

# **Ordinary Council Meeting**

## **Minutes**

Monday 21 June 2021

Commenced at 7:00 PM

Council Chambers  
20 Siding Avenue, Officer  
Victoria



## Order of Business

<b>1</b>	<b>Opening And Prayer.....</b>	<b>4</b>
<b>2</b>	<b>Acknowledgements.....</b>	<b>4</b>
<b>3</b>	<b>Apologies.....</b>	<b>4</b>
<b>4</b>	<b>Adoption And Confirmation Of Minutes.....</b>	<b>4</b>
<b>5</b>	<b>Declaration Of Interests.....</b>	<b>4</b>
<b>6</b>	<b>Ordinary Business.....</b>	<b>6</b>
6.1	General Reports.....	6
6.1.1	Adoption Of Council Plan 2021-25 And Community Vision 2040.....	6
6.1.2	Adoption Of Budget 2021-25, Financial Plan 2021-31 And Revenue And Rating Plan 2021-25.....	40
6.1.3	Notice Of Motion 1064 - Gender Equity & Equality Update.....	203
6.1.4	Casey Cardinia Libraries Library Plan And Draft Budget 2021-22.....	207
6.1.5	Public Toilet Strategy 2020 - 2030.....	268
6.1.6	Appointment Of Acting Chief Executive Officer.....	427
6.2	Financial Reports.....	429
6.2.1	Contract 20/10 - Construction Of Urban And Rural Roads.....	429
6.2.2	Contract 20/63 - New My Place Youth Centre Facility Relocation And Expansion.....	432
6.2.3	Extension Of Short-Term Recycling Processing Agreement.....	442
6.3	Activity Reports.....	458
6.3.1	Major Projects Report.....	458
<b>7</b>	<b>Reports Or Minutes Of Committees.....</b>	<b>473</b>
<b>8</b>	<b>Reports By Delegates.....</b>	<b>473</b>
<b>9</b>	<b>Presentation Of Petitions.....</b>	<b>473</b>
<b>10</b>	<b>Notices Of Motion.....</b>	<b>474</b>
10.1	Notice of Motion 1065 Cr Collin Ross.....	474

<b>11 Community Questions .....</b>	<b>474</b>
<b>12 Urgent Business.....</b>	<b>474</b>
<b>13 Councillor Questions .....</b>	<b>474</b>
<b>14 Confidential Business.....</b>	<b>475</b>

## **1 Opening And Prayer**

Meeting opened at 5:45pm, the Mayor called for a motion to close the meeting to the public to consider a confidential item.

Moved Cr Jeff Springfield, Seconded Cr Tammy Radford.

Carried

The Mayor called for a motion to open the meeting to the public.

Moved: Jeff Springfield. Seconded: Graeme Moore.

Carried.

The meeting was adjourned at 6:00pm to resume at 7:00pm to consider general business.

I would ask those gathered to join us now for a few moments of silence as we reflect on our roles in this chamber. Please use this opportunity for reflection, Prayer or thought, to focus on our shared intention to work respectfully together for the well-being of our whole community.

## **2 Acknowledgements**

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

## **3 Apologies**

Nil.

## **4 Adoption And Confirmation Of Minutes**

Moved Cr Graeme Moore, seconded Cr Jack Kowarzik

That minutes of the following meetings be confirmed:

- General Council meeting 17 May 2021
- Town Planning Committee 7 June 2021

Carried

## **5 Declaration Of Interests**

Nil.

Before moving to general business, the Mayor acknowledged the latest recipients of the OAM. The Mayor also spoke on the recent storm affected residents of Victoria.

## 6 Ordinary Business

### 6.1 General Reports

#### 6.1.1 Adoption of Council Plan 2021-25 and Community Vision 2040

**Responsible GM:** Jenny Scicluna

**Author:** Peter Philp

#### Recommendation(s)

That Council:

1. Adopts the draft Council Plan 2021-25 and the Community Vision 2040.
2. Acknowledges and thanks the Cardinia Shire community for its contribution to the development of the Council Plan and Community Vision through the Imagine Cardinia engagement program.

#### Attachments

1. Draft Council Plan 2021-25 [6.1.1.1 - 31 pages]

#### Executive Summary

To consider adoption the of the draft Council Plan 2021-25 and the Community Vision 2040, following the Imagine Cardinia community engagement process undertaken in accordance with the relevant provisions of the Local Government Act 2020 and Council's Community Engagement Policy.

#### Background

Following extensive community engagement activities, undertaken in accordance with the relevant provisions of the Local Government Act 2020 and Council's Community Engagement Policy, the draft Council Plan 2021-25, inclusive of the Community Vision 2040, was released for the final round of public comment on Wednesday 21 April 2021, for a 28-day period.

Public comments relevant to the draft Council Plan 2021-25 were received. In response to the feedback received, and in conjunction with Councillor review and input, several amendments to the draft Council Plan 2021-25 are proposed. These amendments are reflected in *Attachment 1 – Draft Council Plan 2021-25 (including Community Vision 2040)*.

For the purposes of adoption, the Draft Council Plan and Community Vision have been provided in a simplified word format. Following endorsement, the plan and vision will be designed and published in accessible formats both in hard copy and online.

After extensive community engagement, Council's focus areas for the next four years will be:

- Strong Communities
- Liveable Places
- Thriving Environments
- Prosperous Economies
- Responsible Leaders

Having complied with the provisions of the Local Government Act 2020, and Council's Community Engagement Policy, Council is now in a position to adopt the draft Council Plan 2021-25 and the Community Vision 2040.

### **Policy Implications**

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

### **Relevance to Council Plan**

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

### **Climate Emergency Consideration**

Relevant considerations to the climate emergency have been made during the development of the draft Council Plan 2021-25, and are reflected within the content of the document.

### **Consultation/Communication**

Extensive consultation with the Cardinia Shire community, Council staff and Councillors has led to the development of the draft Council Plan 2021-25. The Community Vision 2040 was developed by a representative group of Cardinia Shire community members, the Imagine Cardinia People's Panel.

Council has exceeded the legislative requirements on the level and quality of community consultation required for the draft Council Plan 2021-25 and the Community Vision 2040, through undertaking a rigorous deliberative engagement process with the Imagine Cardinia People's Panel, as well as providing multiple opportunities for the wider community to provide feedback.

### **Financial and Resource Implications**

The strategies and initiatives identified in the draft Council Plan 2021-25 are to be funded through the Council Budget, as detailed in the Financial Plan.

### **Conclusion**

Having complied with the provisions of the Local Government Act 2020, and Council's Community Engagement Policy, Council is now in a position to adopt the draft Council Plan 2021-25 and the Community Vision 2040.

**Resolution**

Moved Cr Jack Kowarzik, seconded Cr Jeff Springfield.

That Council:

1. Adopts the draft Council Plan 2021-25 and the Community Vision 2040.
2. Acknowledges and thanks the Cardinia Shire community for its contribution to the development of the Council Plan and Community Vision through the Imagine Cardinia engagement program.

Carried



## 6.1.2 Adoption of Budget 2021-25, Financial Plan 2021-31 and Revenue and Rating Plan 2021-25

**Responsible GM:** Debbie Tyson

**Author:** Scott Moore

### Recommendation(s)

That Council, having completed the deliberative community engagement process in respect of the Financial Plan 2021-31, Budget 2021-25, and Revenue and Rating Plan 2021-25 consistent with Council's Engagement Policy, including the review and consideration of community feedback submissions at a Council Briefing on Monday 24 May 2021, resolves as follows:

1. The Financial Plan, Budget, and Revenue and Rating Plan annexed to this resolution be adopted for the purposes of sections 91, 93, and 94 of the *Local Government Act 2020* and section 161 of the *Local Government Act 1989*.
2. The declaration and levy of rates and charges for the 2021-22 financial year contained within the Budget annexed to this resolution be adopted for the purposes of section 94 of the *Local Government Act 2020* and sections 157-158 and 161-163 of the *Local Government Act 1989*.

### Attachments

1. Financial Plan 2021-31 [6.1.2.1 - 39 pages]
2. Budget 2021-25 [6.1.2.2 - 86 pages]
3. Revenue and Rating Plan 2021-25 [6.1.2.3 - 24 pages]
4. Summary of Budget Engagement Submissions [6.1.2.4 - 8 pages]

### Executive Summary

To consider adoption of the Financial Plan, Budget, and Revenue and Rating Plan for the forthcoming financial year and future years.

### Background

A Financial Plan for the years 2021-22 to 2030-31 has been developed to assist Council in adopting a budget within a financially responsible longer-term framework. The key objective of the Financial Plan is to maintain financial sustainability and stability in the long term, while achieving Council's strategic objectives outlined in the Council Plan.

The Proposed Budget 2021-25 has been developed through a comprehensive process of review, including three Councillor workshops and four Councillor briefings. The budget also considered the Community feedback received during the *Imagine Cardinia* engagement process. This budget focuses on operating efficiently and effectively in a financially responsible way to meet community needs and to deliver on the commitments in the new Council Plan 2021-25.

Council engaged with the community through various channels, such as online surveys, *Connect* surveys, postcards and took a deliberative engagement approach. Council called upon community members to participate in the very first People's Panel, a panel that represented the diversity of Cardinia's residents, age groups and different townships. The Panel worked collaboratively with officers and deliberated on the wider community feedback to

help form Cardinia Shire's first ever Community Vision. This is a proud achievement for the organisation to help build a community, which will have intergenerational benefit through a long-term vision.

This budget was developed within a proposed 1.5% rate increase for 2021-22 (2.0% in 2020-21) consistent with the Average Rate Cap determined by the Minister for Local Government on 22 December 2020. This rate increase has been able to be achieved due to positive financial performance by Council over the last 6 years, which has allowed Council to absorb the lower rate increases proposed as part of this budget.

The proposed budget for 2021-22 is a surplus of \$89.385 million, before adjusting for capital and other abnormal items. After these adjustments, the adjusted underlying result is a deficit of \$0.262 million, which is \$2.406 million less than the 2020-21 forecast underlying surplus of \$2.144 million. An average unit cost increase of 6 per cent for the residential garbage service charge is proposed to subsidise the increased recycling contract costs and the new landfill levy of \$20 per tonne proposed by the State government. Council plans to supplement the cash flow from new loan borrowings of \$12.110 million in 2021-22 to fund a significant and progressive capital works program totalling \$98.487 million, including carry overs.

The ongoing challenge for Council is that approximately 77% of Council's adjusted underlying revenue is received via rates and charges, with the remainder primarily consisting of government grants, fees and charges, and contributions from developers. While Council has worked to reduce costs to a level where it is one of the lowest cost providers of services, the ability to continue to find efficiencies and savings into the future will be challenging without potential reductions in services or service levels. The budget provides for a significant capital program to continue to support the local economy and job creation. Council continues to work with the Victorian Government and local partners on relief planning.

The financial plan adopted as part of its 2021-22 budget has been developed to ensure that Cardinia residents continue to be serviced with resources and facilities consistent community service expectations.

In a lower rating environment, it is important that a balanced budget be achieved in future years to ensure Council can continue to meet current and future needs of its residents. The proposed budget attempts to balance the need to deliver infrastructure and services, while also providing the best possible value for residents and recognising the need for careful financial management during the COVID-19 period.

The proposed budget is based on key principles, including:

1. Maintain financial sustainability in the medium to long term, while achieving Council's strategic objectives as specified in the Council Plan.
2. Maintain key services at existing levels.
3. Achieve long term adjusted underlying surplus.
4. Effectively manage the Asset Renewal Gap.
5. Continue to manage serviceable debt.
6. Cash reserves are maintained above minimum statutory levels.

As one of Victoria's fastest growing municipalities, Cardinia Shire's population is expected to grow from the 2021 population of 126,184 to an estimated 200,238 in 2041, an increase of 58.69%. The number of dwellings in Cardinia Shire is forecast to grow from 44,746 in 2021 to 71,241 in 2041 an increase of 59.21%. This growth reflects the unique qualities of the municipality and confidence in its future. It does, however, continue to place services, infrastructure, and resources under significant pressure.

The Proposed Budget 2021-25 will enable Council to continue to meet the challenges associated with this rapidly expanding population. A Capital Works program of \$98.487 million for 2021-22 has been prepared to ensure residents across the shire have access to an expanding range of new recreational and leisure facilities and renewed and upgraded infrastructure. A detailed listing of these projects over four years is contained in the Budget 2021-25 Appendix A (and over ten years in the Financial Plan 2021-31 Appendix A).

Highlights of the Capital Works program for 2021-22 are:

- My Place Youth Facility - \$4.2m
- Comely Banks Reserve Pavilion and car parking \$6.1m (works brought forward in current year)
- Integrated Centre (Rix Rd Facility) - \$4.1m
- Integrated Centre (Timbertop Facility) - \$4.3m
- Officer District Masterplan - Civil Works \$3.1m
- Road Sealing Program (Connect Cardinia) \$10.5m
- Princes Hwy Intersections \$12.9m funded by government grants and developer contributions
- Sealing the Hills \$7.4m funded from government grants.

Asset Renewal and Upgrade:

Council has committed to capital expenditure of \$44.792m on asset renewal and upgrades, including roads, bridges, footpaths, drains, buildings and plant.

The Proposed Budget 2021-25 has been designed to reflect Council's commitment to make Cardinia Shire the best possible place to live, work and raise a family.

### **Policy Implications**

Nil.

### **Relevance to Council Plan**

#### **5.3 Our Governance - Long-term financial sustainability**

5.3.1 Make financial decisions that achieve the objectives of Council and long-term financial sustainability.

5.3.2 Make financial decisions that are fair and ethical and balance costs and benefits between present and future generations.

5.3.3 Manage the municipality's finances and assets in a responsible way.

5.3.4 Identify and implement programs to achieve Council's debt reduction policy.

5.3.5 Identify ways to contain Council's cost base by a focus on innovation and efficiency.

### **Climate Emergency Consideration**

Nil.

### **Consultation/Communication**

The Proposed Budget was prepared in consultation with the Senior Leadership Team and all business unit managers. Managers were required to prepare their operating budgets based on the needs of service programs, whilst keeping in line with the prior year's Budget Plan. Financial implications of known changes were also taken into consideration.

The budget documents were available for public feedback and all the submissions were noted and presented to Council with recommendations. Any changes from the Council meeting have been updated in the budget document and figures updated.

## Financial and Resource Implications

The Budget outlines the financial resources available to Council for continuous operation and delivery of the Council Plan.

During the budget feedback process, Council received and considered 25 submissions. The Budget document includes the following amendments in line with budget engagement:

- Toomuc Reserves: Netball courts upgrade was allocated additional \$150k in the budget program, SRV funding will replace council funding if the SRV funding application is successful.
- Salvation army request for additional funds, additional \$50k was added to the community grant and donations budget allocation. Funds to be aligned with delivery of financial literacy program and provide council update regarding the success of the program.
- Increase in capital grants of \$3.327m Growth Suburb Funding and \$4.075m for LRCI Round 2 and expenditure of \$4.255m:
  - Bicycle and Walking Paths - Kenilworth Avenue shared path: \$450k
  - Soldiers Road Reconstruction: \$1.6m
  - Street lighting equipment - Outside Orchard Park Primary School: \$100k
  - Toilet Blocks - Upper Beaconsfield Recreation Reserve: \$300k
  - Pepis land entrance - Widening: \$200k
  - Bicycle and Walking Paths - Brunt Road (Kenilworth Avenue to Rix Road): \$150k
  - Bicycle and Walking Paths - Cardinia Road (Kaduna Park connection): \$106k
  - Bicycle and Walking Paths - Toomuc Valley Road (Pomegranate Way to Browns Road): \$400k
  - Bicycle and Walking Paths - Princes Highway (Grandvue Boulevard to Majestic Drive): \$250k
  - Worrell Reserve Toilet: \$260k
  - Jack Russell Park - Gembrook Toilets: \$260k
  - Alma Treloar Reserve Masterplan implementation stage 2: \$180k

A 2% waiver of 2020-21 rates (excluding fire services property levy and waste charges) for ratepayers in financial hardship was implemented for the 2020-21 financial year to offset the budgeted rate increase. This was in recognition of financial challenges faced by the community during the COVID-19 pandemic. The Budget provides for extending this waiver to the 2021-22 financial year at a rate of 1.5%, being the 2021-22 budgeted rate increase.

Council must prepare and adopt a budget for the forthcoming financial year and subsequent three years to be able to fund the various services and programs required. Any material change that Council considers should be the subject of community engagement would require a revision to be made to the Budget 2021-25 document.

## Conclusion

This ten year Financial Plan provides the financial framework and defines the broad fiscal boundaries to support the achievement of the Community Vision and Council Plan in providing for the key needs of our current and future community.

Working within the parameters of the Financial Plan, this Revenue and Rating Plan provides the revenue raising framework and most affordable revenue and rating approach for Council to fund its operations. It is within these frameworks that this Budget then outlines how resources will be allocated to deliver the initiatives, programs, services and capital works to the community as framed by the Council Plan for the 2021-25 period. It also outlines the associated arrangements for financing and servicing financial debt.

These three financial strategic documents have been influenced by the Community Vision and Council Plan community consultation process and are based on sound financial principles, prudent debt management, responsible asset management, and ratepayer equity, value and affordability principles.

Having complied with the Local Government Act (LGA) provisions (LGA 1989 sections 157, 158, 161 – 163 and 162; LGA 2020 sections 91, 93 and 94) and considered the community engagement submissions received, Council is in a position to formally resolve on the Financial Plan 2021-31, Budget 2021-25, Revenue and Rating Plan 2021-25 and submissions received.

## Resolution

Moved Cr Collin Ross, seconded Cr Jack Kowarzik.

That Council, having completed the deliberative community engagement process in respect of the Financial Plan 2021-31, Budget 2021-25, and Revenue and Rating Plan 2021-25 consistent with Council's Engagement Policy, including the review and consideration of community feedback submissions at a Council Briefing on Monday 24 May 2021, resolves as follows:

1. The Financial Plan, Budget, and Revenue and Rating Plan annexed to this resolution be adopted for the purposes of sections 91, 93, and 94 of the *Local Government Act 2020* and section 161 of the *Local Government Act 1989* subject to the differential rating categories remaining at the same % of rates collected as they are for the current 20/21 financial year.
2. The declaration and levy of rates and charges for the 2021-22 financial year contained within the Budget annexed to this resolution be adopted for the purposes of section 94 of the *Local Government Act 2020* and sections 157-158 and 161-163 of the *Local Government Act 1989*.

Lost

Cr Kowarzik foreshadowed the officer's recommendation if Cr Ross' motion was to be lost.

Moved Cr Jack Kowarzik, seconded Stephanie Davies.

That Council, having completed the deliberative community engagement process in respect of the Financial Plan 2021-31, Budget 2021-25, and Revenue and Rating Plan 2021-25 consistent with Council's Engagement Policy, including the review and consideration of community feedback submissions at a Council Briefing on Monday 24 May 2021, resolves as follows:

1. The Financial Plan, Budget, and Revenue and Rating Plan annexed to this resolution be adopted for the purposes of sections 91, 93, and 94 of the *Local Government Act 2020* and section 161 of the *Local Government Act 1989*.
2. The declaration and levy of rates and charges for the 2021-22 financial year contained within the Budget annexed to this resolution be adopted for the purposes of section 94 of the *Local Government Act 2020* and sections 157-158 and 161-163 of the *Local Government Act 1989*.

Carried.

Cr Ross called for a division.

For: Cr Kowarzik, Springfield, Radford, Davies and Owen.

Against: Cr Ross, Moore and Ryan.

## 6.1.3 Notice of Motion 1064 - Gender Equity & Equality Update

**Responsible GM:** Jenny Scicluna  
**Author:** Darcy Logan

### Recommendation(s)

That Council stays informed of Cardinia's commitment and progress towards Gender Equity and Equality within the organisation and the community in general.

### Attachments

Nil

### Executive Summary

The People and Culture team continues working towards implementation of the Gender Equality Act while delivering organisation-wide training.

Internal committees continue to progress gender actions.

### Background

#### People and Culture Update

#### Gender Equality Act 2020

The Gender Equality Act 2020 commenced on 31 March 2021. The aim of the Act is to improve Gender Equality in the Victorian public sector, universities and local councils.

In October 2021 Cardinia will be required to create its first Gender Equality Action Plan. While much of this data is already available, Cardinia is required to commence conducting *Gender Impact Assessments* as well as a survey to contribute to the action plan.

#### Gender Impact Assessments

These are required for any new policy, program or service that directly & significantly impacts the public. These assessments consider how Cardinia's work affects different people in our community. People and Culture is currently working with IT/Governance to have these assessments introduced at the report level in '*Doc Assembler*' (report writing software) so consideration can be given at the early stages of project renewal/proposal.

Training is being created for those who will be required to complete these assessments. Discussions are being held with the Community Engagement and Infrastructure teams to explore the best method to build capability and capacity amongst staff to implement these assessments.

#### Gender Survey

Cardinia has engaged the Victorian Public Service Commission to obtain the survey requirements of the Gender Audit that will contribute to the Gender Equality Action Plan.

The gender survey forms part of the annual 'People Matter Survey' with additional questions this year contributing to the data required for our Gender Audit.

This survey also looks into workplace behaviours and cultures and provides an anonymous platform for all employees to provide feedback on their experiences at Cardinia. The survey was distributed to all staff on 31<sup>st</sup> May and closes in the first week of July (running for an extra week this year due to COVID). Results will be available in late July. Results will be interesting to compare those received in December 2020 from the VAGO survey into the prevalence of sexual harassment at Cardinia. These results can contribute in deciding direction and actions for future training/policies.

### **Respectful Workplaces Training**

Over 80% of employees have now attended face-to-face training in the last few months (with 100% to be completed after current COVID restrictions lift).

This training is normally delivered by external facilitators and is a requirement under the Local Government Act. This year it was created and delivered by the People and Culture team. Content such as bullying, harassment and conflict of interest are requirements of this training. This year the training was expanded to include relevant issues such as unconscious bias in discrimination, bystander intervention and the recommendations handed down by Victorian Auditor General's Office in light of the sexual harassment survey.

### **(VAGO) Sexual Harassment Survey Working Group**

Following on from the Victorian Auditor General Office's report on sexual harassment in local government survey, Cardinia has joined a working group to assist the implementation of VAGO's recommendations.

This group is represented by People and Culture employees from 20 Victorian councils and meets fortnightly with the purpose to learn from one another, explore best practice approaches and to ultimately implement a well-considered and thought-out response to the VAGO Sexual Harassment report and recommendations.

### **Committee Update**

#### **White Ribbon Night (Day)**

An event in partnership with Aligned Leisure and Outlook. This will happen in July and will feature a 'Voices of Children' video (Children of Cardinia sharing their views on Gender Equality).

#### **Together We Can Round Table**

This committee met on 1st June with some interested, female identifying, staff members to design and develop a 'Women Mentoring Women Program'. This program will support women in the community to have financial efficacy. Another aim is to assist women to recognise and choose healthy, respectful relationships in all areas of their life.

#### **YourGround**

Cardinia Shire joined the YourGround Project which is currently underway. YourGround is a digital mapping platform that will advance knowledge of safety in public space for women and gender-diverse people. In the context of social changes brought about by COVID-19, this research seeks to document these changes to public and recreational spaces through the perceptions and 'lived experiences' of women and gender-diverse people. Community members are invited to interact with a live map of their geographical area and make comment about safety for women and gender diverse people in specific locations across the Shire.



## Policy Implications

The Gender Equality Commission has informed defined entities that the new Local Government Act 2020 includes a requirement to develop a workforce plan every four years. The workforce plan must include measures relating to gender equality.

A Gender Equality Action Plan that meets the requirements of the Gender Equality Act, will also meet the requirements of the Local Government Act. Complying with the gender equality requirements of the Local Government Act will not satisfy the requirements of the Gender Equality Act.

Section 26 (2)(ba) of the Public Health and Wellbeing Act requires councils to specify (in their municipal public health and wellbeing plan (Cardinia Shire Liveability Plan) measures to prevent family violence and respond to the needs of victims of family violence in the local community.

Other influential gender equity legislation in the Commonwealth and Victorian State Government is:

- The Charter of Human Rights and Responsibilities Act 2006
- The Workplace Gender Equality Act 2012
- The Equal Opportunity Act 2010
- The Fair Work Act 2009

## Relevance to Council Plan

### 1.1 Our People - Access to a variety of services for all

- 1.1.1 Continually review services to ensure those provided by Council meet community needs.
- 1.1.2 Routinely review overall community needs for services and either deliver or advocate for others to provide services to meet those needs.

### 1.4 Our People - Improved health and wellbeing for all

- 1.4.3 Routinely investigate community health and wellbeing issues to inform Council's planning and activities.

### 1.6 Our People - Increased awareness of safety

- 1.6.1 Work with the Police, Victorian Government and the community to improve safety in homes, businesses, public places and roads.

### 2.4 Our Community - Improved health and wellbeing of our residents

- 2.4.1 Increase the communities understanding of health issues and options to help them make appropriate decisions.

### 4.4 Our Economy - A local economy supporting the improved health and wellbeing of our communities

- 4.4.1 Lead by example as a health promoting workplace.

### 5.2 Our Governance - Open governance

- 5.2.2 Govern and make decisions in the best interests of the Cardinia Shire community.

## Climate Emergency Consideration

There are no conditions attached to this report.

### **Consultation/Communication**

This report has been developed with the cooperation and collaboration of teams across Council and designated groups such as the Respect and Equity Committee

### **Financial and Resource Implications**

Council was required to pay approximately \$1500 to the Victorian Public Service Commission to undertake the employee People Matter Survey.

### **Conclusion**

Cardinia has undertaken several projects to promote and progress towards Gender Equality. Cardinia will continue to do so through various projects that will positively impact Cardinia's employees as well as its residents.

**Resolution**

Moved Cr Collin Ross, seconded Cr Carol Ryan.

That Council stays informed of Cardinia's commitment and progress towards Gender Equity and Equality within the organisation and the community in general.

Carried

## 6.1.4 Casey Cardinia Libraries Library Plan and Draft Budget 2021-22

**Responsible GM:** Jenny Scicluna  
**Author:** Jenny Scicluna

### Recommendation(s)

That Council approves the proposed Casey Cardinia Libraries Library Plan and Strategic Resource Plan 2021-2025

### Attachments

1. CCL Budget 2021-2022 [6.1.4.1 - 19 pages]
2. CCL Library Plan 2021 - 2025 [6.1.4.2 - 21 pages]
3. CCL Strategic Resource Plan 2021-2025 [6.1.4.3 - 18 pages]

### Executive Summary

The Casey Cardinia Libraries' Library Plan 2021-2025 including the draft Strategic Resource Plan 2021-2025 and the draft Library Budget 2021-2022 have been prepared by the corporation and forwarded to both Councils on April 29, 2021 to be considered for adoption.

The Library Corporation is required under Section 125 of the Local Government (Demographic Reform) Act 2003 to submit planning documents for the delivery of library services.

### Background

Casey Cardinia Libraries is governed by a Board with representatives from both councils. Currently the Cardinia representatives are Cr. Jeff Springfield (Chair) and Cr. Jack Kowarzik (substitute) with officer representation held by the General Manager of Customer, People and Performance.

The Library Plan establishes the direction for the development and improvement of Casey Cardinia Libraries' services over a four-year period.

It is a requirement under Section 125 of the Local Government (Demographic Reform) Act 2003 and forms the primary planning document for the delivery of library services. The Library Plan includes a draft Strategic Resource Plan in the form of standard statements describing required financial resources and non-financial resources, including human resources in respect of the coming four financial years.

Four strategic areas over the next four years reflect the ongoing priorities of Casey Cardinia Libraries:

1. A Place to Gather and Learn- Create safe and welcoming places that provide free access to information, knowledge, and resources.
2. Partnership and Innovation to achieve shared goals – Strengthen Partnerships and encourage innovation to broaden and deepen our impact
3. Facilitate Community Connection and Wellbeing - Contribute to thriving, healthy and inclusive communities.

4. Organisational Excellence - Strengthen our capacity to lead, adapt and innovate to meet changing community needs.

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

Highlights of the draft Library Plan 2021-2025 include:

- Increase digital literacy in our community with through programming, services, and digital resources
- Implement the Customer Experience Framework
- Deepen engagement with education providers to facilitate clear learning pathways for our communities
- Work with council teams and community partners to enhance health and wellbeing
- Deliver programs and services that empower CALD (Culturally and Linguistically Diverse) communities
- Work with partners to track and understand CCL's impact across council goals

## **Policy Implications**

Casey Cardinia Libraries support the visions of both the City of Casey and Cardinia Shire to create liveable, healthy, and productive communities. Globally, libraries are acknowledged as playing a key role in meeting the UN 2030 Sustainable Development Goals (SDGs) by providing access to lifelong learning.

In particular, libraries support the achievement of the following SDGs.

Goal 1: No poverty.

Goal 3: Good health and well-being.

Goal 4: Quality education.

Goal 5: Gender equality.

Goal 8: Decent work and economic growth.

Goal 9: Industry, innovation, and infrastructure.

Goal 10: Reduced inequalities.

Goal 11: Sustainable cities and communities.

Goal 13: Climate action.

Goal 16: Peace, justice, and strong institutions.

Goal 17: Partnerships for the goals.

## **Relevance to Council Plan**

### **1.1 Our People - Access to a variety of services for all**

1.1.1 Continually review services to ensure those provided by Council meet community needs.

### **1.3 Our People - Learning opportunities for all ages and abilities**

1.3.3 Support the provision of learning opportunities for all ages and abilities.

## **Climate Emergency Consideration**

Casey and Cardinia - like most of south-east Australia - is expected to experience hotter days much lower amounts of average rainfall in the coming years, increasing the risk of fire and extreme storm. Both councils recognise the need to proactively address these changes. Libraries can address climate change by providing information, enabling collaboration and decision making in the community to address climate change. Importantly, libraries also provide shelter from extreme climate emergencies. CCL is committed to the State Government's TAKE2 sustainability program and will continue to look for ways to minimise our environmental footprint and educate our community about ways to support the environment.

### **Consultation/Communication**

Casey Cardinia Libraries prepares an annual Draft Library Plan and Budget that is forwarded to both Councils in November for consideration. The draft Budget is subsequently amended as necessary following receipt by the Library Corporation population and library use data to the end of March each year and the final draft is then forwarded to both Councils for consideration and formal adoption.

Council received the current draft in April.

Casey Cardinia Libraries will publicly advertise the Budget and Library Plan and call for submissions from the community over the coming weeks.

### **Financial and Resource Implications**

The contract with Casey Cardinia Libraries is an ongoing agreement which is reviewed every 5 years. The current agreement was last reviewed and endorsed by Council in 2017. The overall of contribution from Councils is shared with Casey Council. Next financial year Casey will provide 74.05% of the overall contribution and Cardinia will provide 25.95%. Cardinia will contribute \$2,276,000 to the Library Corporation in the 2021-2022 financial year in accordance with the attached Budget document. Cardinia's contribution will increase by 2.21% for the 21-22 budget.

### **Conclusion**

The documents attached to this report outline the financial and operational strategy for Casey Cardinia Libraries Corporation over the next four years. This suite of documents meets all the legislative planning requirements for Library Corporations as detailed in the relevant Acts.

**Resolution**

Moved Cr Tammy Radford, seconded Cr Graeme Moore.

That Council approves the proposed Casey Cardinia Libraries Library Plan and Strategic Resource Plan 2021-2025

Carried

## 6.1.5 Public Toilet Strategy 2020 - 2030

**Responsible GM:** Peter Benazic  
**Author:** Walter Carmignani

### Recommendation(s)

That Council adopt the finalised Public Toilet Strategy 2020 - 2030, together with the Capital Improvement Plan.

### Attachments

1. Cardinia Shire Public Toilet Strategy 2020-2030 [6.1.5.1 - 108 pages]
2. CONFIDENTIAL - Capital Improvement Plan - Circulated to Councillors only [6.1.5.2 - 47 pages]

### Executive Summary

Cardinia Shire Council has developed a Public Toilet Strategy to better understand service level requirements and expectations from this type of asset class, in order to appropriately serve community and visitor needs, as well as aligning with the current Council Plan key strategic objectives.

### Background

Council is committed to creating a liveable Shire that provides high quality facilities for the community and visitors. A class of assets that contribute to a liveable Shire are public toilets.

A strategic approach for these assets will deliver a relevant asset management plan that appropriately manages and focuses on high demand public facilities – public toilets, provides an equitable provision of public toilets throughout the Shire, guides the requirements supporting the provision of safe, clean and accessible public toilets, supports active lifestyles throughout the Shire, including walking, jogging, cycling and connects with the Open Space Management Framework, gives direction for the consideration and inclusion of Changing Places facilities, and assists in the decision-making for placing public toilet facilities in the Shire.

In 2019 a report was presented to Council on the need to develop a Public Toilet Strategy for our public toilets located in public space, supporting recreational activities and in encouraging local businesses and tourism.

On 22 June 2020, our community was provided with the opportunity to input into the development of the Public Toilet Strategy and since then, and with more understanding from our community, the Strategy has been brought to completion, in readiness for its consideration and implementation by Council.

Four goals have been identified to support and achieve the requirements of the Strategy, namely:

- All public toilets shall be maintained and cleaned to a set standard that will meet Council, community and visitor expectations.
- All existing public toilets shall be progressively updated through a planned and ongoing approach, to meet and sustain required regulatory and accessibility requirements.



- New or where public toilets are replaced shall be designed to meet community expectations, including giving consideration to Changing Places facilities.
- New public toilets shall be provided in accordance with the requirements of the Open Space Management Framework, and shall consider demonstrated community needs, demand and levels of service.
  - In addition, the Strategy provides consideration to gender-neutral toilets, accommodating changing community attitudes on gender, and incorporates the use of The Master Locksmiths Access Key System, allowing people with a disability to access dedicated public toilets at any time.
  - 
  - In giving effect to the goals of this Strategy, a Capital Improvement Plan has been established. As part of this Plan, recent reactive repairs have been completed in addressing identified and outstanding plumbing issues.

### **Policy Implications**

Not applicable.

### **Relevance to Council Plan**

The Strategy is aligned with Council's Plan objectives of:

#### **1.1 Our People - Access to a variety of services for all**

1.1.1 Continually review services to ensure those provided by Council meet community needs.

#### **1.4 Our People - Improved health and wellbeing for all**

1.4.4 Support children, young people, families, older adults and people of all abilities by providing a range of accessible services and facilities.

#### **1.6 Our People - Increased awareness of safety**

1.6.1 Work with the Police, Victorian Government and the community to improve safety in homes, businesses, public places and roads.

#### **2.1 Our Community - Our diverse community requirements met**

2.1.1 Monitor and research emerging community trends to help plan for the needs of residents.

2.1.3 Support opportunities for participation in a diverse range of arts, cultural and tourism activities.

2.1.4 Plan for the provision of facilities to service and support the changing community.

#### **2.3 Our Community - Increased levels of community participation**

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

#### **2.4 Our Community - Improved health and wellbeing of our residents**

2.4.4 Support the provision of services by Council or others for people of all abilities.

#### **3.1 Our Environment - Provision and maintenance of assets on a life-cycle basis**

3.1.3 Provide accessible facilities to meet identified community needs.

3.1.4 Manage Council's assets like roads, drainage, footpaths and buildings, etc. in a way that ensures they are adequately maintained over their life.

#### **3.3 Our Environment - Enhanced natural environment**

3.3.4 Manage water in an integrated way, including the reduction of potable water consumption by Council and households.

### **3.4 Our Environment - Natural and built environments supporting the improved health and wellbeing of our communities**

3.4.1 Plan and develop built environments that support improved health and wellbeing of our communities through implementation of the Healthy by Design guidelines.

### **3.5 Our Environment - 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.

### **4.1 Our Economy - Increased business diversity in Cardinia Shire**

4.1.6 Encourage procurement of local products and services.

### **4.3 Our Economy - Diverse and resilient business community**

4.3.3 Advocate for the delivery of small and large scale projects that enhance and drive economic activity.

### **5.3 Our Governance - Long-term financial sustainability**

5.3.1 Make financial decisions that achieve the objectives of Council and long-term financial sustainability.

5.3.3 Manage the municipality's finances and assets in a responsible way.

## **Climate Emergency Consideration**

Upgraded, where replaced and new public amenities shall:

- Provide appropriate service level requirements, be safe and secure, clean, meet expected accessibility needs, and be comfortable in use, presented to our community, so as to contribute positively to mitigating climate breakdown.
- Include whole of life-cycle costing to reduce both embodied and operational resource use.
- Align with the requirements of the Council's Aspirational Strategy and carbon-neutral targets.

## **Consultation/Communication**

Community has provided input into the development of the Public Toilet Strategy via a community engagement plan, made available publicly on 22 June 2020, where community was asked to provide feedback on whether public toilets:

- Are perceived to be secure and safe to use, including if they are well-lit at night if still open;
- Opening and closing times and days are appropriate for needs;
- Are in a reasonable condition for use;
- Have adequate facilities for people with a disability;
- Are in a reasonable clean state when in use;
- Are located in a position suitable for the community and public visitors.

The received community feedback has been incorporated into the Council's Capital Improvement Plan for public toilets.

## **Financial and Resource Implications**

The Capital Improvement Plan for upgrading and the replacement of public toilets supports and aligns with Council's Long-Term Financial Plan, so as to sustainably meet its short- and long-term commitments, and in achieving community expectations.

### **Conclusion**

Public toilets are critical community assets that contribute to Cardinia Shire Council as a liveable community. It is acknowledged by Council that any facilities, which may not meet community expectations may negatively impact on Council's corporate image, reputation and climate mitigation targets.

The Public Toilet Strategy provides direction for maintaining sustainably public toilets assets to current and required standards, and in continuing to meet Council Plan objectives, community and visitor expectations.

**Resolution**

Moved Cr Tammy Radford, seconded Cr Jack Kowarzik.

That Council adopt the finalised Public Toilet Strategy 2020 - 2030, together with the Capital Improvement Plan.

Carried

## 6.1.6 Appointment of Acting Chief Executive Officer

**Responsible GM:** Debbie Tyson  
**Author:** Doug Evans

### Recommendation(s)

That Council appoint the General Manager Infrastructure and Environment, Peter Benazic Acting Chief Executive Officer for the period 3 July to 21 July and the General Manager Customer People and Performance, Jenny Scicluna, Acting Chief Executive Officer for the period 22 July to 10 August during a period of annual leave by the Chief Executive Officer

### Attachments

Nil

### Executive Summary

The Chief Executive Officer, Carol Jeffs, is taking a period of annual leave and it is therefore necessary to appoint an Acting CEO during this period.

### Background

It is necessary to appoint a person or persons to act in the role of Chief Executive Officer whilst the Chief Executive Office is taking annual leave between 3 July and 10 August.

Due to other periods of annual leave whilst the Chief Executive Officer is on her leave it is suggested that this role should be shared for this period between General Manager Infrastructure and Environment, Peter Benazic for the period 3 July to 21 July and the General Manager Customer People and Performance, Jenny Scicluna for the period 22 July to 10 August

### Policy Implications

Nil

### Relevance to Council Plan

#### 5.2 Our Governance - Open governance

5.2.1 Embrace and demonstrate effective governance and transparency, notwithstanding that on occasions, matters under consideration will be confidential.

5.2.2 Govern and make decisions in the best interests of the Cardinia Shire community.

### Climate Emergency Consideration

Nil

### Consultation/Communication

Both the General Manager Infrastructure and Environment, Peter Benazic and the General Manager Customer People and Performance, Jenny Scicluna have been consulted regarding these acting appointments

### **Financial and Resource Implications**

Nil

### **Conclusion**

Council is required to appoint an Acting Chief Executive Officer whilst the Chief Executive Officer is taking a period of annual leave and it is suggested that this role be shared for this period between General Manager Infrastructure and Environment, Peter Benazic for the period 3 July to 21 July and the General Manager Customer People and Performance, Jenny Scicluna for the period 22 July to 10 August

**Resolution**

Moved Cr Tammy Radford, seconded Cr Graeme Moore.

That Council appoint the General Manager Infrastructure and Environment, Peter Benazic Acting Chief Executive Officer for the period 3 July to 21 July and the General Manager Customer People and Performance, Jenny Scicluna, Acting Chief Executive Officer for the period 22 July to 10 August during a period of annual leave by the Chief Executive Officer

Carried

## 6.2 Financial Reports

### 6.2.1 Contract 20/10 - Construction of Urban and Rural Roads

**Responsible GM:** Debbie Tyson  
**Author:** Doug Evans

#### Recommendation(s)

That Council reinstate the delegation to the Chief Executive Officer to accept tenders for contracts delivered under the Construction Contractor Panel established under Contract 20/10 and retrospectively approve the following contracts entered into since 1 September 2020:

Contract	Contract Name	Date Awarded	\$ (ex GST)	Supplier
CT20-007	Main Drain Rd KWR	19/10/2020	3,085,793	LinctRoads
CT20-009	Boundary Drain Rd, KWR	19/10/2020	1,270,760	Sure Constructions
CT20-049	Glismann Rd, Beaconsfield	16/10/2020	1,564,222	Streetworks
CT20-068	LL & Armitage Roads, Officer	10/2/21	1,158,613	Streetworks

#### Attachments

Nil

#### Executive Summary

Delegations made by the Council under the provisions of the 1989 Local Government Act expired on 1 September 2020 with the introduction of the 2020 Local Government Act. This report proposes to reinstate the delegation to the Chief Executive Officer to accept contracts delivered under the Construction Contractor Panel established by the Council in April 2020 and retrospectively approve several contracts in progress.

#### Background

Council in April 2020 established a Construction Contractor Panel for delivery of the federally funded 'Sealing of Unsealed Roads in the Dandenong Ranges and Surrounds', Council's Strategic Roads Program, Intersection Construction Works and Councils Capital Works program and delegated to the Chief Executive Officer the authority to accept any contracts established under this panel process.

The Contractor Panel process was intended to

- streamline procurement across the Infrastructure Services team,
- ensure Cardinia has access to competitively priced construction contracts, and
- ensure compliance with the Local Government Act relating to the public tender of works for procurement of services.

This panel process has proved extremely successful in tendering for these works, having the most advantageous tenders accepted, expediting the delivery of the projects and being able to meet the tight deadlines associated with the federally funded projects.



Due to changes introduced by the Local Government Act 2020 the authority previously delegated to the Chief Executive Officer needs to be reinstated as this delegation approved in April 2020 expired on 1 September 2020.

4 contracts have been let under the Contactors Panel arrangements and it is appropriate for these contracts to be approved retrospectively

### **Policy Implications**

The establishment of the Contractors panel was undertaken in accordance with the Procurement policy. The mandatory criteria for the business being located within a designated radius from Council Offices or in an abutting Municipality has benefitted local businesses.

### **Relevance to Council Plan**

#### **3.1 Our Environment - 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*.

3.1.4 Manage Council's assets like roads, drainage, footpaths and buildings, etc. in a way that ensures they are adequately maintained over their life.

#### **3.2 Our Environment - Transport linkages connecting towns**

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

### **Climate Emergency Consideration**

Nil

### **Consultation/Communication**

Nil

### **Financial and Resource Implications**

There are no financial or resource implications associated with this matter, all of the projects being delivered are included in Council's budget

### **Conclusion**

Delivering the large amount of roads projects required under the 'Sealing of Unsealed Roads in the Dandenong Ranges and Surrounds', Council's Strategic Roads Program, Intersection Construction Works and Councils Capital Works program has been streamlined by the establishment of the Construction Contractor Panel and the delegation provided to the Chief Executive Officer to accept the tenders lodged and it is recommended that that this process continue and the delegation to the Chief Executive Officer be reintroduced.

**Resolution**

Moved Cr Tammy Radford, seconded Cr Graeme Moore.

That Council reinstate the delegation to the Chief Executive Officer to accept tenders for contracts delivered under the Construction Contractor Panel established under Contract 20/10 and retrospectively approve the following contracts entered into since 1 September 2020:

Contract	Contract Name	Date Awarded	\$ (ex GST)	Supplier
CT20-007	Main Drain Rd KWR	19/10/2020	3,085,793	LinctRoads
CT20-009	Boundary Drain Rd, KWR	19/10/2020	1,270,760	Sure Constructions
CT20-049	Glismann Rd, Beaconsfield	16/10/2020	1,564,222	Streetworks
CT20-068	LL & Armitage Roads, Officer	10/2/21	1,158,613	Streetworks

Carried

## 6.2.2 Contract 20/63 - New My Place Youth Centre Facility Relocation and Expansion

**Responsible GM:** Peter Benazic

**Author:** Paola Mograve

### Recommendation(s)

That Council award DURA Construction Pty Ltd the Contract 20-63 – Construction of the New My Place Youth Centre Facility for a tender price of \$4,703,384.00 excluding GST.

### Attachments

1. CONFIDENTIAL - New My Place Youth Centre Facility Confidential Memorandum - Circulated to Councillors only [6.2.2.1 - 4 pages]

### Executive Summary

This report provides recommendation for the appointment of a Commercial Builder to undertake the works associated with Contract 20-63.

The tender submitted by Dura Construction Pty Ltd complies with all the Conditions of Tender and their submitted Tender price is within Council's available budget for this project.

The New My Place Youth Centre Facility will increase service attraction locally for young people and families to meet both the current and the future needs of the community. The services and programs delivered through the My Place Youth Centre support young people from 12 to 25 years of age. The benefits of the services providing through this facility support young people to build resilience, manage and prevent issues escalating, re-engage in education, training, and work, improve their relationships and access to specialist services in a timely manner.

The facility has been designed to meet the applicable standards and considers CSC Enhanced Standards and other design principles have been included in the design of this facility.

Dura Construction Pty Ltd demonstrates extensive experience in delivering large scale projects and were recently engaged by Council for the construction of Comely Banks Sports Pavilion which was successfully completed earlier this year.

### Background

The My Place Youth Facility was opened in 2012 in Pakenham. Since then it has been demonstrated that through the co-location of multi-agency and disciplinary services that an integrated and holistic approach to meet the needs of young people can be achieved.

To maintain the existing services as well as attract new services and programs locally for young people 12 to 25 years of age, a new facility and associated car parking will assist in fulfilling the expectations of the community, as well as the demand for the provision of community and youth services within Cardinia Shire.

The new facility will be located on a parcel of Council owned land at 43 James Street, Pakenham. This location has an area (site) allocated for the project of 1018sqm, to accommodate an overall 1040sqm multi-storey building, with associated landscaping, and car parking.

The multi-storey building provides;

- Waiting area
- Reception and open office
- Consult rooms
- Amenities
- Laundry facility
- Two classrooms
- Training room
- Computer Lab
- Hangout space
- Programs room
- Communal Kitchen
- Recording booth
- General Practitioner room with associated intake room
- Active roof top space.

The new My Place Youth Centre has been designed using Trauma Informed Principles. This approach considers how the physical environment affects individuals, recognising that it can have a physiological and emotional impact and responds by creating supportive environments that resist re-traumatisation (Trauma-Informed Design, 2018).

The Trauma-informed environment promote physical, mental, and social health, this approach is to support mental health and to create a welcoming space for young people, families, and professionals.

The design has implemented the below Trauma informed design principles within the building and its exterior:

- Materials and colours.
- Orange colour chosen through various discussions with users.
- Minimal patterning in colours and textures.
- Open stair and break out areas allow for visibility throughout the building.
- Connection with external context and landscaping.
- Consult rooms facing landscaped courtyard.
- Open stair and void with views to sky and roof deck.
- Central void allows for natural light throughout the building.
- Greenery within the building.
- Waiting room strategically designed to provide privacy from the public, though, still allows for visibility from the reception area.

The Tender was released 1st February 2021 with a closing time and date of 2:00pm on the 2 March 2021.

## Evaluation Criteria and Weightings

The below table details the evaluation criteria applied to this Tender.

<b>Evaluation Criteria</b>	
<b>1.</b>	<b>Mandatory Criteria</b>
	1.1 Commercial Builders Registration Number
	1.2 Compliance with the Specifications
<b>2.</b>	<b>Professional or Technical Competence</b>
	2.1 Capability and Capacity
	2.2 Relevant experience and past performance of the Tenderer
	2.3 Quality system, Occupational Health and Safety, Environmental Systems
1.	2.4 Project Plan, Gantt Chart and Schedule of works
3.	2.5 Covid-19 Plan
	2.6 VIPP Local Content including employment, subcontractors, and materials sourcing.
<b>3.</b>	<b>Commercial</b>
	3.1 Risk and insurance
	3.2 Compliance to Conditions of Contract
	3.2 Conflict of interest
<b>4.</b>	<b>Financial</b>
	4.1 Pricing and Value for money of the Tendered Solution

## Policy Implications

There are no policy implications.

## Relevance to Council Plan

Supports Council Plan action:

### 1.1 Our People – Access to a variety of services for all

1.1.1 Continually review services to ensure those provided by Council meet community needs.

1.1.2 Routinely review overall community needs for services and either deliver or advocate for others to provide services to meet those needs.

### 1.2 Our People - Learning opportunities for all ages and abilities

1.2.2. Advocate for increased locally based health services to support our young people.

### 1.4 Our People - Improved health and wellbeing for all

1.4.1 Source funding and deliver a range of initiatives that promote health and wellbeing.

1.4.3 Routinely review community health and wellbeing issues to inform Council's activities.

1.4.4 Support children, young people, families, older adults, and people of all abilities by providing a range of accessible services and facilities.

### **1.5 Our People - Variety of recreation and leisure opportunities**

1.5.1 Provide active and passive recreation facilities to meet the needs of residents.

1.5.2 Increase opportunities for residents to participate in a range of sport, recreation and leisure activities.

### **2.4 Our Community - Improved health and wellbeing of our residents**

2.4.3 Help establish partnerships and social infrastructure opportunities that improve health and wellbeing outcomes for residents.

2.4.4 Support the provision of services by Council or others for people of all abilities.

### **3.1 Our Environment - Provision and maintenance of assets on a life-cycle basis**

3.1.3 Provide accessible facilities to meet identified community needs.

3.1.4 Manage Council's assets like roads, drainage, footpaths and buildings, etc. in a way that ensures they are adequately maintained over their life.

### **3.5 Our Environment - 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**

Consultation and engagement with various stakeholders including user groups (young people), service providers, funding departments and Council Officers has occurred throughout all phases of Design Development for this project.

The project included active participation of the community, specially of the young people in this process who have been consulted on; name of the facility, building design, services, programs and activities to take place at the facility.

To meet the growing needs of the community, the design of the project has been carried out through various workshops undertaken with service providers and young people.

## **Budget**

The total budget allocation for this project is \$6,000,000 excluding GST. This budget includes funds for the construction of the building totalling \$5,500,000.00 and the public carpark component with a total of \$500,000.00.

This project is funded via the following agreements:

<b>Funding for the Project</b>	
Council funding contribution	\$1,500,000.00 (\$1M building and \$500K towards car parking)
State Government – Department of Environment, Land, Water and Planning	\$3,000,000.00
Federal Government – Community Health and Hospital Program -	\$1,500,000

## Financial and Resource Implications

The parcel of land selected for the new My Place Youth Facility is currently a public carpark and through a formal design, efficiencies have been created to ensure there is no impact to the provision of required parking bays at this site. The budget allocation for this component is \$500K.

The construction of the new building and public carpark will be managed through the Project Director – Coordinator, Building Projects with a project team composed from Community Infrastructure, and Buildings and Facilities.

Cardinia Shire Council received three tender submissions for the construction of the new My Place Youth Centre. A rigorous evaluation of all submitted tenders was undertaken by the Evaluation Panel. Initially, the submissions presented were over the project budget allocation for the construction phase of the new building. A value management process was carried out, on each submission.

Tenderers were requested to provide clarifications and given the opportunity to present any cost saving strategies to assist with the value management process conducted.

Upon receiving all clarifications and conducting the value management process, the total revised Tender submitted by DURA Construction Pty Ltd provided the best value money offer, is within budget for this project, and is as follows;

<b>Tender Price Summary</b>	
Trade Breakdown	\$ 5,035,449.00
Provisional Sum	\$ 117,000.00
Schedule of Tender Options (Value Management Cost Savings)	- \$ 449,065.00
<b>Total (excl. GST) Tender Price</b>	<b>\$ 4,703,384.00</b>

As part of the tendering process, all tenderers were required to submit a Local Industry Development Plan (LIDP) for recognition and evaluation. Further, to review the legitimacy of the document presented, a VIPP Plan was certified by the Industry Capability Network (ICN) before submission to CSC. ICN assist with the implementation of the local jobs first policy (LJFP). Evaluation Report was produced by ICN, based on the information provided DURA Construction Pty Ltd passed the evaluation with a score of 91.01% of Local Content Commitment to this contract.

## Conclusion

With consideration to budget constraints and the proven ability of DURA Construction Pty Ltd to undertake the construction of the new My Place Youth Centre Facility, the Evaluation Panel agree that DURA Constructions Pty Ltd Tender submission represents the best value for money outcome for this project.

It is recommended that the Tender submitted by DURA Construction Pty Ltd for a Tender Price of \$4,703,384.00 excluding GST, for the construction works associated with Contract 20-63 - New My Place Youth Centre Facility be approved.



**Resolution**

Preferred tenderer has withdrawn their tender and a new report will be presented to the July Council meeting.

## 6.2.3 Extension of Short-term Recycling Processing Agreement

**Responsible GM:** Peter Benazic  
**Author:** Jacqui Kelly

### Recommendation(s)

That Council delegate authority to the CEO to allow Cardinia Shire to join the extended short-term panel contract managed by Metropolitan Waste and Recourse Recovery Group (including any required and approved extensions) for the processing of kerbside recycling.

### Attachments

1. Previous Council Report August 19 - Approval for Short Term Recycling Processing Contract [6.2.3.1 - 3 pages]
2. Signed Instrument of Approval - BMI N-2-21-10194 - Metro Waste s186 Application [6.2.3.2 - 5 pages]
3. CONFIDENTIAL - MWRRG Letter to Cardinia [6.2.3.3 - 3 pages]

### Executive Summary

In February 2019, Council entered into Contract 2019/2 Services Agreement - Short term Recycling Processing arrangements for Councils with Polytrade Pty Ltd. This has also been allocated the Cardinia Shire Council contract number 20/35. This contract enabled Council to take up recycling processing services when its usual service provider, SKM Recycling, was unable to continue to accept material. This contract was part of a Panel Contract previously tendered by the Metropolitan Waste and Resource and Recovery group (MWRRG) made available to Councils and runs until the 30 June 2021. Council can exit this arrangement with 20 days' notice.

Council has been utilising a Services Agreement whilst it participates in a Collaborative Procurement process underway and managed by the Metropolitan Waste and Resource Recovery Group. It is hoped that this collaborative project will result in more providers and diversity in the sector, and in turn deliver longer term sustainability and better pricing for recycling processing. Unfortunately, this process has been set back while the State Government set their Strategic and Policy objectives through the Recycling Victoria Policy. The preliminary phases of the procurement process have commenced in 2021, with contracts staged in approximately 2022 or 2023, depending on if successful tenderers are established or new providers.

As the current Services Agreement expires 30 June 2021, Council has sought confirmation that we can continue our current services with Polytrade under the joint Services Agreement currently utilised by other Local Governments and that services will be available beyond this date. The MWRRG has advised in writing that Cardinia Shire are welcome to join the contract and that it will be extended on a month-to-month basis from 30 June 2021 to 31 December 2022 to coincide with the availability of new contracts through the Regional collaboration project. This correspondence and agreement has been reviewed and approved by Councils procurement team.

On the 19 May 2021 the Minister for Local Government signed an extended *section 186(5)c of the Local Government Act* allowing Councils party to the above agreement, to remain in contracts with the respectively listed Contracting Party for the provision of recycling collection,

sorting and/or other associated waste processing services from 1 July 2021 to 30 June 2022 (inclusive).

To facilitate this arrangement, Council is required to re-sign its Services Agreement. This new agreement is under the same terms and conditions as the previous agreement, with minimal exceptions being:

- The contract end date will be updated to say “31 December 2021 or such further period by which the parties to the Panel Contract extend that agreement”
- Clarification of the adjustment of the flat rate of \$195 per tonne which was previously accepted to \$200 per tonne
- Clarification of the tonnes that Cardinia Shire usually delivers in a month.

On the 19 May 2021, MWRRG received a request from Polytrade to increase the gate fee under this agreement from \$195 to \$200 per tonne plus GST. This change has been requested to cover the additional cost of disposing of contamination to landfill with the increase in the Landfill Levy that occurs from 1 July 2021. This gate fee increase has been accounted for in the General Garbage Charge and will not impact the charge to residents in the 2021/22 financial year.

It is recommended that CEO sign this document, utilising the resolution of the 19 August 2019.

## Background

### Historical Context

Problems within the recycling industry arose early in 2018, driven primarily by changes to the environmental policies in China (Green Sword Policy) which restricted their imports of recyclables, and reduced acceptable contamination levels. As a result, our processor, SKM Industries, struggled to appropriately manage their received material, resulting in multiple work orders and warnings from the Victorian Environmental Protection Authority (EPA).

In October 2018, Local Government Victoria (LGV) funded MWRRG to conduct an open tender process to provide short term recycling processing services for its 31 Metropolitan councils and to guarantee that contracts with panel providers were in place by October 2018 for a two-year term (Panel Contract).

Three Respondents tendered a submission to the open tender for the Panel Contract: Polytrade Pty Ltd (Polytrade), SKM Industries Pty Ltd (SKM) and Re.Group Pty Ltd (Re.Group). Polytrade Pty Ltd is currently the only processor being utilised under this panel arrangement (SKM is no longer operating and Re.Group are located in the ACT, approximately 700 km from Melbourne, and are currently only a back up option should Victoria's capacity to process reduce beyond a manageable amount).

In February of 2019 SKM was issued cease works notices by the Victorian EPA for environmental non-compliance regarding the fire and health risks of stockpiled material on their Laverton and Coolaroo sites impacting the service for 11 weeks. During this shut down period Cardinia Shire Council had no option but to send kerbside recycling material to landfill resulting in an increased cost to Council, loss of community confidence and major environmental concerns.

At the end of July 2019 SKM were again unable to meet requirements set by the EPA and ceased accepting material, forcing Council to once again divert recycling to landfill. SKM Corporations have since been placed into liquidation leaving Council, and 20 other Victorian Local Governments, with no long-term recycling processor.

Due to a limited market, In July 2019 the Minister for Local Government signed a *section 186(5)c of the Local Government Act* allowing Victorian Councils to enter into contracts with the respectively listed Contracting Party for the provision of recycling collection, sorting and/or other associated waste processing services from 1 July 2019 to 30 June 2021 (inclusive). This essentially provided a blanket exemption for recycling processing contracts having to go out to market during this period.

### **Current Situation**

The procurement process to find a long-term solution to recycling processing in Victoria is currently underway but has been delayed by several factors including, but not limited to, those associated with the COVID-19 pandemic.

MWRRG completed an Amendment and Restatement Deed (Deed) with Polytrade in 2020 to extend the current arrangement to 31 December 2021 and then month-by-month for a further 12 months if required. Please note that other councils currently utilising this Deed have requested that the month-by-month extension occurs. In addition, MWRRG will seek to extend the agreement beyond 31 December 2022 should participating councils need to do so.

The Deed has also confirmed a fixed price per tonne regardless of the contamination level (excluding gross contamination or hazardous contamination). This is beneficial due to the increase in contamination in kerbside recycling bins after recent global events.

On 21 May 2021 MWRRG received a request from Polytrade to increase the gate fee from \$195 to \$200 per tonne (plus GST) to cover the additional cost of disposing of contamination to landfill with the increase in the Landfill Levy that occurs from 1 July 2021.

Polytrade have provided the following information to justify the increase:

- The Vic landfill levy which increases by \$40.00 per tonne from 1st July 2021. As a government charge beyond the control of MRF operators, Polytrade takes the view that this cost needs to be passed onto the Councils whose waste is incurring the levy.
- The Polytrade MRF operates at a contamination rate of 13%. Therefore, for every tonne of comingled delivered by Councils, Polytrade will incur an additional landfill fee of \$5.20 per tonne as a consequence of the increased landfill levy (ie: 13% x \$40.00 increase).
- The proposal is to increase the gate fee by a flat \$5.00 plus GST per tonne to cover the increased cost. The 13% contamination factor is a realistic figure for municipal kerbside recycling, supported by our statistical data.
- The intention is to vary the gate fee from the 1st July.

Based on current tonnes of recycling sent to processing it is estimated this increase will increase the cost to Cardinia Shire Council by approximately \$50,000 over the course of the 2021/22 financial year. This gate fee increase has been accounted for in the General Garbage Charge and will not impact the charge to residents in the 2021/22 financial year. Although it is an unwelcome development, it is not unexpected given the current market situation in Australia.

Cardinia Shire's current Services Agreement with Polytrade expires 30 June 2021, Council has sought and received confirmation that current services with Polytrade can continue under the joint Services Agreement currently utilised by other Local Governments, that the exemption

under *section 186(5)c of the Local Government Act* still applies and that services will be available beyond this date.

### **Policy Implications**

This work and direction aligns with the general vision of the Waste and Resource Recovery Strategy (2017-2026), and some of its top priorities:

- increased resource recovery with a particular focus on hard waste service, food within garbage waste, additional kerbside programs and e-waste
- continuing to drive value for money within services
- supporting local community to be responsible and accountable for their waste generation and disposal practices

### **Relevance to Council Plan**

#### **3.3 Our Environment - Enhanced natural environment**

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

### **Climate Emergency Consideration**

The appropriate management and diversion of waste from landfill can assist in reducing the human impact on climate change. This contract will assist in several ways:

- continuing to divert waste away from landfill by offering and servicing recycling bins across the Shire.
- continuing to support group procurement opportunities to establish and take advantage of efficiencies in the resource recovery sector.

### **Consultation/Communication**

Updates on recycling industry issues and impacts to Council and ratepayers are made on a regular basis. We liaise regularly with the relevant State Government authorities and our Local Government counterparts on the state of the industry and group procurement arrangements.

The Metropolitan Waste and Resource Recovery Group, who are the owners of the arrangement we seek participation in, have provided updated communication on contract arrangements and hold regular stakeholder meetings to maintain contract requirements.

Legal advice regarding options for Council have been obtained from Maddocks Lawyers who will continue to support any contractual alterations.

### **Financial and Resource Implications**

Recycling and Landfill services are fully funded through the Garbage Charge.

The contracted rate applied to this contract is \$195 per tonne of recycling. This rate is the same as the previous 12 months and as such as been budgeted for in the 2021/22 garbage charge.

Cardinia Shire currently processes over 10,000 tonnes of recyclable material from the kerbside system each year. Current invoicing indicates that processing this material costs approximately \$180,000 per month (~900 tonnes/month). This provides a good indication of the cost of this service for the foreseeable future.

### **Conclusion**

Delays in the State Government led procurement of recycling processing services for Victoria has resulted in a required extension to the current short-term arrangements.

Joining the State-wide panel agreement will bring Cardinia Shire into line with other Local Government areas under the same agreement and guarantee processing capacity and a negotiated price per tonne for the short to medium term until a long term arrangement can be put in place. In order to continue to process recycling effectively, a new arrangement must be entered into. Entering this agreement facilitated by the Metropolitan Waste and Resource Recovery Group (MWRRG) will allow Cardinia Shire to continue to send material to our current operator, Polytrade Pty Ltd, providing a seamless transition.

It is recommended that the Chief Executive Officer be delegated the authority to finalise any further negotiations and execute the relevant contract documentation for contract number 20/35 as required.

**Resolution**

Moved Cr Tammy Radford, seconded Cr Graeme Moore.

That Council delegate authority to the CEO to allow Cardinia Shire to join the extended short-term panel contract managed by Metropolitan Waste and Recourse Recovery Group (including any required and approved extensions) for the processing of kerbside recycling.

Carried

## 6.3 Activity Reports

### 6.3.1 Major Projects Report

**Responsible GM:** Peter Benazic  
**Author:** Ben Wood, Kristen Jackson, and Walter Carmignani

#### Recommendation(s)

That Council note this report.

#### Attachments

1. Major Projects Report [6.3.1.1 - 13 pages]

#### 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.

#### Background

Projects and updates are included in the attached report

#### Relevance to Council Plan

##### 3.1 Our Environment - 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*.

3.1.2 Develop new and maintain existing parks, gardens and reserves in a sustainable way.

3.1.3 Provide accessible facilities to meet identified community needs.

3.1.4 Manage Council's assets like roads, drainage, footpaths and buildings, etc. in a way that ensures they are adequately maintained over their life.

##### 3.2 Our Environment - Transport linkages connecting towns

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

3.2.2 Continue the use of special charge schemes to finance road, drainage and footpath improvement programs.

3.2.4 Prioritise multi-use pathways, where practicable, to create networks that connect destinations.

#### Conclusion

This regular activity report (as attached) is provided for Councillor's information



**Resolution**

Moved Cr Tammy Radford, seconded Cr Graeme Moore.

That Council note this report.

Carried

## **7 Reports Or Minutes Of Committees**

The Mayor advised that minutes had recently been received from Committees and Briefing sessions and they were available for any interested Councillors.

## **8 Reports By Delegates**

Cr Davies advised that Council has appointed a dedicated Festivals and events Officer to help facilitate community events.

Cr Ryan spoke about Minister Natalie Hutchins' visit to Cardinia Shire in relation to new CCTV developments for the shire's residents.

Cr Springfield expressed his sympathies for the residents who have been affected by the recent severe storms in Victoria.

Cr Radford acknowledged the Community Recovery Committee who unfortunately had to cancel multiple events and advised that the committee has been extended to 31 August.

Cr Kowarzik thanked the Chief Executive Officer and the Cardinia Shire Council staff in the storm recovery effort.

Cr Ross highlighted the arts events currently occurring in Cardinia Shire.

Cr Moore also spoke to the recent storms and thanked the various members of the community for their assistance and the emergency services in the recovery effort.

The Mayor advised of the Deep Creek Eco Play was awarded a Landscape Architectural Award.

## **9 Presentation Of Petitions**

Cr Ryan tabled a petition regarding lighting at the Don Jackson Reserve Off Leash Dog Park, a report will be presented to the July Council meeting.

10 Notices Of Motion

**10.1 Notice of Motion 1065 Cr Collin Ross**

**Motion**

That Council contacts the Local Government Inspectorate at having a monitor spend time at the Cardinia Shire Council. This is to watch the behaviour of councillors through meeting procedure, using policies and emails to harass and bully councillors. In my opinion we have an unsafe workplace to voice any opinion of difference.

**Resolution**

Moved Cr Collin Ross, Seconded Cr Stephanie Davies

That Council contacts the Local Government Inspectorate at having a monitor spend time at the Cardinia Shire Council. This is to watch the behaviour of councillors through meeting procedure, using policies and emails to harass and bully councillors. In my opinion we have an unsafe workplace to voice any opinion of difference.

Lost

Cr Collin Ross called for a division.

For: Cr Ross, Ryan

Against: Cr Owen, Springfield, Radford, Moore, Davies and Kowarzik

## 11 Community Questions

The Mayor advised that Council had received 1 question from Tania Baxter.

The question read:

*Could Council please provide the breakdown of the costs they are allocating to what they say is the maintenance of \$32,000 (down from \$45,000 with no explanation from last figures) with regard to the Beaconsfield Neighbourhood Centre 2021-2022 maintenance charge so that BNC can assess it for budgeting in an open and transparent process to its committee of management? Thank you*

**The Chief Executive Officer responded with:**

*Thank you Ms Baxter for your question.  
I can confirm that Council forwarded its data on 19 May 2021 to the Beaconsfield Neighbourhood Centre, Council is continuing to work closely with the Neighbourhood Centre on a future agreement.*

The Mayor advised that Council had received 2 questions from Jessica Walton.

Question 1 read:

*The Disability Pride mural in Footscray, created by Larissa MacFarlane and other disabled artists, is a wonderful artwork that encourages disabled people to feel proud of their identity and community. It also demonstrates Maribyrnong Council's, and the Footscray community's, support for the idea of disability pride and community. I would like to see more public art by disabled artists in Cardinia Shire. Will the Council commit to a program commissioning public works of art by disabled artists who live in Cardinia Shire?*

**The Chief Executive Officer responded with:**

Thank you Ms Walton for your question about public art works and disabled artists. Council are developing an Access and Inclusion - Disability Action Plan informed by our community and Cardinia Shire Council that sets out what we will do to make our workplace, services, programs and community more accessible to people with disability ensuring they are equitable, inclusive, and safe.

The Disability Action Plan will be based on four key principles in the Victorian Disability Act 2006:

- reducing barriers to people with a disability in accessing goods, services, and facilities
- reducing barriers to people with a disability in obtaining and maintaining employment
- promoting inclusion and participation of people with a disability in the community
- achieving tangible changes in attitudes and practices which discriminate against people with a disability

Council will include your feedback as part of the consultation process to the Disability Action Plan.

Question 2 read:

*Australia is a signatory to the UN Convention on Rights of People with Disability. Article 9 and 21 of this Convention are of particular importance when you consider access to information. Easy English helps many disabled people, and people with low literacy levels, to understand information. It uses simple everyday language, supported with images. Is council working towards all public documents and reports being translated into Easy English? Council has recently developed a draft Disability Action Plan. Why is the draft plan not translated into Easy English? Is this going to mean that some people who may have given feedback on the draft will be excluded? Will council commit to translating the final Disability Action Plan into Easy English?*

**The Chief Executive Officer responded with:**

Thank you, Ms Walton, for your question on the important issue of accessible information.

The community engagement for the development of the councils Disability Action Plan commenced on 26 April and was open until 7 June. In addition to a number of workshops, pop ups and surveys the engagement activities included an easy read activity utilising images.

Council will have an accessible easy read version of both the draft and final Disability Action Plan. In addition to these documents councils' common publications such as Connect are produced in alternative formats – both large print and audio. All council social media videos are audio captioned.

Your valuable feedback regarding accessible information will be included in the draft Disability action plan to ensure we are making improvements where possible.

The Mayor advised that Council had received 1 questions from Andrew McNabb.

*Question to the Mayor,*

*Can you please show me and explain where in the by-laws and councilor expense policy over the periods 2008 to present, that states that the Mayor car can be used for personal use.*

*Can you please provide the clause and number and a hard copy provide of the relevant clauses*

**The Mayor responded with:**

*Thank you for your question Mr McNabb,*

*The provision of a mayoral vehicle has been included in the councillor expenses policy for many years although not explicitly mentioned in the policy it has been accepted practice that the vehicle is available for private use if required. In the updated policy recently adopted this matter has been further clarified.*

The Mayor advised that Council had received 2 questions from Tony O'Hara.

*In relation to the Councillor Code of Conduct.*

*A Cardinia Councillor has recently posted on Facebook, an article directly copied and pasted from the Press release of Jordan Crugnale MP, along with photos of himself with a State Minister in the back ground.*

*I believe this is an embarrassment for council as the Minister has since called him out for doing so. The post was the edited and was again challenged by the Minister. Both comments by the Minister have since been hidden or removed.*

*The Post as it is not, still making the councillor look like he is taking credit.  
(Link not accessible)*

*Clauses from the Councillor Code of Conduct*

*3.4 Councillor must not discredit or mislead Council or public*

*1. In performing the role of a Councillor, a Councillor must ensure that their behaviour does not bring discredit upon the Council.*

*2. In performing the role of a Councillor, a Councillor must not deliberately mislead the Council or the public about any matter related to the performance of their public duties.*

*5.3 For the purposes of Section 123 , circumstances involving the misuse of a position by a person who is, or has been, a Councillor or member of a delegated committee include*

*d) exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform.*

*11.2 Although any Councillor is entitled to communicate his or her views to the media, constituents and others, they should not in doing so:*

*b) bring the Council into disrepute.*

Question 1 read:

*Will Council take action to add appropriate clauses in the Councillor Code of Conduct to stop Councillors taking personal credit for works of Council, Government or any other authority or business.*

**The Chief Executive Officer responded with:**

*Thank you for the question Mr O'Hara, I do need to clarify that your question refers to a Minister but from what I understand I believe you are referring to our local member for Bass, Ms Jordon Crugnale.*

*The Code of Conduct is able to be reviewed at any time and the Council may take your suggestions into account when the Code is next reviewed.*

*In terms of the Council taking action, there have been no complaints about this matter regarding the Code of Conduct and complaints are not able to be made by members of the public.*

Question 2 read:

*Will Council arrange for this post to be deleted in its current form on Facebook.*

**The Chief Executive Officer responded with:**

*Again, thank you for your question Mr O'Hara, Council has no control over Councillors personal Facebook or other social media pages.*

**12 Urgent Business** There was no urgent business.

**13 Councillor Questions** Nil.

**14 Confidential Business**

Items considered in the closed Council meeting were done so under section 3(1) of the Local Government Act 2020. If the item was considered in public it would prejudice Council's position in commercial negotiations.



**15 Meeting Closure**

Meeting closed at 09:18 pm.

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Minutes confirmed  
Chairman