vary depending on the uptake of the service. Based on feedback from other councils, financial cost modelling and service usage assessment; we estimate that this could vary annually from \$1,043,227 - \$1,564,840.

Taking into consideration these costs as well as other service this contract can be utilised for (example dumped rubbish services), it could be expected that annual costs through this contract be in the order of \$1.9million, however will be dependent on service uptake amounts.

CONCLUSION

It is recommended that Council continue to transition to a Bookable Hard and Green Waste Service and that Contract 19/15 Bookable Hard and Bundled Green Waste Collection Service be awarded to Cleanaway Pty Ltd for an initial term of 5years with 4x 1year extension options.

11 CONTRACT 19/15 - BOOKABLE HARD AND BUNDLED GREEN WASTE COLLECTION SERVICE

Moved Cr G Moore Seconded Cr L Wilmot

That:

1. Council proceed to transition from a blanket hard waste collection to an at call service.
2. The scheduled of rates tender submitted by Cleanaway Pty Ltd to undertake the works associated with Contract 19/15 Bookable Hard and Bundled Green Waste Collection Service be accepted for the initial term of 5 years with 4 x 1 year extension options.

Cd.

12 CONTRACT 19/22 - GEMBROOK RECREATION RESERVE PAVILION UPGRADE

FILE REFERENCE INT1994038

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Marlene Battista

RECOMMENDATION

That Council:

1. Award the tender for Contract No. 19/22 Gembrook Recreation Reserve Pavilion Upgrade to Insight Construction Group Pty Ltd for the tender price of \$2,357,000 (excl. GST).
2. Advise all tenderers accordingly.
3. Affix the Council Seal to the relevant contract documents.

Attachments

- 1 Confidential Memorandum - Circulated to Councillors only 2 Pages

EXECUTIVE SUMMARY

This report provides consideration for the appointment of a contractor to undertake the Gembrook Recreation Reserve Pavilion Upgrade construction works. The tender submitted by Insight Construction Group Pty Ltd complies with all the conditions of tendering.

This report provides an overview of the need to redevelop the Gembrook Recreation Reserve Football and Cricket Pavilion and background information for Councillors to consider in their endorsement of the recommendations.

BACKGROUND

The Gembrook Recreation Reserve Football and Cricket Pavilion is located on the corner of Belgrave-Gembrook Road and Orchard Road, Gembrook, Victoria.

The Gembrook Football Netball Club (GFNC) developed a project concept in 2015, and received \$1mil.in Federal funding as a 2015 election commitment from Jason Wood MP to support this concept.

Council began discussions with the GFNC on the project once Council had confirmed \$1mil in the 18/19 Capital Expenditure budget.

Council funding is contributing to all essential components of the facility in line with the 2016 Recreation Facility Standards. The GFNC is providing their \$1mil. grant towards the additional social spaces and other components of the pavilion that are above the Recreation Facility Standards.

The redevelopment and extension of the existing Gembrook Recreation Reserve Football and Cricket Pavilion will provide unisex change rooms, unisex umpire change rooms, universally

accessible amenities to all change rooms, first aid, a gymnasium and storage. Further, a minor upgrade to the existing kitchen and social room area, reconfiguring of the server counters for accessibility requirements, updating of the spectator viewing lounge and time-keeper room and lift access.

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

The upgrade of the Gembrook Recreation Reserve Pavilion will address the following Council Plan objectives:

1. Our people

- 1.1 Access to a variety of services for all.
- 1.2 Access to support services and programs for your people.
- 1.3 Learning opportunities for all ages and abilities.
- 1.5 Variety of recreation and leisure opportunities.

2. Our community

- 2.1 Our diverse community requirements met.
- 2.1.4 Plan for the provision of facilities to services and support our changing communities.

3. Our Environment

- 3.1.3 Provide accessible facilities to meet identified community needs.

CONSULTATION/COMMUNICATION

Council has established a Project Working Group with representatives from all sports clubs at the Reserve and the Gembrook Reserve Section 86 Committee of Management. This Group has come together regularly through all the stages in the development of the project and will continue to meet to ensure that the project fully complies with expected outcomes and is brought to completion.

The User Groups are Gembrook Football Netball club, Gembrook Cricket Club, Gembrook Reserve Section 86 Committee of Management.

FINANCIAL AND RESOURCE IMPLICATIONS

The allocation of funds for the Gembrook Recreation Reserve Pavilion Upgrade project are:

- Carryover from 18/19FY: \$ 914,927, being Council Contribution (with original contribution being \$1mil. To date, there has been expenditure towards some design documentation and an electricity upgrade);
- Budget 19/20FY: \$1,450,000, with \$1mil. from Federal Government and an additional \$450k from Council.

In total, \$2,364,927 is available to complete this project.

The recommended tenderer for the construction of the Gembrook Recreation Reserve Pavilion Upgrade is Insight Construction Group Pty Ltd with a tender price of \$2,357,000 (excl. GST).

CONCLUSION

It is recommended that Council award Contract No. 19/22, for the construction of the Gembrook Recreation Reserve Pavilion Upgrade to Insight Construction Group Pty Ltd for the tender sum of \$2,357,000 (excl. GST).

12 CONTRACT 19/22 - GEMBROOK RECREATION RESERVE PAVILION UPGRADE

Moved Cr B Owen Seconded Cr L Wilmot

That Council:

1. Award the tender for Contract No. 19/22 Gembrook Recreation Reserve Pavilion Upgrade to Insight Construction Group Pty Ltd for the tender price of \$2,357,000 (excl. GST).
2. Advise all tenderers accordingly.
3. Affix the Council Seal to the relevant contract documents.

Cd.

13 CONTRACT 19/27 - KERBSIDE WASTE COLLECTIONS SERVICE

FILE REFERENCE INT1993235

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Jacqui Kelly

RECOMMENDATION

That:

1. Cardinia Shire Council commence a Garden and Food Bin service in Oct 2020, to align with the new waste collection contract CT 19/27.
2. The schedule of rates tender submitted by Cleanaway Pty Ltd be accepted for the Kerbside Waste Collections Service CT19/27 for an initial term of 7 years with 3 x 1 year extension options.

Attachments

- 1 Confidential Memorandum - Circulated to Councillors only 5 Pages

EXECUTIVE SUMMARY

Council currently provide three kerbside waste collection services; General Garbage, Recycling, and Green Waste which are undertaken by two contractors; Cleanaway for General Garbage and Recycling and JJ Richards & Sons for Green Waste.

In recent years the contract extensions have been aligned so that these three contracts all end at the same time, September 30 2020. This has allowed Council to go out to tender for all three kerbside bin collections under the one tender. This was tender was advertised in August and closed in October.

This combined service contract provides value for money for Council through:

- Discounts provided by the contractor for multiple services
- Efficiency of management of one contractor for all services of the same type
- Efficiency of having one call centre managing all calls/online requests
- Confidence in the contractor knowing our geographic area and population specifics consistently across all collection services

The new collection contract would also help us continue to provide proficient waste services for our community and meet Council Plan Action 3.3.4 relating to reducing the amount of waste going to landfill to help meet the State Government's waste and resource recovery policy targets. As such the scheduled introduction of a Garden and Food Bin service in 2020, to align with the new waste collection contract.

An evaluation panel was formed to evaluate the four tender responses received and recommend the tender offering the best value for money to Council is the tender received by Cleanaway Pty Ltd.

BACKGROUND

Council currently provide three kerbside waste collection services; General Garbage, Recycling, and Green Waste. These three services are undertaken by two contractors; Cleanaway for General Garbage and Recycling and JJ Richards & Sons for Green Waste.

Currently, the following kerbside collection services are provided:

- Garbage – A 120 Litre garbage bin collected weekly with the option of reducing to 80 Litre garbage bin at a reduced rate.
- Recyclables – A 240 Litre recycle bin collected fortnightly.
- Green Waste – A 240 Litre green waste bin collected fortnightly. (future service plans include food waste from the beginning of this contract and an option to have a 120l green waste bin for a reduced rate)

In addition to these services, this contract also makes provision for the introduction to collect food waste with the green waste.

In recent years the contract extensions have been aligned so that they all end at the same time, September 30 2020, allowing Council to go out to tender for all three kerbside bin collections under the one tender. This combined service tender provides value for money for council through:

- Discounts provided by the contractor for multiple services
- Efficiency of management of one contractor for all services of the same type
- Efficiency of having one call centre managing all calls/online requests
- Confidence in the contractor knowing our geographic area and population specifics consistently across all collection services

The contract term is for an initial period of 7 years with 3 x 1 year extension options available.

The tender was advertised on 31 August 2019 and closed on 11 October 2019. Tender responses were received from three companies:

- Cleanaway Pty Ltd
- JJ Richards & Sons Pty Ltd
- Remondis Pty Ltd

The tenders were assessed against the weighted criterion; Quality System, Capability, Relevant Experience and Past Performance, Resources, Customer services and innovation, Occupational Health and Safety, and Compliance with Specification. Non weighted Criterion were also assessed on a pass/fail basis.

Based on this and a financial assessment, the tender submitted by Cleanaway Pty Ltd provides best value for money.

The following dates are expected for transitions to occur from existing arrangements:

- Start of collection services no later than 1 October 2020
- Mobilisation period from 20 January 2020 to 30 August 2020
- In addition, this change in contract provides a seamless transition for council to introduce a change in service for the green waste bin allowing Cardinia Shire residents to put food waste into their kerbside green waste bin for collection and processing.

Food and Garden Bin

Reducing food to landfill has been established as a priority in the Council Plan 2019 and Council Plan Actions 2019-23 and state-wide Waste and Resource Recovery plans. It has also been listed as a key action in our Waste and Resource Recovery Strategy (2017-26) and has associated actions in the WRRS Action Plan (2017-21). This interest has been driven by a number of factors, including:

- Limited capacity and increasing cost of disposal to landfill
- Recovering resources from food waste
- Reducing greenhouse gas emissions, particularly methane
- Increased recovery of valuable energy and nutrients that can be recovered for reuse through composting systems.

The inclusion of food waste in green (garden) waste bins is an efficient method of diverting household food from landfill and recycling the waste into a usable product. These systems utilising existing waste infrastructure and resident behaviour practices. Commonly known as Food Organic Garden Organic, or FOGO, these systems are becoming increasingly popular solutions for Council's in Victoria. Currently, 8 Metropolitan Councils and 16 regional Councils have implemented full services or trials, and 15 Metropolitan and 11 Regional currently preparing for implementation.

POLICY IMPLICATIONS

The aligning of the kerbside waste collection services meets several actions from the Waste and Resource Recovery Strategy (2017-26) including:

- **Action 35** - For new contracts, review specifications to allow to explore new materials/opportunities for collection and recycling to maximise recovery and reduce waste to landfill
- **Action 37** - Annually review services through business planning processes to identify continued opportunities for efficiency improvements, appropriateness, value for money, and increased recovery.

The introduction of food into the green waste bin service strongly aligns with Cardinia Shire's Liveability Plan 2017-29, Food domain.

- **Action 4.4** - Reducing and diverting food waste from landfill and reusing water to grow food.

Cardinia Shire Council Waste and Resource Recovery Strategy (2017-21) Action Plan

Relevant actions:

- **Action 8** - Undertake a review and develop a system for diverting food waste from landfill.
- **Action 9** - Continue to promote the benefit of composting as a preference to all other collection systems.
- **Action 11** - Promote green waste services and their benefits within the community to expand knowledge

This consolidated approach to kerbside waste collection services has strong alignment with Councils declaration at the General Council Meeting in September 2019 to join more than 800 other local governments across the globe to declare a climate emergency. It also meets actions from State-wide plans and strategies:

- The State-wide Waste and Resource Recovery Infrastructure Plan (SWRRIP)
- The Metropolitan Waste and Resource Recovery Implementation Plan 2016
- The Victorian Organics Resource Recovery Strategy

RELEVANCE TO COUNCIL PLAN

3.3.4 Reduce the amount of waste going to landfill to meet the State Government's waste and resource recovery policy targets.

CONSULTATION/COMMUNICATION

Residents should see no change to their kerbside waste collection services other than the introduction of food into the green waste bin if they have opted into this service.

A comprehensive Behaviour Change Plan, incorporating a Communications Plan, is in place to support residents to use the new food in the green waste bin service. The plan provides guidance from 18 months before the program begins through to post-implementation. It draws upon findings from MWRRG and Gippsland Regional Waste Management Group (GRWVG) and Community-Based Social Marketing behaviour change theory. A Communications Plan will be developed with the Team Leader Communications, to support the various stages of the plan. The Behaviour Change Plan will be implemented with support from the MWRRG and Sustainability Victoria's teams.

FINANCIAL AND RESOURCE IMPLICATIONS

Based on the rates submitted, the annual cost for the kerbside collections is estimated at \$6.53million in the initial year and rise to potentially \$7.3million by year 5.

The kerbside collection of the general waste, recycling and green waste bins and the changes to the green bin service will be fully funded through the Garbage Charge and optional Food and Green Waste Bin charge.

CONCLUSION

It is recommended that the tender submitted by Cleanaway Pty Ltd be accepted for the Kerbside Waste Collections Service contract number 19/27 for an initial term of 7 years with 3 x 1 year extension options, and that; Cardinia Shire Council commence a Garden and Food Bin service in October 2020, to align with the new waste collection contract CT 19/27.

13 CONTRACT 19/27 - KERBSIDE WASTE COLLECTIONS SERVICE

Moved Cr G Moore Seconded Cr L Wilmot

That:

1. Cardinia Shire Council commence a Garden and Food Bin service in Oct 2020, to align with the new waste collection contract CT 19/27.
2. The schedule of rates tender submitted by Cleanaway Pty Ltd be accepted for the Kerbside Waste Collections Service CT19/27 for an initial term of 7 years with 3 x 1 year extension options.

Cd.

14 CONTRACT 19/29 - PEPI'S LAND (EMERALD) NETBALL PAVILION CONSTRUCTION

FILE REFERENCE INT1992950

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Trevor Kitchin

RECOMMENDATION

That Council:

1. Award the tender for Contract No. 19/29 (Emerald) Netball Pavilion Construction to Lloyd Group at the tender price (including offered savings) of \$1,411,928.00 (excl. GST).
2. Advise all tenderers accordingly.
3. Affix the Council Seal to the relevant contract documents.

Attachments

- 1 Confidential Memorandum - Circulated to Councillors Only 3 Pages

EXECUTIVE SUMMARY

This report provides consideration for the appointment of an appropriate contractor to construct and deliver the new Pepi's Land (Emerald) Netball Pavilion, which will house appropriate facilities for the Emerald Netball Club, including change rooms, umpire change rooms, internal and external accessible amenities, office space, appropriate storage space, social area and kitchen, external covered spectator areas and pedestrian paths.

The tender submitted by Lloyd Group complies with all the conditions of tendering and their respective tender price is within Council's building project budget.

Note that Lloyd Group has established a good reputation at Cardinia Shire in the delivery of projects such as the recent Redevelopment of the CCC; have capacity and capability with great experience across a range of diverse scale projects; deliver good quality project outcomes; have achieved customer service expectations to date; have demonstrated excellent cost control on projects, and have delivered within required project timelines.

BACKGROUND

An original masterplan for Pepi's Land was developed in 2004 following public consultation. A process commenced in 2011 to develop a new masterplan for the site known as Pepi's Land, to reflect changes that had occurred since 2004.

A steering committee involving a number of departments were involved in developing a project brief as well as having input provided from the then Ward Councillors.

Land Design Partnerships was engaged to prepare the masterplan, with relevant Council staff consulted, including Councillors, key stakeholders and our broader community.

At the same time that the masterplan was ready for community consultation, work commenced on the creation of the Emerald Spatial Plan, which incorporates Pepi's Land masterplan.

In 2013, as part of the process associated with the Emerald Spatial Plan, the Pepi's Land masterplan illustration was put on display for community feedback, receiving a number of responses.

The Pepi's Land masterplan identified an active recreation space in the north-east corner of the site, abutting Beaconsfield-Emerald Road, for netball activities including other community activities.

In addition, Land Design Partnerships were engaged to undertake a feasibility study of the active recreation space of the Pepi's Land masterplan. The scope of work predominantly focussed on reviewing for opportunities in the provision of netball facilities and whether there was any additional space or functionality available for other community based facilities. Given the terrain of the land and the geotechnical characteristics of the soil, the feasibility study found that there is adequate space for the provision of four netball courts, a club house style building, appropriate road access and car parking, including over-flow car parking and a children's playground. The feasibility study also identified some room for a community garden. However, the demographics and lack of sufficient community interest in the Emerald area suggested that a community garden would not be required.

The alterations of the BMX track have already been addressed through the Emerald Spatial Plan, which recommended that the BMX track remain in its current location.

Based on the above, the Pepi's Land masterplan has been updated to include the outcomes of the feasibility study and the Emerald Spatial Plan.

With reference to the pavilion, a design consultant was engaged through Infrastructure Services in 2015 to undertake the design of the pavilion and associated infrastructure works. The scope for the pavilion was defined by the then Recreation Team and the Netball Club. A relevant scope was prepared and signed off by all parties, and note that at the time, Cardinia Shire did not have any endorsed facility standards.

A Planning Permit was granted on 15 June 2017 and further consideration to the pavilion design was then given by the Recreation Team and the Emerald Netball Club. The outcome of the considerations resulted in reduced sizing of the social space and kitchen, with increases to change rooms and amenities areas, ensuring participation in sport would be properly supported.

The outcome from the resulted changes to the pavilion design provided a larger footprint for the building and consequently an increase in budget to complete the required construction.

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

The construction of the Pepi's Land (Emerald) Netball Pavilion will address the following Council Plan areas:

1. Our people

1.1 Access to a variety of services for all.

- 1.2 Access to support services and programs for your people.
- 1.3 Learning opportunities for all ages and abilities.
- 1.5 Variety of recreation and leisure opportunities.

2. Our community

- 2.1 Our diverse community requirements met
- 2.1.4 Plan for the provision of facilities to services and support our changing communities.

3. Our Environment

- 3.1.3 Provide accessible facilities to meet identified community needs.

CONSULTATION/COMMUNICATION

Consultation undertaken for this project includes:

- Council has consulted with the local residents, and key stakeholders through various mechanisms including the development of the Emerald Spatial Plan (2014) and the Pepi's Land Master Plan (2015).
- The design of the pavilion and courts started in 2015. Council have continued to consult with the Emerald Netball Club throughout the full detail design process of the pavilion. The club has formally signed off on the design prior to tender advertising and are regularly updated with the progresses of the project.

FINANCIAL AND RESOURCE IMPLICATIONS

This project is fully funded by Council with available funds from:

- 19/20FY carry-over: \$1,186,578.00
- New Budget 19/20FY: \$ 800,000.00

In total \$1,986,578.00 has been provided in the 19/20FY for the construction of the Pepi's Land (Emerald) Netball Pavilion.

The recommended and submitted Tender Price, with identified savings, from Lloyd Group is \$1,411,928.00 (excl. GST).

Thus, there is sufficient funding available to have the works undertaken and completed.

CONCLUSION

It is the Evaluation Panel's recommendation that Council accept the Tender Price submitted by Lloyd Group Pty Ltd for the construction of the Pepi's Land (Emerald) Netball Pavilion for the contract sum of \$1,411,928.00 (excl. GST).

14 CONTRACT 19/29 - PEPI'S LAND (EMERALD) NETBALL PAVILION CONSTRUCTION

Moved Cr G Moore Seconded Cr L Wilmot

That Council:

1. Award the tender for Contract No. 19/29 (Emerald) Netball Pavilion Construction to Lloyd Group at the tender price (including offered savings) of \$1,411,928.00 (excl. GST).
2. Advise all tenderers accordingly.
3. Affix the Council Seal to the relevant contract documents.

Cd.

15 CONTRACT 19/32 - SUPPLY DELIVERY QUARRY AND CIVIL PRODUCTS

FILE REFERENCE INT1993913

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Mark Howard

RECOMMENDATION

That Council:

1. Award Contract CT 19/32 to Fulton Hogan Quarries Pty Ltd and Holcim Australia Pty Ltd for a up to a 3-year period for the Supply Delivery Quarry & Civil Products from 1 January 2020, in accordance with the General Conditions of Contract; and
2. Advise all Tenders accordingly;
3. Affix the Common seal of the Council to the Contract documents

Attachments

- 1 Confidential Memorandum - Circulated to Councillors only 4 Pages
- 2 Confidential Attachment - Circulated to Councillors only 1 Page

EXECUTIVE SUMMARY

This report provides consideration for the appointment of two (2) contractors to supply and when required deliver quarry products for up to a 3-year period from 1 January 2020 as detailed in Contract No. CT 19/32 – Supply Delivery Quarry & Civil Products. This is primarily used to maintain and renew our roads.

Tenders were advertised on 29 June 2019 and closed at 3.00pm on 24 July 2019.

Tenders were received from nine (9) Tenderers.

The tenders submitted by Fulton Hogan Quarries Pty Ltd and Holcim Australia Pty Ltd are considered to be the most advantageous to Council. The appointment of two suppliers provides for differing products that cannot all be supplied by one quarry operator. It also provides flexibility and ability to use the cheapest material taking into account project location and the cost of haulage as well as material price. Both of these suppliers are incumbent providers to Council with a strong track record for delivering best-value products. It is therefore recommended that Contract No. CT 19/32 for the Supply Delivery Quarry & Civil Products be awarded accordingly.

BACKGROUND

Led by the City of Casey, a collaborative tender for the Supply Delivery Quarry & Civil Products was developed and included participation from the City of Greater Dandenong Council, Knox City Council, Manningham City Council and Cardinia Shire Council.

City of Casey was appointed by the participating Councils to act as their agent (and on its own behalf) for the purposes of conducting this tender. Each participating Council are responsible to enter into an individual contract for the provision of the services on its own behalf.

This tender provides a range of materials suitable to Council's needs. These include fine crushed rock, asphalt, recycled asphalt, crushed concrete, sand, soil and other quarry products including aggregates and rock spalls.

Council purchases approximately 100,000 tonnes of crushed rock and associated quarry products annually, primarily for use in maintaining its gravel roads, footpaths and shoulders of the sealed road network. In addition to this, Council purchase approximately 400 tonne of asphalt annually for sealed road maintenance. Council operates a fleet of trucks to service its road maintenance activities which includes haulage of most of this material. These trucks are required to enter the supplier's premises and be loaded by the supplier's staff and equipment. Occupational health and safety systems and risk management are therefore very important considerations from a Council perspective. The option for haulage was included in this tender to enable Council to accelerate supply of these materials should the need arise.

The tender was structured to enable Council to enter into multiple contracts with a range of suppliers for supply of the material to optimise the value considering the type of material required, location of works and total cost of supply including purchase price and haulage.

Each contractor was evaluated in accordance with the assessment criteria and accepting the offers from both Fulton Hogan Quarries Pty Ltd and Holcim Australia Pty Ltd was the outcome that offers the best value to Council. This approach provides multiple locations from which product can be sourced to minimise haulage, and gives access to the range of products required by Council from within the Shire.

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 requires that Council maintain and develop its infrastructure including roads, buildings and facilities. Materials are essential resources required for Council to construct and maintain this infrastructure which align with the following council plan items:

3.1.1 Maintain all Council roads and supporting infrastructure in accordance with the *Road Management Act 2004*.

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.

CONSULTATION/COMMUNICATION

The tender was publicly advertised on the 29 June 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 these materials are to be utilised. No specific community consultation is involved for periodic supply contracts.

FINANCIAL AND RESOURCE IMPLICATIONS

Council typically expends up to \$2.1 million per annum on crushed rock and other quarry products. The expenditure for this material is spread over several areas including shoulder maintenance, gravel and sealed road maintenance, unsealed road resheeting, and footpath and drainage maintenance.

Expenditure shall be managed within approved annual operational and capital budgets.

CONCLUSION

That Council accept the tenders submitted by Fulton Hogan Quarries Pty Ltd and Holcim Australia Pty Ltd for the schedule of rates based Supply Delivery Quarry & Civil Products will provide best value to Council for up to the next 3-years.

15 CONTRACT 19/32 - SUPPLY DELIVERY QUARRY AND CIVIL PRODUCTS

Moved Cr G Moore Seconded Cr L Wilmot

That Council:

1. Award Contract CT 19/32 to Fulton Hogan Quarries Pty Ltd and Holcim Australia Pty Ltd for a up to a 3-year period for the Supply Delivery Quarry & Civil Products from 1 January 2020, in accordance with the General Conditions of Contract; and
2. Advise all Tenders accordingly;
3. Affix the Common seal of the Council to the Contract documents

Cd.

16 CONTRACT 19/34 - SUPPLY AND DELIVERY OF HEAVY TRUCKS

FILE REFERENCE INT1993704

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Ben Wood

RECOMMENDATION

That Council:

1. Accept the proposal submitted by CMV Truck and Bus Pty Ltd (Volvo dealer) through Procurement Australia (ref 1908-0905) to purchase six off heavy rigid trucks fitted with suitable bodies at a total cost of \$1,868,330.00 (excl. GST) plus statutory charges, with delivery over up to 12 months be accepted.
2. Accept the proposal submitted by CMV Truck and Bus Pty Ltd (Volvo dealer) under MAV Australia Panel arrangement NPN04-13 Trucks for the purchase of up to two prime movers at a total cost of \$416,454.54 (excl. GST) plus statutory charges, with delivery over up to 12 months be accepted.
3. Advise all proponents accordingly;
4. Affix the common seal of the Council to the Contract documents where appropriate.

Attachments

- 1 Confidential Memorandum - Circulated to Councillors only 3 Pages

EXECUTIVE SUMMARY

Council currently operates a range of trucks which are dedicated to maintenance or service based activities across the Shire.

A number of these units are at, or approaching the point where they need to be replaced.

A public tender was called via Procurement Australia (which is fully compliant with Councils obligations and of which Cardinia is a participant) for the replacement of six tip trucks used for roads and drainage maintenance. A total of five organisations responded to this tender and were assessed by Councils tender panel.

Pricing for a further two prime movers, one of which is used for road maintenance and the other pulls the Casey Cardinia mobile library trailer was sought under MAV Procurement Panel NP04-13.

A Volvo truck (to be supplied by CMV truck and bus) was evaluated as offering the best overall value for Council for these replacements, which will be staggered by up to 12 months to match replacement need and manage budgets.

BACKGROUND

Council's Operations department currently use a fleet of ten tip trucks and two semi-trailers, which are dedicated to supporting road and drainage maintenance activities across the Shire. A number of these trucks are past their normal replacement date and need to be updated.

In preparation of this replacement a review of the configurations of the trucks was undertaken to drive the best possible productivity, versatility and safety outcomes. From this review, the capacity of two of the drainage trucks will be increased to support greater efficiency, and enable more effective use for road maintenance when required, and two existing tipper body units will be replaced with live floor body units. The live body floor provides the capacity to spread rock more easily in locations where there is overhead vegetation or services, and eliminates the risk of contact with these services (as the body conveys the material to the rear using a moving floor rather than requiring the body to elevate to unload).

The two prime movers are assigned to very different duties. The unit to be purchased for using in road maintenance pulls a large capacity live floor body or a large capacity water tank dependent on the season. The second unit will pull the soon to be delivered new Cardinia mobile library trailer. This is the busiest mobile library in the state, with approximately 57,000 visits per annum, operating 6 days a week and servicing 11 rural towns within Cardinia Shire. This mobile library service supports the vast majority of the Shire with the only other permanent libraries situated in Pakenham and Emerald.

Replacement of these is in line with Council's long term plant replacement program, with a number of units more than 10 years old (oldest is a 2004 model) and being to be less reliable.

Replacement now is desirable to avoid more significant maintenance cost, loss of production time and maintenance effort which negatively impacts our service levels.

The recognised benefits for the Council and community will include:

- A more reliable fleet with minimal down time, thus maximising the opportunities to maintain essential services
- 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 for both staff and public with improved engineering solutions and safety functionality.

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

An effective plant replace program is required for effective and efficient delivery of essential services which support the following council plan items:

- 1.1 Access to a variety of services for all (Library trailer)
- 3.1.1 Maintain all Council roads and supporting infrastructure in accordance with the Road Management Act 2004.

- 3.1.3 Provide accessible facilities to meet identified community needs. (Library trailer)
- 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.

CONSULTATION/COMMUNICATION

Council's operational, and drivers working on the Library trailer staff has been consulted with in regards to the suitability and evaluation of the recommended equipment.

FINANCIAL AND RESOURCE IMPLICATIONS

Funding for these purchases are included in the 19/20 approved budget and 20/21 provisions for plant replacement.

CONCLUSION

It is recommended that Council accept the following as the best value option for the Shire:

1. The proposals submitted by CMV Truck and Bus Pty Ltd (Volvo dealer) through Procurement Australia to purchase six off heavy rigid trucks fitted with suitable bodies at a total cost of \$1,868,330.00 (excl. GST) plus statutory charges, with delivery over up to 12 months be accepted.
2. The proposal submitted by CMV Truck and Bus Pty Ltd (Volvo dealer) under MAV Australia Panel arrangement NPN04-13 be accepted for the purchase of up to two prime movers at a total cost of \$416,454.54 (excl. GST) plus statutory charges, with delivery over up to 12 months be accepted.

16 CONTRACT 19/34 - SUPPLY AND DELIVERY OF HEAVY TRUCKS

Moved Cr G Moore Seconded Cr L Wilmot

That Council:

1. Accept the proposal submitted by CMV Truck and Bus Pty Ltd (Volvo dealer) through Procurement Australia (ref 1908-0905) to purchase six off heavy rigid trucks fitted with suitable bodies at a total cost of \$1,868,330.00 (excl. GST) plus statutory charges, with delivery over up to 12 months be accepted.
2. Accept the proposal submitted by CMV Truck and Bus Pty Ltd (Volvo dealer) under MAV Australia Panel arrangement NPN04-13 Trucks for the purchase of up to two prime movers at a total cost of \$416,454.54 (excl. GST) plus statutory charges, with delivery over up to 12 months be accepted.
3. Advise all proponents accordingly;
4. Affix the common seal of the Council to the Contract documents where appropriate.

Cd.

17 CONTRACT 19/36 - GEMBROOK NETBALL COURT CONSTRUCTION

FILE REFERENCE INT1993240

RESPONSIBLE GENERAL MANAGER Peter Benazic

AUTHOR Thomas Nicholls

RECOMMENDATION

That:

1. The tender submitted by AS Lodge Pty Ltd to undertake the works associated with Contract 19/36 Gembrook Netball Court Construction be accepted by Council for the contract sum of \$504,580.00 (Excl. GST);
2. Council advise 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

Gembrook Netball Club is located at the Gembrook Recreation Reserve. The site currently accommodates two tennis courts which are in poor condition and require replacement. Council is looking to upgrade the netball courts at Gembrook Recreation Reserve to increase local and surrounding member participation and provide better facilities for the community.

The renewal works include two new netball courts, lighting, shelters, competition surfacing and fencing.

This report provides consideration for the appointment of a suitably qualified contractor to undertake the construction works.

The tender for the Gembrook Netball Courts submitted by AS Lodge Pty Ltd is the most advantageous for Council, providing the best value for money and excellent service through their experience in court construction.

It is therefore recommended that Contract 19/36 for the construction of tennis courts at Gembrook Recreation Reserve be awarded accordingly.

BACKGROUND

Gembrook netball courts are in poor condition with deteriorating surface, damaged fencing and no lighting for practice or competition. The condition of the current courts make it difficult to attract new local membership. The new netball court design allows for two new netball courts on a professional acrylic surface with lighting, shelters and fencing.

Tenders were advertised on 21 September 2019 and closed on 15 October 2019. A total of eleven (11) tenders were received.

Tenders were evaluated against weighted and non-weighted criteria, which consisted of compliance with the specifications, financial viability, risk and insurance, compliance to conditions of contract, conflict of interest, OHS, 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 Netball Court Construction be awarded to AS Lodge Pty Ltd for a sum of \$504,580.00 (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 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

There is sufficient funding available within the 2019/20 Capital works to award these works.

CONCLUSION

The tender submitted by AS Lodge Pty Ltd for the Gembrook Netball Court Construction is considered to be the most beneficial to Council and it is recommended that Contract 19/36 Gembrook Netball Court Construction be awarded to AS Lodge Pty Ltd for \$504,580.00 (Excl. GST).

17 CONTRACT 19/36 - GEMBROOK NETBALL COURT CONSTRUCTION

Moved Cr B Owen Seconded Cr L Wilmot

That:

1. The tender submitted by AS Lodge Pty Ltd to undertake the works associated with Contract 19/36 Gembrook Netball Court Construction be accepted by Council for the contract sum of \$504,580.00 (Excl. GST);
2. Council advise the remaining Tenderers accordingly; and
3. The common seal of the Council be affixed to the contract documents.

Cd.

18 MAJOR PROJECTS REPORT

FILE REFERENCE INT1994521

RESPONSIBLE GENERAL MANAGER Peter Benazic; Tracey Parker

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

RECOMMENDATION

That 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 in progress. It includes an update on major projects, capital works, special charge schemes and asset management current at the time of this report.

CONCLUSION

This regular activity report is provided for Councillors' information.

Recreation 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 to be complete in the coming weeks.
Update	<p>Asphalt to the internal roads and car parks is complete, as well as installation of line marking and signage. Application of the acrylic surfaces to the netball & basketball courts has been completed.</p> <p>The play space works, planting and landscaping netball, basketball and practice cricket areas are also complete.</p> <p>Construction of the ovals is complete. The ovals have been sprayed and will be re-sown in the next few weeks to supplement the sprigging that has occurred to date.</p> <p>The reserve and 'community and sport hub' was officially opened on Monday 25 November by reserve was officially opened by the Hon</p>

Adem Somyurek MP, Minister for Local Government and Ms Jordan Crugnale MP, Member for Bass.

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 of the pavilion was completed in October 2019.
Update	The reserve and 'community and sport hub' was officially opened on Monday 25 November by the Hon Adem Somyurek MP, Minister for Local Government and Ms Jordan Crugnale MP, Member for Bass. User groups are due to occupy in early 2020.

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 plants.
Funding	This project is jointly funded by Council and the Andrew's Foundation and is part of the Deep Creek Reserve.
Timelines	The nursery, including driveway access areas, will be completed by end of November/early December 2019.
Update	Despite challenging weather conditions, works are progress and driveway works are to be completed and Certificate of occupancy issued.

Pepi's Land Netball pavilion

Project description	Pavilion change room facility for the new netball courts providing home and away change/shower facilities, kitchen kiosk, and external amenities.
Funding	The project is funded by Council.
Timelines	This project is due for completion in October 2020.
Update	A separate Council report will be tabled at the December Council meeting recommending a contractor to undertake works.

Bunyip Recreation Reserve soccer pavilion

Project description	Construction of a new pavilion providing soccer and cricket activities.
Funding	Council and the Victorian Government's Building Better Regions Fund are jointly funding this project.
Timelines	This project is due for completion by March 2020.
Update	Internal plaster works are complete. Fit out works are progressing and external works have commenced.

Worrell Recreation Reserve pavilion upgrade

Project	Construction of a new pavilion for football and cricket, including a
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description	ground level gym for community use.
Funding	The project is fully funded by Council
Timelines	This project is due for completion March 2020.
Update	The concrete slab and steel structure are complete with external blockwork walls nearing completion. Roofing framework has commenced.

Lang Lang Community and Recreation Precinct pavilion

Project description	The construction of a major recreation and community precinct is being undertaken in partnership with the Lang Lang Community Bank. It will include sporting facilities for football, cricket and netball and multi-purpose community spaces.
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. Council has received \$1.5 million from the Australian Government's Building Better Regions Fund. Council and our partners have so far committed \$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 February 2020.
Update	Depending on weather conditions, the external landscaping and paving will be substantially completed by the end of December. Internal finishes and fit-out are progressing.

Comely Banks Recreation Reserve pavilion

Project description	Construction of a new pavilion providing rugby, football, cricket, and bowls activities, social multi-purpose spaces, Kitchen / Kiosk and toilet facilities .
Funding	Council and the Victorian Government Growing Suburbs Fund jointly fund this project
Timelines	Pavilion construction is due to be completed in October 2020.
Update	The under-slab services have been installed and sections of the concrete slab are being made ready for concrete pour.

Koo Wee Rup Recreation Reserve football/cricket pavilion upgrade

Project description	Removal of existing change room facilities and construct new football/cricket change room facilities, gym, meeting and community rooms, male /female/assessable public toilets.
Funding	Council, the Victorian Government and the Australian Government (Building Better Regions Fund Program) are providing funding for this project.
Timelines	The project is due for completion by June 2021.
Update	The schematic documentation has commenced.

Koo Wee Rup Recreation Reserve netball pavilion upgrade

Project description	Removal of existing netball change room facilities and construct new netball pavilion, providing home and away change, canteen, social room and office, public assessable toilets and unisex toilets.
Funding	Council and the Victorian Government are funding this project.
Timelines	The project is due for completion by June 2021.
Update	The schematic documentation has commenced.

Koo Wee Rup Tennis Club upgrade

Project description	This project includes the construction of two new tennis courts, the refurbishment of the existing tennis courts, which include acrylic surfacing, improved lighting and shelters, and the conversion of the swimming clubroom to a tennis club facility.
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 due to be completed by April 2020.
Update	The contractors have established themselves on site and the tennis clubroom works have commenced.

Cora Lynn change room pavilion upgrade

Project description	Construction of new change rooms at Cora Lynn Recreation Reserve.
Funding	This project is jointly funded by Council and the Victorian Government through Community Sports Infrastructure Loan Funding.
Timelines	Project is currently awaiting approval of the revised scope and loan amount before an appropriate timeline can be confirmed.
Update	The final concept scheme and revised cost estimate have been submitted to Victorian Government for Ministerial approval.

Beaconsfield Recreation Reserve (Perc Allison pavilion)

Project	Upgrade of the existing change room pavilion to provide unisex change room facilities, umpires change rooms, first aid and strapping room, gym, time-keepers room and a
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description	spectator viewing area.
Funding	Council and the Victorian Government's Community Sports Infrastructure Fund jointly fund this project
Timelines	This project is due for completion November 2020.
Update	The Committee of Management are currently reviewing the schematic documentation. Once approved, the project will move to detailed design stage.

Officer Recreation Reserve No. 2 (Western) oval reconstruction

Project description	Reconstruction of the western oval at the Officer Recreation Reserve, Starling Road Officer. The works include, but are not necessarily limited to, re-orientation, re-shaping and re-surfacing of the oval and the installation of subsurface drainage, irrigation and perimeter fence. 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.
Funding	This project is fully funded by Council.
Timelines	Grass to be planted in November. Establishment period to extend into 2020.
Update	The oval had been sown with rye grass over the winter which will be sprayed out. Couch has been planted now that ground temperatures have warmed up, to enable growth. A practical completion inspection on the civil works has been undertaken.

Officer Recreation Reserve (Western) oval pavilion

Project description	Upgrade works to the existing pavilion providing female friendly amenities and provisions.
Funding	Council and the Victorian Government (Sports and Recreation Victoria) jointly fund this project.
Timelines	This project is due for completion in June 2020.
Update	Detailed design documentation is progressing well.

Koo Wee Rup Secondary School pavilion

Project description	New pavilion for the upgraded football oval, providing unisex change room facilities, umpire change rooms, unisex amenities, canteen /kiosk, storage, cleaners' room and covered spectator area.
Funding	The project is funded by the Victorian Government (Victorian School Building Authority).
Timelines	This project is due for completion in July 2020.
Update	Revised schematic documentation is with user groups for review and consideration.

Koo Wee Rup Primary and Secondary School oval upgrades

Project description	<p>Reconstruction of the Koo Wee Rup Primary School oval and the adjacent Koo Wee Rup Secondary School oval.</p> <p>The primary school oval upgrade includes new sub surface drainage, two new cricket nets and some portable barrier netting to protect school infrastructure.</p> <p>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.</p>
Funding	<p>The primary school upgrade is funded by Sport and Recreation Victoria and Council.</p> <p>The secondary college is funded by the Victorian Government's Department of Education of which a portion is allocated for the oval upgrade works.</p>
Timelines	Works are expected to be completed in early January 2020 (Due to wet weather at the start of the project and during late spring, the contractor has been experiencing delays on site).
Update	<p>Earthworks and drainage installation to the Primary School oval are complete. The centre wicket and cricket practice areas have been poured and synthetic installation has commenced.</p> <p>Earthworks to the Secondary School oval are complete and the spoon drain and drainage are nearing completion. The bore is also complete and the irrigation tank installation will commence shortly.</p>

Gembrook Leisure Park redevelopment

Project description	The construction of a new reserve including a new skate park, playground, half-court basketball/netball, shelters, BBQs and open space. The public toilets will also receive an upgrade.
Funding	Council, the Australian Government's Building Better Regions Fund (\$500,000) and the Victorian Government's Growing Suburbs Fund (\$500,000) jointly fund this project.
Timelines	Works are due for completion by mid December 2019.
Update	Works are being finalised with a community opening on Friday 20 December in line with the toilet upgrade works being completed.

Gembrook Reserve pavilion

Project description	Redevelopment and extension of the existing pavilion, providing unisex change rooms, umpire change rooms, accessible amenities, first aid, gym, additional social room and provide accessible servery areas. There is a minor upgrade to the existing kitchen and social room areas, reconfiguring of the kiosk servery counter, updating the spectator viewing lounge and time-keeper room at first floor level, providing lift access to first floor level.
Funding	Council and the Australian Government jointly fund this project.

Timelines Works are due for completion February 2021.

Update A separate report will be presented to this Council meeting recommending contractor to undertake works.

Toomuc Reserve Northern pavilion

Project description Redevelopment of the ground floor area of the existing pavilion to provide netball change facilities with operable walls, umpire change rooms, and unisex amenities. Retrofit existing football/cricket change room amenities/umpire room amenities and modification of First Aid room.

Funding Council, Sport Australia Community Sport Infrastructure Program and the Australian Government jointly fund this project.

Timelines This project is due for completion May 2021.

Update A design consultant has been appointed.

Toomuc Reserve Southern pavilion and little athletics/baseball facility

Project description Redevelopment of the junior football and cricket pavilion to include:

- two sets of change rooms with unisex amenities, unisex accessible change room, accessible unisex public toilet, male and female public toilets, unisex umpires change room with operable wall
- canteen/kiosk (servicing both ovals) and cool room
- meeting space/office
- internal and external storage
- first aid room
- social space and associated storage
- external spectator viewing, and timekeepers room

Improvements to the existing little athletics and baseball facilities to upgrade of canteen, storage space, change rooms and amenities, first aid room, accessible public toilets and external covered viewing area.

Funding Council, the Australian Government and the Victorian Government’s Sport & Recreation Victoria Fund jointly fund this project.

Timelines This project is due for completion May 2021.

Update A design consultant has been appointed.

Roads

2019-20 Reseal and rehabilitation program

Project description	The significant proactive maintenance and upgrade of Council's 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	It is anticipated that the program will be complete by the end of May 2020.
Update	The annual reseal, rehabilitation programs for 2019–20 was presented at the November Council meeting and was endorsed by Council. Contract documents are being finalised and works are being programmed.

Blackspot Project – Main Drain Road South

Project description	A 2.3km section of Main Drain Road South, Bunyip, from Bunyip Modella Road to 13 Mile Road, has been identified for blackspot works. The work includes installing guardrail along both sides of the road.
Funding	The Federal Government fully funds this project through their Black Spot Program.
Timelines	The project is due for completion by February 2020
Update	Safety Barrier Solutions were awarded the tender for this project at Council's meeting in November. Contract documents are being finalised and preliminary works have commenced.

Blackspot Projects – successful 2019–20 applications

Project description	<p>Council have been successful in obtaining funding for three Blackspot projects this year. The projects are:</p> <ol style="list-style-type: none"> 1. The installation of safety barriers and audio tactile edge line marking along Paternoster Road, Emerald between Emerald–Beaconsfield Road and Bailey Road. 2. The installation of safety barriers, sealed shoulders and tree removal along Avon Road, Cockatoo between Woori Yallock Road and Kennedy Road. 3. The installation of safety barriers, sealed shoulders, tree removals and audio tactile edge line marking along Bessie Creek Road, Nar Nar Goon North between Seymour Road and Moore Road.
Funding	These projects are fully funded by the Australian Government's Blackspot Program.
Timelines	The project is due for completion mid-2020.
Update	Funding applications and designs are being finalised. It is planned for these works to be tendered by March 2020.

2019-20 Unsealed road re-sheeting program

Project description	The unsealed roads re-sheeting program is aimed to refurbish approximately 90 kilometres of unsealed roads throughout the shire. This project involves refurbishment of the road pavement and surface drainage, utilising in-situ materials as well as new crushed rock where required. These works are aimed at improving the road surface to enable greater longevity and an improved experience for road users.
Funding	The program is fully funded by Council.
Timelines	It is anticipated that the program will be completed by June 2020.
Update	This project has commenced, with 80 kilometres of roads refurbished to date.

Paths, drains and bridges

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 March 2020.
Update	The required approvals from the relevant authorities have been granted and fabrication of structural elements is nearing completion. Local schools and other user groups have been contacted regarding the projects progress and will continue to be informed. Environmental impact assessments and cultural heritage investigations are currently underway and due for completion late December 2019 - early January 2020.

Pepi's Land dam

Project description	Reconstruction of lower dam at Pepi's land, Emerald.
Funding	This project is fully funded by Council
Timelines	Council are seeking to have an agreed solution this calendar year to notify the community of and then for repair works to be implemented in 2020.
Update	<p>A leak in the lower dam was discovered on 2 August. The leak was slowly flowing out around the old irrigation pipe, located on the outside of the bottom of dam. Expert dam and hydraulic engineers advised to lower the depth of water in the dam by approximately 2m as an interim measure to reduce the risk of any further damage occurring. This has been done and it looks to have stopped any further deterioration. Investigations are currently underway to determine best option for remediation of dam wall.</p> <p>Flora and fauna survey are underway and these will inform remediation design and controls of construction process</p>

2018-19 Drainage program

Project description	The maintenance and upgrading of Council’s drainage network.
Funding	The program is fully funded by Council.
Timelines	This program is due to be completed by end of June 2020.
Update	<p>As a result of the drainage investigation undertaken at the intersection of Rossiter Road and Station Street in Koo Wee Rup, Department of Transport (VicRoads) funding has been sought in order to implement one of the designed solutions proposed in the report.</p> <p>The drainage investigation into the stormwater issues in Suffolk Avenue Cockatoo is currently underway with the final report expected before Christmas, based on this report, works will be programmed for the next financial year.</p> <p>The consultant have completed the final design of the Caroline Avenue stormwater drainage realignment and upgrade, the latest draft of the plan ensures that existing easements within properties to the north can be utilised in constructing the new drainage line. All that is required now to undertake the works is the establishment of a new easement on land forming part of the Cockatoo Primary School, an agreement has been prepared and once finalised works will commence a few weeks later</p>

2019-20 Footpath maintenance program

Project description	The maintenance of Council’s existing footpath network, as set out in Council’s Road Management Plan (RMP).
Funding	The program is fully funded by Council.
Update	The inspection of Council’s entire footpath network was completed mid-2019 and the high priority paths were completed in November in line with the adopted Road Management Plan. Works have commenced on addressing defects on the highest priority issues.

2019-20 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 2019-20 are listed below:
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Funding	The \$800,000 program is fully funded by Council through the footpath and pedestrian and bicycle strategy programs.
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Footpath location	Status
Leigh Dive, Pakenham (missing section across properties 51,53 and 53A)	Completed
Belgrave-Gembrook Road, Avonsleigh (connect path to bus stop near Margaret Road)	
High Street, Bunyip (south of roundabout with A’Beckett Road – missing	Completed

link)

Fieldstone Boulevard, Beaconsfield (pram Crossings at Holm Park Road Intersection)	Awaiting DoT Approval
Malouf Court, Pakenham (end of Malouf Court to Henry Road)	Completed
Webster Way, Pakenham (existing path to bus stop opposite 104)	Completed
Kenilworth Avenue, Beaconsfield (approx. 120m north of Soldiers Road to station)	Completed
Belgrave Gembrook Road, Cockatoo (connect footpath to bus stop opposite Amphlett Avenue)	
Slattery Place, Pakenham (Railway Avenue north for approx. 235m racecourse development)	Completed
Ahern Road, Pakenham (missing link outside No.118)	Completed
Old Princes Highway, Beaconsfield (Desmond Court to Princes Freeway off ramp signalised intersection-south side)	Awaiting DoT approval
Princes Highway, Pakenham (path from Racecourse Road north to Princes Highway to bus stop opposite Army Road)	Completed
Emerald-Beaconsfield Road, Emerald (opposite Kings Road to Crighton Road - east side)	Completed
Neville Street, Cockatoo (in front of No. 22 creates a link from Alma Treloar Reserve to Steane Street and Midnight Avenue)	
Steane Street, Cockatoo (between No.3-7 that create a link between Midnight Avenue and existing path through to Alma Treloar)	
Princes Highway, Pakenham (connect bus stop between James Street and Henry Street to footpath network)	Completed
Ahern Road, Pakenham (from No.143 to No.165)	Partially completed. Another 100 metres of path to be constructed once existing subdivision work within the location is completed.
Rosebury Street, Lang Lang (Western Port Road to Carnarvon Street)	Completed
Payne Road, Beaconsfield (Emerald-Beaconsfield Road to opposite No.90) (gravel)	
Kenilworth Avenue, Beaconsfield (Station Street west to Bus Stop)	Title boundaries being

established and
designs prepared

Windermere Boulevard, Pakenham (installation of flashing zebra crossing)

Completed

Other capital projects

Hill's Hub

Project description	The Hill's Hub is 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, other stakeholders, and includes new public amenities. 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 in providing this 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	The Hill's Hub is due for completion by February 2020.
Update	All works are continuing to progress to achieve the February 2020 deadline.

Operations Centre solar electricity system

Project description	Installation of a solar electricity system for the Operations Centre new office building.
Funding	This project is funded by Council.
Timelines	This project is due for completion in 2020.
Update	Options are being investigated for appropriate solar electricity system to be installed.

Timbertop Integrated Children's Centre

Project description	Proposed new Children's Learning Centre.
Funding	The project is funded by Developer Contribution and the Victorian Government (Victorian School Building Authority).
Timelines	This project is planned to open by January 2021, however is being hampered by land acquisition issues from the developer.
Update	Detailed design documentation is nearing completion.

Rix Road Integrated Children's Centre

Project description	Proposed new Children's Learning Centre.
Funding	The project is funded by Developer Contribution and the Victorian Government (Victorian School Building Authority).

Timelines	This project is planned to open by January 2022.
Update	The concept design documentation has commenced.

18 MAJOR PROJECTS REPORT

Moved Cr L Wilmot Seconded Cr G Moore

That the major projects report be received and noted subject to the removal of the section of footpath between 3-7 Steane Street, Cockatoo from the footpath construction program as this section of footpath is not required.

Cd.

REPORTS OR MINUTES OF COMMITTEES

The Mayor advised that reports from various committees have been tabled in addition to the minutes of recent council briefing sessions and these are available in the minutes if any councillors wish to view them.

REPORTS BY DELEGATES

Cr Brett Owen advised of his attendance at an event celebrating the 10th Anniversary of the Beaconsfield Branch of the Bendigo Community Bank that had distributed \$350,000 to the local community over this time.

Cr Brett Owen reported on his attendance at the Puffing Billy Kids Fun Run with Thomas in Gembrook that raised close to \$50,000 for the Monash Children's Hospital and congratulated the Emerald and District Rotary Club on their efforts.

Cr Brett Owen reported on his attendance at a recent morning tea held by the Casey Cardinia Foundation where \$17,000 in grants were distributed. Cr Owen noted that the Foundation had also assisted in providing over \$100,000 in grants to persons affected by the Bunyip Bushfires.

Cr Brett Owen reported on his attendance at the 20th Birthday Party of the Gembrook Craft Group held in the Cottage on Redwood Road

Cr Brett Owen reported on his attendance in company with the Mayor at a Forum held in Upper Beaconsfield with the topic of bushfire preparedness and congratulated the Upper Beaconsfield Association on the conduct of the event.

Cr Brett Owen reported on his attendance at an information session regarding major roads projects noting the works to be undertaken in Beaconsfield regarding the freeway access and works to O'Shea Road.

Cr Graeme Moore advised of his attendance at a celebration BBQ at Council's Depot to celebrate Movember and acknowledged the raising of over \$20,000 by Council staff.

Cr Graeme Moore advised of his attendance at the 4th annual geography students outreach awards celebration

Cr Graeme More advised of his attendance at the recent Harold Bould Award luncheon where the 2019 recipients were announced noting that the Award was now called the Bould/Young Award to recognise the late Wilma Young's contribution to the RSL

Cr Collin Ross advised of his attendance in company with his family and Cr Brett Owen and family and family at a recent Christmas celebration event at Timbertop.

The Mayor also commented on his attendance at the forum arranged by the Upper Beaconsfield Association regarding bushfire preparedness noting that approx. 250 people were in attendance

The Mayor advised of his attendance at the Sounds of Nature event held at Gumbuya World.

The mayor advised of his attendance at an event coordinated by Fernlee House in Emerald noting the work undertaken at the respite facility.

The Mayor advised of his attendance at a morning tea held at the Lady Lavender tea rooms in appreciation of the efforts of those persons involved in bushfire recovery efforts.

The Mayor advised that the Council had been awarded the 2019 VicHealth Award for promoting healthy eating through the Cardinia Food Circles program and congratulated the staff members involved and the Councils partner organisation Sustain on the Award.

Meeting closed at 8.53pm

Minutes Confirmed
Chairman