

Ordinary Council Meeting

Minutes

Monday 16 August 2021

Commenced at 7:00 PM

**Council Chambers
20 Siding Avenue, Officer
Victoria**

Members:	Cr Brett Owen	Mayor
	Cr Jeff Springfield	Deputy Mayor
	Cr Kaye Cameron	
	Cr Stephanie Davies	
	Cr Jack Kowarzik	
	Cr Graeme Moore	
	Cr Collin Ross	
	Cr Tammy Radford	
	Cr Carol Ryan	

Officers:	Carol Jeffs	Chief Executive Officer
	Doug Evans	Manager Governance
	Jack Coogan	Governance Officer

Meeting opened at 7:05pm.

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1 Opening And Reflection/Prayer

Meeting opened at 7:05pm.

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 Tammy Radford

That minutes of the following meetings be confirmed:

- General Council meeting 19 July 2021

Carried

5 Declaration Of Interests

Nil.

6 Ordinary Business

6.1 Town Planning Reports

6.2 General Reports

6.2.1 Appointment of Community Asset Committees for Recreation Reserves

Responsible GM: Kristen Jackson
Author: Cameron Miller

Recommendation(s)

That Council:

1. Appoint the following persons to the respective Community Asset Committees appointed by Cardinia Shire Council in accordance with the Local Government Act 2020.

Huxtable Road Recreation Reserve

President	Phil Barkla
Vice President	Rosemary Buczak
Secretary/Treasurer	Peter van Dieman
Committee Member	David McKenzie
Committee Member	John Baillie
Committee Member	Karen Buckland
Committee Member	Domenic Gagliardi
Committee Member	Helen van Dieman

Officer Recreation Reserve

President	Rob Porter
Vice President	John Tivendale
Secretary	Gareth Sheean
Treasurer	Gary McCoubrie
Committee Member	Fay McCoubrie
Committee Member	Geoff Porter
Committee Member	Amy Jones

Chandler Recreation Reserve

President	Tim Sproule
Committee Member	Rod Smith
Committee Member	Mark Pedder
Committee Member	Steve Livermore
Committee Member	Geoff McKimmie
Committee Member	Brad Bishop

Sutherland Park Recreation Reserve

President	Glenn Burridge
Secretary	Matt Hutchinson
Treasurer	Sandra Butler
Committee Member	Carol Gibson
Committee Member	Sue Simmons

Yarrabubba Recreation Reserve

President	Helen Sutton
Secretary	Kate Holmes
Treasurer	Bjorn Vodanavich
Committee Member	Colin Wert
Committee Member	Jacqui Herman
Committee Member	Kelly Chambers

2. Note the DELWP appointment of the following Committee of Management under the Crown Lands Reserve Act:

Bunyip Recreation Reserve

President	Alan Wright
Vice President	Peter Downie
Treasurer	Jim Fitzpatrick
Public Officer	Tom Anderson
Public Officer	Philippa Demsey

3. Thank all Committee members for their willingness to be involved in the management of community recreation reserves.

Attachments

Nil.

Executive Summary

This report advises Council of the membership of Council appointed Community Asset Committees that have been elected and seeks formal Council appointment. It also notes the appointments to the Bunyip Reserve Committee of Management and thanks all committee members.

Background

There are twenty-six (26) recreation reserves within Cardinia Shire which are managed by Committees. Thirteen (13) of these reserves are managed by Council appointed Community Asset Committees, three (3) are Department of Environment, Land, Water and Planning (DELWP) owned with Council appointed as Committee of Management under the Crown Land Reserves Act and then managed by Council appointed Community Asset Committees, nine (9) are DELWP owned with DELWP appointed Committees of Management under the Crown Land Reserves Act and one (1) is Pastoral Agricultural & Horticultural Association (PA&H) owned with a PA&H appointed Committee of Management.

Members of Community Asset Committees are elected annually, and upon election require appointment by Council resolution pursuant to Local Government Act 2020. Only Community Asset Committees can be approved by Council.

This report recommends Council appointments new members for the following committees as a result of public meetings that have been conducted by Councillors or Council Officers:

- Huxtable Road Recreation Reserve.
- Officer Recreation Reserve.
- Chandler Recreation Reserve.
- Sutherland Park Recreation Reserve.
- Yarrabubba Recreation Reserve.

This report also notes the appointments to the Bunyip Recreation Reserve Committee of Management. Bunyip Recreation Reserve is Crown Land with a Committee of Management appointed by DELWP under the Crown Land Reserves Act.

Policy Implications

The appointments are consistent with both Council policy and requirements for Community Asset Committees.

Relevance to Council Plan

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.

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

N/A

Consultation/Communication

Notifications of Annual General Meetings for Community Asset Committees for Recreation Reserves are advertised through local media and internally to all user groups of that reserve.

Financial and Resource Implications

N/A

Conclusion

Community Asset Committees voluntarily assist Council in the ongoing management and improvement of Council's facilities. This enables the community to participate in sport and recreation activities that provides health and social benefits to the broader community.

Resolution

Moved Cr Jack Kowarzik, seconded Cr Tammy Radford.

That Council:

1. Appoint the following persons to the respective Community Asset Committees appointed by Cardinia Shire Council in accordance with the Local Government Act 2020.

Huxtable Road Recreation Reserve

President	Phil Barkla
Vice President	Rosemary Buczak
Secretary/Treasurer	Peter van Dieman
Committee Member	David McKenzie
Committee Member	John Baillie
Committee Member	Karen Buckland
Committee Member	Domenic Gagliardi
Committee Member	Helen van Dieman

Officer Recreation Reserve

President	Rob Porter
Vice President	John Tivendale
Secretary	Gareth Sheean
Treasurer	Gary McCoubrie
Committee Member	Fay McCoubrie
Committee Member	Geoff Porter
Committee Member	Amy Jones

Chandler Recreation Reserve

President	Tim Sproule
Committee Member	Rod Smith
Committee Member	Mark Pedder
Committee Member	Steve Livermore
Committee Member	Geoff McKimmie
Committee Member	Brad Bishop

Sutherland Park Recreation Reserve

President	Glenn Burridge
Secretary	Matt Hutchinson
Treasurer	Sandra Butler
Committee Member	Carol Gibson
Committee Member	Sue Simmons

Yarrabubba Recreation Reserve

President	Helen Sutton
Secretary	Kate Holmes
Treasurer	Bjorn Vodanavich
Committee Member	Colin Wert
Committee Member	Jacqui Herman
Committee Member	Kelly Chambers

2. Note the DELWP appointment of the following Committee of Management under the Crown Lands Reserve Act:

Bunyip Recreation Reserve

President	Alan Wright
Vice President	Peter Downie
Treasurer	Jim Fitzpatrick
Public Officer	Tom Anderson
Public Officer	Philippa Demsey

3. Thank all Committee members for their willingness to be involved in the management of community recreation reserves.

Carried

6.2.2 Appointment of committee members to the Nobelius Heritage Park and Emerald Museum Community Asset Committee

Responsible GM: Peter Benazic
Author: Desiree Lovell

Recommendation(s)

That the following appointments be made to the Nobelius Heritage Park and Emerald Museum Community Asset Committee for a two year term.

- Pauline Murphy (President)
- Lynne Schrull (Secretary)
- Mandy Porter (Treasurer)
- Roy Kendall
- Kerry Champness
- Julia Bell
- Anne Carter
- Elaine Morris

Attachments

Nil

Executive Summary

This report advises Council of the members elected to the Nobelius Heritage Park and Emerald Museum Community Asset Committee following the Biennial General Meeting held on 15 July 2021.

Background

The Nobelius Heritage Park and Emerald Museum Committee operate as a Community Asset Committee of Cardinia Shire Council. The committee manages the daily operations of the Emerald Museum and surrounding Nobelius Heritage Park.

A total of eight committee members were elected onto the Nobelius Heritage Park and Emerald Museum Committee at the Biennial General Meeting (BGM) held on the 15 July 2021. The BGM was held at the Emerald Museum.

The current Instrument of Delegation (2020) for the Nobelius Heritage Park and Emerald Museum Community Asset Committee requires the committee of management to be made up of between five and ten members. The elected committee meets this requirement.

Policy Implications

Nil

Relevance to Council Plan

1.1 We empower our communities to be healthy, connected and resilient

1.1.2 Enrich local identity and opportunities for the community to connect through art, history and cultural expression.

1.1.3 Lead by example in creating an inclusive and welcoming community for all by facilitating community education, capacity building, connection and celebration of our diversity.

1.1.5 Work closely with the community to deliver programs that build community resilience, relating to a pandemic or other disasters.

Climate Emergency Consideration

Not applicable

Consultation/Communication

Council officers developed various promotional media in the lead up to the BGM, aiming to increase awareness within the community of the museum, and seek nominations to the committee of management. Deputy Mayor Jeff Springfield chaired the nomination process and welcomed the new committee.

Financial and Resource Implications

Nil

Conclusion

The BGM of the Nobelius Heritage Park and Emerald Museum Community Asset Committee was held on the 15 July 2021. Eight members were nominated to the committee.

Resolution

Moved Cr Graeme Moore, seconded Cr Jack Kowarzik.

The Performance and Growth Reports for Quarter 4 2020-21 be received and noted.

Carried

6.2.3 Appointment of Authorised Officers under Planning and Environment Act 1997

Responsible GM: Debbie Tyson
Author: Owen Hardidge

Recommendation(s)

That Council resolve to appoint the follow staff members as Authorised Officers pursuant to Section 147(4) of the *Planning and Environment Act 1997*, and resolve to attach the Council Seal to the instruments of appointment attached to this report:

1. Mr Benjamin FURNER
2. Mr Peter TRUONG
3. Mr David GULENC

Attachments

1. Council 2021 08 16 Planning and Environment appoints TRUONG FURNER [6.2.3.1 - 3 pages]

Executive Summary

Section 147 (4) of the *Planning and Environment Act 1997* allows Council to appoint staff members to conduct enforcement when breaches of the planning scheme occur. Council routinely appoints staff members to undertake enforcement, and it is recommended that the three names staff members (who recently commenced with Council) should be so appointed. They will exercise their powers in accordance with the Cardinia Shire *Compliance and Enforcement Policy*.

Background

Section 147 (4) of the *Planning and Environment Act 1997* allows Council to appoint staff members to conduct enforcement when breaches of the planning scheme occur. When breaches of the scheme are detected, certain investigative powers may be exercised, such as entering land without consent, applying for search warrants, issuing infringements or issuing charge sheets. Only designated appointees may exercise these powers.

Council routinely appoints staff members to undertake enforcement. Typically, the Chief Executive Officer directly appoints staff, but a section 188 (2)(c) of the Planning and Environment Act do not allow this function to be delegated to the CEO. As such, Council resolutions are recommended to appoint staff members,

The three staff members (who recently commenced with Council) should be so appointed.

They will exercise their powers in accordance with the Cardinia Shire *Compliance and Enforcement Policy*.

Policy Implications

There are not Policy Implications with this report

Relevance to Council Plan

Not applicable.

Climate Emergency Consideration

The are no Climate Emergency considerations.

Consultation/Communication

The is no consultation necessary in respect of this resolution

Financial and Resource Implications

There are no financial implications of this resolution. The named staff are existing staff members.

Conclusion

It is recommended that the three named staff members, Mr Benjamin Furner, Mr Peter Truong and Mr David Gulenc be appointed as authorised officers for the purpose of conducting enforcement powers under the *Planning and Environment Act 1997*.

Resolution

Moved Cr Graeme Moore, seconded Cr Jack Kowarzik.

That Council resolve to appoint the follow staff members as Authorised Officers pursuant to Section 147(4) of the *Planning and Environment Act 1997*, and resolve to attach the Council Seal to the instruments of appointment attached to this report:

1. Mr Benjamin FURNER
2. Mr Peter TRUONG
3. Mr David GULENC

Carried

6.2.4 Delegation of powers under Environment Protection Act 2017

Responsible GM: Debbie Tyson
Author: Owen Hardidge

Recommendation(s)

That Council resolves as follows:

1. To acknowledge the delegation of powers and functions under the Environment Protection Act 2018, made in accordance with section 437(4) of the Act, on 4th June 2021 on behalf of the Environment Protection Authority governing board, by Professor Kate Auty.
2. To delegate the powers and functions to Council officers, in accordance with the instrument of delegation attached to this report
3. That the Council Seal be affixed to the instrument of delegation attached to this report.

Attachments

1. 2021.2 Board- Councils Delegation [**6.2.4.1** - 4 pages]
2. 2021.2 Board- Councils Direction [**6.2.4.2** - 3 pages]
3. P VIC S18 Instrument of Sub delegation under the EPA 2017 DELS18 1 [**6.2.4.3** - 5 pages]

Executive Summary

As a result of the new Environment Protection Act 2018, the governing board of the EPA has formally delegated certain powers to Councils, by instrument of delegation made 4 June 2021 (attached).

The regulatory powers of Council have not substantially changed under the new Act, but it is necessary for Council to delegate those functions to Council staff.

The recommended resolutions (and attached instrument of delegation) are effective to provide for the continuation of this function.

Background

The Victorian State government has undertaken a wholesale revision of the legislative arrangements for environmental protection in the State of Victoria. As a result of this process, the *Environment Protection Act 1970*, has been repealed and replaced by a new Act (the *Environment Protection Act 2018*) and a range of sub-ordinate regulations, and guidelines.

The full extent of the changes brought about by the new Act is beyond the scope of this report.

Council continues to have regulatory responsibilities in respect of the following subjects, all of which derive their powers from the new Environment Protection Act.

- Litter and waste related offences
- Permitting septic tank systems, and ensuring they are properly functioning, and
- Residential noise complaints.

In most cases, the delegated powers will be exercised by the Manager Regulatory Services, or other Regulatory Services staff.

The recommended resolutions are necessary in this instance, as a result of the new legislative powers conferred on Councils, and in the future these delegations will be incorporated into the standard instruments of delegation.

Policy Implications

The proposed resolutions represent a continuation of the current delegation policies of Council

Relevance to Council Plan

5.1 We practise responsible leadership

5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Climate Emergency Consideration

There are no Climate Emergency considerations that relate to this resolution.

Consultation/Communication

No consultation is required in respect of these proposed resolutions.

Financial and Resource Implications

There are no financial or resource implications for this resolution

Conclusion

In order to continue to fulfill regulatory functions under the Environment Protection Act 2018, the recommended resolutions are necessary. The recommended resolutions will delegate the functions (currently delegated by the EPA to Council) to the Manager of Regulatory Services, and other Regulatory Services staff.

Resolution

Moved Cr Graeme Moore, seconded Cr Jack Kowarzik.

That Council resolves as follows:

1. To acknowledge the delegation of powers and functions under the Environment Protection Act 2018, made in accordance with section 437(4) of the Act, on 4th June 2021 on behalf of the Environment Protection Authority governing board, by Professor Kate Auty.
2. To delegate the powers and functions to Council officers, in accordance with the instrument of delegation attached to this report
3. That the Council Seal be affixed to the instrument of delegation attached to this report.

Carried

6.2.5 PB Ronald Reserve Masterplan

Responsible GM: Kristen Jackson
Author: Samantha Cross

Recommendation(s)

That Council:

- Note the consultation undertaken and following changes made to the PB Ronald Masterplan.
- Note the potential impact of the Multicultural Hub project on the Masterplan in future.
- Support and endorse the PB Ronald Reserve Masterplan.

Attachments

1. PB Ronald Reserve Masterplan FINAL JULY 2021 [6.2.5.1 - 1 page]

Executive Summary

The PB Ronald Reserve Draft Masterplan was presented to Councillors in August 2020 after community consultation on the draft Masterplan. It was decided that due to a number of submissions not supportive of the draft Masterplan, a final draft of the masterplan with revised changes was to be presented for further public exhibition.

The community did not support the following aspects of the draft plan:

- Proposed removal of tennis courts for multi-use courts
- Proposed location of the Men's Shed as it impacted on tennis
- New bowling green
- The future of the outdoor swimming pool (not in the scope of the Masterplan).

A Final Draft Masterplan was prepared with the following changes:

- Changing from one to two multipurpose courts – one with tennis line marking and the other multi-use as originally designed.
- Additional footbridge from the playground to the greenspace to improve accessibility.
- Additional notes to clarify the following aspects:
 - CFA running track practical aspects
 - Improved wayfinding signage
 - Community garden - sensory play and food strategy alignment.

The Final Draft Masterplan was presented to the public from 18 December 2020 – 31 January 2021. To improve clarity for the community, the following community engagement activities were carried out:

- Utilising Council's online community engagement platform, *Creating Cardinia*, a Frequently Asked Questions web page was provided with explanations to many of the questions received through previous consultations.
- A formal submission form was provided on the *Creating Cardinia* website for community to provide further feedback on the Final Draft Masterplan.
- A letter drop to neighbouring residents within 500m of the reserve.
- Email to all key stakeholders at the reserve and residents who provided their contact details to Council to be kept informed of the project.

- Information sent to all local schools to be included in newsletters.

Three formal responses were submitted:

- Safety concerns relating to the use of the CFA running track and proposed carpark. It was determined that the existing car parking was sufficient, therefore the running track area will be set aside for scooter track / fire safety themed. To be explored further in the detailed design process.
- Traffic concerns along Henry Road. This will be factored in as the implementation of the Masterplan progresses over the next 10 years.
- Pakenham Tennis Club was not supportive of the Masterplan until the Regional Tennis Centre agreement has been signed off by all parties.

Since the Final Draft Masterplan was presented to the community in December 20 / January 21, PB Ronald Reserve has been identified as a potential site for a proposed multicultural hub. This may impact on the future implementation the Masterplan and is noted in the plan.

Further changes have been made to the Masterplan based on community feedback:

- CFA running track improved by creating a themed scooter / bike track as opposed to more car parking. The track will be available for community use and closed for CFA training activities as required.
- Pakenham Men's Shed moved back to the north-west section of the reserve to improve connection with existing Shed. It was not well connected with the courts and swimming pool. This may be impacted on by the proposed multi-cultural hub and will need to be explored further.
- New shared pathway along John Street, with improved pedestrian crossing at John / Henry Street round about and traffic calming along John Street. In line with Council's Local Traffic Management Strategy.
- Discussions have commenced regarding ways to improve how Indigenous communities can better connect and utilise the park, as well as a project to install artwork on fencing surrounding the swimming pool plant to improve amenity of that area. Art project to be delivered 21/22 financial year.

A Crime Preventions through Environmental Design (CPTED) report has been prepared to guide the design and implementation of the Masterplan.

The Agreement for the relocation of the Pakenham Tennis Club to the Pakenham Regional Tennis Facility is currently in the process of being finalised and signed by all parties. The Pakenham Tennis Club has previously confirmed their written approval to relocate.

The implementation plan will be delivered over a 10-year period.

The feasibility study of a proposed multi-cultural hub has delayed the finalisation of the PB Ronald Reserve Masterplan and will continue to take time before an outcome is determined. To prevent any further delays on the delivery of important upgrades within the reserve, it is recommended that Council support the changes made and endorse the Masterplan noting the implementation of the Masterplan may be impacted by the proposed Multicultural Hub.

Background

PB Ronald Reserve is approximately 6.7ha, close to the centre of Pakenham. It is bound by Henry Street, Anderson Street and John Streets. The creation of the reserve was the result of community action in the 1890s and acquisitions by Council in later years.

The park accommodates several buildings and uses including:

- Pakenham swimming pool
- Pakenham Tennis Club and tennis courts
- Pakenham Bowls Club
- Pakenham Library, Hall and U3A (University of the Third Age, adult education)
- Living & Learning Centre
- Pakenham Men's Shed
- Pakenham Community Garden.

The reserve provides residents and the broader community a place to recreate and play, enjoy open space, participate in sport, and access community groups and services.

The reserve currently offers the following activities:

- Tennis courts
- Lawn bowling greens
- District level playground
- Skate park
- Sheltered BBQ's
- CFA running track
- RSL memorial walk
- Cricket nets
- Swimming pool.

The PB Ronald Reserve Masterplan was last prepared in 2010.

In September 2019 phase one consultation was undertaken with the community to gain input into the redevelopment of the masterplan in 2020.

The Draft Masterplan was prepared based on the feedback from 2019 and presented for community consultation in June - July 2020.

The key features of the Draft Masterplan included the following key elements:

- Relocation of the remembrance cenotaph and plaques, creating a safer and accessible location for community to gather.
- Provide additional carparking through shared use of the CFA running track.
- Upgrade and expansion of the existing skate park.
- Provision of new parkour circuit and upgraded exercise equipment.
- New picnic / barbeque area near the Living and Learning Centre.
- Upgrade existing and provide new furniture and shelters across the site.
- Upgrade existing public amenities, supporting CFA storage.
- Improve the passive open space to support events including a new stage, 3 phase power, solar lighting, vehicle access and pathways, drainage improvements.
- Replace existing tennis courts with new bowling green and an open multi use court suitable for basketball, netball, tennis, soccer.
- Relocation of the Men's Shed to a more suitable location.
- Provision of new carparking supporting the multi-use court, swimming pool, Men's Shed, Bowls Club and providing connections to the broader reserve.

Covid-19 restrictions and lockdown had a significant impact on how the community were engaged. Council staff were unable to meet face to face with key stakeholders, attend the Secondary Schools, or hold a 'pop up' consultation for community members to attend, ask questions and/ or provide feedback.

Through online surveys, emails and phone calls, the community were asked what they liked / disliked / wanted to see changed about the Draft Masterplan.

The highest number of positive comments were centred around support for the upgrade in general. The skatepark upgrade, carpark upgrade, parkour and open space in general was high supported. The additional BBQ's, CCTV and security provision, seating, lighting, toilets, and the multi-use courts were also well liked by the community.

The elements that the community did not like or wanted changed was focused on tennis. This further influenced whether people liked the proposed additional multi-use court, bowling green and new location of the Men's Shed.

The results from that community engagement process saw the following amendments made to the draft masterplan:

- Changing the multi-use court to include two courts – one with a tennis focus and the other multi-use as originally designed. This is to take into consideration strong feedback around tennis.
- Adding an additional footbridge from the playground to the greenspace to improve access.
- Additional notes to clarify the following aspects:
 - o CFA running track practical aspects.
 - o Wayfinding signage.
 - o Community garden - sensory play and food strategy alignment.

The results of Phase two community consultation were presented to SLT and Council Briefing in August 2020 where it was recommended that a Final Draft Masterplan be presented to the community for public exhibition. This was due to the nature of the feedback and concerns raised by the community regarding the removal of the tennis courts.

Feedback received saw the following changes to the plan:

- Reinstate the CFA running track with improved amenity by creating a themed scooter / bike track as opposed to additional car parking. The track will be available for community use and closed off only during CFA training activities as required.
- Relocate the Pakenham Men's Shed back to the north western part of the reserve to improve connection with the existing Shed. It was not well connected with the courts and swimming pool. This is still yet to be finalised and may be impacted upon by the multicultural hub.
- Shared pathway along John Street, with possible pedestrian crossing at John / Henry Street round and traffic calming along John Street in line with Council's Local Traffic Management Strategy.
- Discussions have commenced regarding ways to improve how our Indigenous communities can connect and utilise the park, as well as a project to install artwork on fencing surrounding the swimming pool plant to improve amenity of that area.

The implementation of the Masterplan will be delivered over a 10-year period. It is important to note that current cost estimates are estimates only and subject to change based on detailed design and future site issues.

It is recommended that costs be considered as part of Council's 10-year capital works plan.

Policy Implications

The Pakenham Structure Plan (2017) identifies PB Ronald Reserve as one of two main open spaces within Pakenham (Bourke Park is the other). The Structure plan notes the importance of ensuring that existing (and any proposed) open space areas are of a high quality, are well

connected by paths, and can be used for a range of activities. The Structure Plan identified the following actions:

- A65. Review the PB Ronald Reserve master plan to ensure that it is consistent with the vision and direction of the Pakenham SP. The review is to include the identification of possible future civic uses on these sites.

The PB Ronald Masterplan aligns with Council's Liveability Plan (2017-29), particularly as the Reserve provides the community with a number of different experiences, activities and services. The following Domains are supported by the Masterplan development and the reserve in general:

Active travel

1.2 Building safe, accessible and enjoyable walking and cycling infrastructure.

1.3 Enhancing the amenity, safety and natural environment along active travel routes.

Education

2.1 planning for education and training facilities which meet the diverse needs of a growing population.

Food

4.1 Protecting and utilising fertile land as a source of fresh food for current and future generations.

4.3 Enhancing food knowledge, skills and culture within schools, workplaces, clubs and the wider community.

Health and social services

5.2 Providing health and social services which are inclusive and accessible for all people.

Open spaces and places

7.1 Strategically planning and maintaining open spaces and places to be safe, accessible, appealing and connected.

7.3 Increasing access to leisure, sport and recreation opportunities.

7.4 Protecting and enhancing the environmental quality of open spaces and places.

Council's Skate and BMX Strategy identifies opportunities for improvement including:

- Improving amenity and viewing with additional seating.
- Retain and monitor with expansion over time.
- Review Pakenham Skatepark condition and provide rectifications and improvements to meet best practice.

Cardinia Shire Recreation Strategy

Tennis

There is an overall trend of decline in tennis participation across Victoria.

- The Pakenham Regional Tennis Centre will remain the main tennis complex in the Shire. The venue is not currently used to capacity.
- There is a significant over-supply of tennis courts in the Hills and Rural regions. Options to maximise use of these venues will need to be considered.
- There is a potential over-supply of 7 tennis courts in the Growth region.

Recommendation: Monitor levels of demand for tennis facilities. Additional facilities (beyond those already planned) are not recommended within the 10-year life of this plan.

Lawns Bowls

The gap analysis suggests:

- An additional 2 bowls greens will be needed in addition to the existing 2-green venue at P.B. Ronald Reserve, Pakenham and planned new 2-green facility at Comely Banks Recreation Reserve, Officer.
- Explore options to incorporate a 2 green bowling facility into existing or proposed active reserves at the western end of the growth corridor.

Relevance to Council Plan

1.1 We empower our communities to be healthy, connected and resilient

1.1.2 Enrich local identity and opportunities for the community to connect through art, history and cultural expression.

1.1.3 Lead by example in creating an inclusive and welcoming community for all by facilitating community education, capacity building, connection and celebration of our diversity.

1.1.4 Facilitate a partnership approach to create safer communities.

2.1 We support the creation of liveable spaces and places

2.1.1 Advocate, plan for and deliver accessible community infrastructure and services that address community need.

2.1.2 Plan and maintain safe, inclusive and connected open spaces, places and active travel routes.

3.1 We value our natural assets and support our biodiversity to thrive

3.1.3 Work with community to improve and manage our natural assets, biodiversity and cultural heritage.

4.1 We support our productive land and employment land to grow local industries

4.1.1 Facilitate better planning for our agricultural land to support industry, innovation, local food economy and local job growth.

4.1.5 Strengthen and promote our shire's unique identity and visitor attractions.

5.1 We practise responsible leadership

5.1.1 Build trust through meaningful community engagement and transparent decision-making.

5.1.2 Manage our finances responsibly and leave a positive legacy for future generations.

5.1.4 Maximise value for our community through efficient service delivery, innovation, strategic partnerships and advocacy.

Climate Emergency Consideration

The role of the reserve in the drainage system and storm water management is acknowledged by the Masterplan and further investigations will be undertaken to maximise function and usability.

Environmental implications of any proposed changes to the reserve will be considered as part of the detailed design and implementation process.

Consultation/Communication

The community were asked what they liked / disliked / wanted to see changed about the Draft Masterplan. They also had the opportunity to “drop a pin” and provide more detailed comments relating to specific aspects of the draft plan.

Covid-19 restrictions had a significant impact on how the community were engaged. Council staff were unable to meet face to face with key stakeholders, attend the Secondary Schools, or hold a ‘pop up’ consultation for community members to attend, ask questions and/ or provide feedback.

The Draft Masterplan was presented to the community from 24th June until the 26th of July 2020. Phase two community consultation saw the following engagement methods undertaken:

- 187 online surveys completed.
- 11 pin drops into the online survey.
- 12 student leaders – primary schools
- 12 external stakeholders contacted directly.
- 4 internal Council departments.
- 2 Primary schools directly engaged.

The PB Ronald Reserve Final Draft Masterplan was presented for public exhibition from 18 December 2020 – 31 January 2021. The program of engagement included:

- Creating Cardinia online platform with a dedicated page for FAQ’s. This provided answers to many of the questions received through earlier consultations to improve clarity around the process undertaken, and information regarding the tennis club relocation.
- Formal submission form was provided for objections to the plan.
- Letter drop to all neighbouring residents within 500m of the reserve.
- Email to all key stakeholders of the reserve and those wanting to remain informed of the project.
- Email to all local schools to place information in newsletters.
- Feedback sought from internal Council departments.

During the consultation period, the Creating Cardinia website for PB Ronald Reserve Final Draft Masterplan was viewed 339 times.

Three formal responses were submitted:

- Safety concerns relating to the use of the CFA running track and proposed carpark. It was determined that the existing car parking was sufficient, therefore the running track area will be set aside for scooter track / fire safety themed. To be explored further in the detailed design process.
- Traffic concerns along Henry Road. This will be factored in as the implementation of the Masterplan progresses over the next 10 years.
- Pakenham Tennis Club was not supportive of the Masterplan until the Regional Tennis Centre agreement has been signed off by all parties.

All feedback received has been factored into the development of the Masterplan and incorporated where appropriate.

Financial and Resource Implications

The Masterplan delivery will have impacts on financial resourcing:

- The PB Ronald Masterplan Opinion of Probable Cost outlines a 10-year costed implementation plan.
- Large scale projects are proposed to be delivered over a 2-year period.
- The Masterplan will be implemented through Council Capital Works budget allocation and government grant funding opportunities will be sought.
- The cost plan is to be flexible to allow and accommodate the Tennis Club relocation to the Regional Tennis Centre and subsequent demolition of the tennis courts.

It is important to note that the costs are estimates only and subject to change.

Detailed design is to be staged over the implementation of the plan at each key stage.

It is recommended these costs be considered as part of Council's the 10-year capital works plan.

Conclusion

The development of a new masterplan for the PB Ronald Reserve has been a long and thorough process with an extensive program of community engagement, where all feedback received was considered and where possible, incorporated.

In September 2019, phase one community consultation commenced. The feedback received informed the PB Ronald Reserve Draft Masterplan which was presented back to the community during phase two community engagement in June / July 2020.

The community feedback showed a high level of concern for the swimming pool, tennis club relocation and subsequent removal of the tennis courts. This feedback was analysed and where possible, amendments were made to the plan to address these concerns.

A Final Draft Masterplan was presented for public exhibition from December 2020 – January 2021 with information made available to the community, addressing a lot of the concerns raised during phase two consultation. Three formal responses were received and addressed where possible.

The PB Ronald Reserve Masterplan and 10-year implementation plan considers the community feedback and future costs involved. It is recommended these costs be considered as part of Council's 10-year capital works plan.

There has been a delay in finalising the Masterplan as PB Ronald Reserve was identified as a preferred location for a Multicultural Hub however, this is yet to be determined. Endorsement of the Masterplan, acknowledging the unknown impacts of the multi-cultural hub, allows Council to close the loop for the community who have participated in the consultation, and commence the design of key infrastructure such as the skatepark and surrounding recreation areas.

It is recommended that Council:

- Note the consultation undertaken and following changes made to the PB Ronald Masterplan.
- Note the potential impact of the Multicultural Hub project on the Masterplan in future.
- Support the endorsement of the PB Ronald Reserve Masterplan.

Resolution

Moved Cr Carol Ryan, seconded Cr Jack Kowarzik.

That Council:

- Note the consultation undertaken and following changes made to the PB Ronald Masterplan.
- Note the potential impact of the Multicultural Hub project on the Masterplan in future.
- Support and endorse the PB Ronald Reserve Masterplan.

Carried

6.2.6 Gender Equity and Equality Monthly Report

Responsible GM: Jenny Scicluna
Author: Kristen Simpson

Recommendation(s)

That Council:

- Stays informed of Cardinia's commitment and progress towards Gender Equality within the organisation and the community in general.

Attachments

1. CLUBS RECEIVE FURTHER SUPPORT TO PROMOTE GENDER EQUALITY [6.2.6.1 - 3 pages]

Executive Summary

The People and Culture team continues working towards the implementation of the Gender Equality Act while delivering organisation-wide training. A few of the actions planned for July – more specifically regarding training, have been delayed due to Victoria's most recent COVID lockdown.

No new actions were completed in the last month, so a summary of ongoing activities is included below in the body of the report.

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.

Cardinia will be required to create its first Gender Equality Action Plan (GEAP). The GEAP was initially due in October 2021, however in early June the Commission for Gender Equality in the Public Sector (Commission) revised the GEAP due date to 1st December 2021.

Gender Impact Assessments

A Gender Impact Assessment (GIA) is required to be conducted 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.

Gender Impact Assessments are currently being conducted and will contribute to the GEAP.

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 investigates 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 31st May and closes in the first week of July (running for an extra week this year due to COVID). Results will be available in mid-August.

Over 30% of Cardinia Employees have now completed the survey (average response rate across all Councils is 25%)

Gender Audit

In late July the Commission will release the final Workforce Reporting Template. Using data from the People Matter Survey and information on-hand, People and Culture will complete the Gender Audit to contribute to the GEAP.

The Gender Audit will analyse 'Gender Equality Indicators' at all levels of Council including:

- Gender pay equity
- Gender composition at all levels of the workforce
- Gender composition of governing bodies
- Workplace sexual harassment
- Recruitment and promotion
- Gendered work segregation
- Leave and flexibility

Respectful Workplaces Training

The extension to the most recent COVID restrictions has resulted in a delay to the Respectful Workplaces Training. This will recommence as soon as possible and will be delivered to the few remaining employees who have not yet attended.

The LGA 2020 requires us to deliver training regularly, and while COVID restrictions proved challenging, it was important to Cardinia for this training to be delivered face-to-face.

This year it was created and delivered by the People and Culture team. Content such as bullying, harassment and conflict of interest were covered. 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 continues to contribute to 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.

Achievements for Noting

State Member for Bass advised that the Officer City Football Club has received '\$6 500 to bring together, along with Cardinia Council, representatives from local sporting communities to share ideas and showcase achievements in increasing female participation. Presentations

from inspirational female leaders in sport will benchmark best practices for inclusion and empower clubs to improve gender equality...'. See attached media release for further information.

Leadership Commitment Statement

Councillors and the Executive team developed a Gender Equality Leadership Commitment Statement through a guided workshop. The Commitment Statement has been finalised and a Communications Plan has been developed which began with a media release about the tabling of last month's report and will continue with a photo opportunity for councillors at an August council meeting. Following this, there will be promotion of the adopted statement, and additional activities up to the adoption of the GEAP in December.

This statement was endorsed by Council at the July Council Meeting.

Our Vision (external)

We want everyone who lives, works and spends time in Cardinia Shire – regardless of their gender identity – to be treated with respect and fairness, to feel and be safe, and to have equal access to opportunities to reach their potential and pursue their dreams.

Barriers to achieving this Vision

In our homes, workplaces and across the wider community, stereotypical and outdated views of gender roles, responsibilities and capabilities can lead to inequalities.

For example, what is expected of women and girls is often different to what is expected of men and boys. This can result in imbalances in areas including domestic duties, parenting responsibilities and access to resources and opportunities.

In addition, gender diverse people are often subject to similar expectations and discrimination based on their gender identity and may feel forced to hide their gender identity as a result. They are at greater risk of mental illness, physical and verbal abuse, and exclusion.

In our community, outdated views and stereotypes that reinforce gender inequality are often due to a lack of education and awareness. This causes gender bias, both conscious and unconscious, which perpetuates inequality in our policies, practices, systems and structures.

Solutions and Call to Action

Council will continuously strive to put policies and practices in place that help to deliver gender equitable programs and services for everyone in Cardinia Shire.

We will actively listen to women, girls and gender diverse people in our community, and learn from their lived experiences to help make Cardinia Shire a safer, healthier, fairer and more equitable place for all.

We will create opportunities for women, girls and gender diverse people in our community to have a voice and inform our decision making. We will lead by example on gender equality.

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 We empower our communities to be healthy, connected and resilient

1.1.1 Plan for, and support the delivery of, accessible health and social services that address critical gaps in provision.

1.1.3 Lead by example in creating an inclusive and welcoming community for all by facilitating community education, capacity building, connection and celebration of our diversity.

1.1.4 Facilitate a partnership approach to create safer communities.

2.1 We support the creation of liveable spaces and places

2.1.2 Plan and maintain safe, inclusive and connected open spaces, places and active travel routes.

5.1 We practise responsible leadership

5.1.1 Build trust through meaningful community engagement and transparent decision-making.

5.1.4 Maximise value for our community through efficient service delivery, innovation, strategic partnerships and advocacy.

Climate Emergency Consideration

N/A

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 Equality within the organisation and the community in general.

Carried

6.3 Policy Reports

6.3.1 Proposed Local Law 20 - Open Air Fires Local Law

Responsible GM: Debbie Tyson
Author: Kevin Carlisle Stapleton

Recommendation(s)

It is recommended that:

1. Council resolves to propose to make “Local Law 20 – Open Air Fires Local Law (version 2.0)” (including Schedule 1 maps), in accordance with Part 3 – Division 3 of the *Local Government Act 2020*, and
2. Council resolves to give notice of the proposed “Local Law 20 – Open Air Fires Local Law (version 2.0)” (including Schedule 1 maps) in accordance with Section 73 of the *Local Government Act 2020*, and to conduct community engagement in accordance with the Community Engagement Policy, and
3. Council further considers, at a future Council meeting on a date to be fixed, whether to make “Local Law 20 – Open Air Fires Local Law (version 2.0)” (including Schedule 1 maps) to have effect within the municipal district.

Attachments

1. PROPOSED Local Law 20 Open Air Burning Local Law version 2 00 [6.3.1.1 - 27 pages]
2. Schedule 1 Open Air Fire Zone Maps - Shire overview [6.3.1.2 - 1 page]
3. Schedule 1 Zone Map - Emerald Overview [6.3.1.3 - 1 page]
4. Schedule 1 Zone Map - Emerald detail [6.3.1.4 - 1 page]
5. Schedule 1 Zone Map - Cockatoo [6.3.1.5 - 1 page]
6. Schedule 1 Zone Map - Gembrook Overview [6.3.1.6 - 1 page]
7. Schedule 1 Zone Map - Gembrook detail [6.3.1.7 - 1 page]
8. Schedule 1 Zone Map - Garfield [6.3.1.8 - 1 page]
9. Schedule 1 Zone Map - Koo Wee Rup [6.3.1.9 - 1 page]
10. Schedule 1 Zone Map - Lang Lang [6.3.1.10 - 1 page]
11. Schedule 1 Zone Map - Maryknoll [6.3.1.11 - 1 page]
12. Schedule 1 Zone Map - Nar Nar Goon [6.3.1.12 - 1 page]
13. Schedule 1 Zone Map - Pakenham Upper [6.3.1.13 - 1 page]
14. Schedule 1 Zone Map - Tynong [6.3.1.14 - 1 page]
15. Schedule 1 Zone Map - Urban Growth Boundary 2021 [6.3.1.15 - 1 page]
16. Schedule 1 Zone Map - Beaconsfield Overview [6.3.1.16 - 1 page]
17. Schedule 1 Zone Map - Bunyip [6.3.1.17 - 1 page]
18. Community Impact Statement - Proposed Local Law 20 Open Air Fire Local Law review of Local [6.3.1.18 - 8 pages]

Executive Summary

In this report:

“**Existing Local Law**” refers to Local Law 17 – Part 5A, which includes the existing local law offences relating to open air burning

“**Proposed Local Law 20**” refers to a proposed local law, namely Local Law 20 – Open Air Fires Local Law (version 2.0) which is attached to this report.

Cardinia Shire Council's *existing local law* relating to open air burning has been reviewed following its adoption in 2016. Council undertook public consultation on the *existing Local Law* for a period of six weeks in 2019, ending Friday 22 November 2019. That consultation sought broad public and external agency feedback. A literature review and data analysis were also undertaken to identify inconsistencies in terminology and to better understand the management of open air fires in Cardinia Shire's surrounding municipalities.

Feedback identified opportunities to enhance the structure and language of the *existing local law*, to improve Council's internal processes, while strengthening the local law to provide adequate provision for fuel reduction, fire prevention and discouraging unnecessary open air fires.

Local Law 20 – Open Air Fires Local Law (ver 2.0) (*the proposed Local Law 20*) has been drafted to better balance fuel reduction at locations where it is most beneficial, against the increasing impact of smoke on public health and amenity in urbanised areas, while also discouraging inappropriate commercial and high-risk open air fires.

If Council resolves to propose to make Local Law 20, Council will formally commence a period of consultation in accordance with the Community Engagement Policy and will give notice of the *proposed Local Law 20* in media and other public notices. The public consultation period will be open from Friday 20 August 2021, which will conclude on Friday 17 September 2021.

This will provide the community and stakeholders with an opportunity to review the *proposed Local Law 20* and the Local Law Community Impact Statement and provide feedback to the Council for consideration.

Background

Cardinia Shire has a significant history of bushfire dating back to the early 1900s. Some fires of note are the 1939 Black Friday fires, 1983 Ash Wednesday fires, 2009 Black Saturday fires and 2019 Bunyip Complex fires. Many residents use burning off to reduce green waste on their properties and prefer to retain the option to burn off. However, other residents oppose burning off because of the amenity and health impacts of smoke in the landscape. Local Law 20 – Open Air Fires Local Law seeks to strike a balance between the two positions, by placing most restrictions on burning off where property sizes are smallest and population densities are highest ("Urban and township zone") and providing for lesser restrictions in "Bushland and peri-urban zone" and "Rural zone". Anomalies, and the needs of individual property owners are mitigated by the availability of a free permit approval process.

A considerable proportion of burn-offs in Cardinia Shire are not for efficient fuel reduction. Community consultation indicated that many landholders use burning-off for garden/property maintenance, as cheaper waste disposal or for inefficient fuel reduction. Many residents use burning-off as their default option, without turning their mind to potentially more efficient and environmentally sustainable options, such as green waste disposal, mulching and composting. Evidence shows that burning-off small piles on individual properties has little to no impact on days of severe, extreme, or catastrophic fire danger (GJ McCarthy, KG Tolhurst, 2001). These practices are inconsistent with the intent of current open air burning regulations in Cardinia Shire.

The review of the *existing local law* has generated significant interest from the community. A thorough consultation about burn-off practices with residents and business owners, as well as external agencies and neighbouring council stakeholders, has informed the *proposed Local Law 20*.

Proposed Local Law 20 – Open Air Fires Local Law

The *proposed Local Law 20* is a complete re-write of the *existing local law* relating to Open Air burning and is proposed to be a standalone Local Law. Upon coming into effect, *proposed Local Law 20* will repeal the existing clauses in Local Law 17, Part 5A.

Proposed Local Law 20, if made, would come into effect from 1 Feb 2022, and be implemented following the end of the 2021/22 Fire Danger Period.

Proposed Local Law 20 builds on many of the existing Local Law requirements and provides the best possible platform for residents in high-risk areas to manage their bushfire risk from a landscape perspective, while reducing the impact of burning-off for waste disposal on townships and urban communities.

Proposed Local Law 20 creates 3 zones, and all land in the municipality is defined (by incorporated mapping) to fall into a zone. These zones are referred to as:

- Urban and Township zone
- Bushland and peri-urban zone, and
- Rural zone.

The practical outcome of these proposed zones is similar to the existing three categories in the *existing local law*, but better differentiate between the higher-density township centres, and they are less complicated to describe and determine.

Under the *proposed Local Law 20*, properties located within the Bushland and Peri-Urban Zone and Rural Zone can have open air fires without a permit if the parameters included within draft Local Law 20 are adhered to.

Properties within the Bushland and Peri-Urban Zone can undertake open air burning on Sunday, Tuesday, Thursday, and Friday. These properties can have up to two fires burning at once to a size of no more than three metres in any dimension. Properties in the Rural Zone can burn off on Sundays, Mondays, Tuesdays, Thursdays, and Fridays. These properties can have up to three fires burning at once to a maximum size of no more than five metres in any dimension.

The following provisions have also been included in the *proposed Local Law 20*.

- Restrictions on open air burning where the EPA Air Quality Index is 'poor', 'very poor' or 'hazardous'
- A permit required in all instances for the burning of windrows
- Specific offence prohibiting the burning-off of industrial, commercial waste and domestic waste
- Include increased penalties for non-compliance with Local Law provisions - the maximum penalties for all offences will be \$3,635, with most offences having an infringement penalty of \$363, and aggravated offences (such as burning industrial waste) having an infringement penalty of \$727.
- No burning-off for the months of July and August.
- No burning-off on public holidays
- Cardinia Shire Chief Executive Officer given the power to suspend or relax clauses (such as permitted burn off days) in the lead up to the Fire Danger Period (to give residents greater access to fuel reduction over that period)
- Burning-off prohibited on days where a severe weather warning has been issued by the Bureau of Meteorology
- No new ignitions after 7pm, or after sunset (whichever is the earlier)

The **proposed Local Law 20** does not apply to fires lit for heating, cooking and comfort (like the **existing Local Law**), and does not apply to indigenous cultural practices involving open air fires, such as smoking ceremonies.

Burning off outside these parameters (including in the Urban and Township Zone) can be arranged on a case-by-case basis through the permit application process, which can be applied for through an online process or in person. No fee is proposed to apply for a permit.

Burning-off will continue to be prohibited under the *Country Fire Authority Act 1958* during the declared Fire Danger Period.

The **proposed Local Law 20** – Open Air Fires Local Law (version 2.0) is included as an attachment and should be read in its entirety.

Community impact

The **proposed Local Law 20** changes will have varying effects on members of the community.

The result of the proposed new zones will increase the number of properties that are unable to burn-off without a permit, in the areas listed below. As can be observed from the attached mapping, most of this change is because of the inclusion of properties in the Urban and Township Zone in the highest-density properties around major townships.

Locality	Proposed Local Law 20 - number of properties that require a permit to burn off	Current Local Law – number of properties that require a permit to burn off	Difference
Bunyip	1355	747	+608
Nar Nar Goon and Nar Nar Goon North	363	216	+147
Garfield	761	607	+154
Lang Lang	1323	749	+574
Koo Wee Rup	1734	1608	+126
Bayles	38	N/A	+38
Tynong	197	N/A	+197
Pakenham, Officer, Beaconsfield	39044	33430	+5614
Upper Beaconsfield	34	N/A	+34
Emerald	213	N/A	+213
Cockatoo	32	N/A	+32
Gembrook	76	N/A	+76

Total: +7813

Additional information regarding community impact is included in the Local Law 20 - Community Impact Statement. (See attachments)

Rationale

Proposed Local Law 20 is intended to:

- improve health and amenity outcomes for the community overall,
- address the impacts of climate change and
- better reflect the urban structure and spread of Cardinia Shire as it stands.

For this reason, **proposed Local Law 20** will see the local law move away from using bushfire-prone area designations as the basis for zone definitions. These designations are complex to describe, and do not appropriately reflect the conditions and environments identified as high risk (e.g. areas that are built up and new housing developments).

The new zoning in **proposed Local Law 20** is based on:

- Urban growth boundaries
- Property size
- Planning zones (Commercial, Low Density Residential, Urban Growth and Green Wedge)
- Existing bushfire prone area

The new zones should be reviewed and updated periodically (ideally, at least every five years) by Council following community and stakeholder engagement.

Proposed Local Law 20 includes a clause to allow the Chief Executive Officer to suspend or relax clauses in the lead up to the Fire Danger Period. In 2019 and in 2020, Council resolved to relax the operation of the Local Law in the immediate run-up to the Fire Danger Period, and the delegation of this power to the CEO will simplify this process, while allowing the precise parameters to be customised to the climate and environmental conditions of each year.

The power to relax burning off to promote fuel reduction is offset by the proposed total ban on burning off during winter months. Burning off in the winter months typically produces increased smoke due to wet vegetation, exacerbates health impacts caused by the increased use of wood-burning heating, and provides no meaningful reduction in fire risk.

Proposed Local Law 20 will increase penalties for many open air fire offences. This is primarily the result of changes to the *Local Government Act 2020*, which in turn has amended the *Sentencing Act 1991*. The upshot of these changes has modified the financial value of a “penalty unit” for local laws passed after 1 July 2021. Under **Proposed Local Law 20**, in respect of all infringements, the maximum penalty (that is, the penalty that a Court could impose) will increase to \$3,635 (up from \$2,000 in the **existing local law**), and most offences will attract an infringement penalty of \$363 (up from \$200). A new offence is proposed (burning industrial or commercial waste) that will attract a \$727 infringement.

The proposed penalties are appropriate, to act as a deterrent against wrongdoing. Often, burning off is chosen as a cheaper alternative to attending the tip, or as a more convenient option than using more appropriate disposal options. The proposed higher penalty in respect of burning industrial and commercial waste is also considered appropriate, as a deterrent to those who commit offences in a commercial context.

Finally, **proposed Local Law 20** will restrict burning off on days of severe weather or poor air quality and/or in proximity to neighbouring properties and structures. These restrictions are designed to address public amenity and health feedback received during the initial community consultation period. Concern was particularly expressed that many people still burn off on days of high wind.

Policy Implications

The **proposed Local Law 20** aligns with the following Council policies and plans.

- Cardinia Municipal Emergency Management Plan 2018
- Cardinia Municipal Fire Management Plan 2018
- Sustainable Environment Policy 2018-2028
- Biodiversity Strategy 2019-2029
- Waste and Resource Recovery Strategy 2017-2026
- Community Engagement Policy 2021
- Compliance and Enforcement Policy 2019

Relevance to Council Plan

1.1 We empower our communities to be healthy, connected and resilient

1.1.4 Facilitate a partnership approach to create safer communities.

3.1 We value our natural assets and support our biodiversity to thrive

3.1.1 Partner with community, business and industry to take action on, and adapt to, climate change.

3.1.3 Work with community to improve and manage our natural assets, biodiversity and cultural heritage.

5.1 We practise responsible leadership

5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Climate Emergency Consideration

Open air burning contributes to climate change through the release of CO₂ into the atmosphere. The *proposed Local Law 20* seeks to reduce the occurrence of open air burning in areas where there is no bushfire fuel reduction need and to encourage alternative methods of waste disposal such as mulching or green waste drop off.

Unlike bushfire and prescribed landscape burning, small open air fires do not reabsorb the CO₂ through the regeneration of new vegetation.

Consultation/Communication

In 2019, the community was invited to provide open feedback on the *existing local law* in relation to open air burning. Council sought feedback on all aspects of the *existing local law* from the community, government agencies and internal and external stakeholders.

Council undertook pop-up sessions across the Shire, held meetings with emergency service organisations and a general community drop-in session was held at the Civic Centre.

Council's Creating Cardinia webpage had a 'Register to receive updates' page for this consultation from the start of October 2019 to build a mailing list of people interested in contributing to the discussion and being informed about the process. Community members were able to make written submissions from this page when the consultation period opened.

The top five themes from the community feedback were:

- days allowed to burn-off.
- smoke.
- size of fires.
- property size allowed to burn-off; and
- enforcement.

If Council resolves to **propose Local Law 20**, staff will deliver a community consultation program to the community and stakeholders (including those that engaged during the earlier phases of consultation). The results of this consultation will be provided to Council to further consider, prior to resolving to make Local Law 20.

The consultation period will begin on 20 August and conclude on 17 September 2021. A communications and engagement plan has been developed to promote the consultation period.

All submissions will be considered in line with the requirements set out in the *Local Government Act 2020*.

External Consultation

External agencies that were invited to provide feedback are listed below.

- Municipal Fire Management Planning Committee
- Department of Health and Human Services
- Environment Protection Authority (EPA)
- Victoria Police
- Forest Fire Management
- Parks Victoria
- Country Fire Authority (Community Safety)
- Country Fire Authority (Operations)
- Baw Baw Shire Council
- Casey Council
- Yarra Ranges Shire Council

Financial and Resource Implications

Costs associated with the review of Local Law 17 – Part 5A and the drafting and implementation of **proposed Local Law 20** will be met within the existing 2021/22 budget.

Conclusion

Cardinia Shire has a high-risk fire profile and a significant history of fire, and an obligation to mitigate the public health and amenity impacts.

The **proposed Local Law 20** balances the need for bushfire fuel reduction while providing mechanisms to deal with the increasing levels of burning of commercials or household waste in urbanised areas. The proposed Local Law 20 will still allow burning off for parts of the municipality with higher fire danger risk. All properties within the municipal district can apply for a permit, should they need to have an open air fire outside of the provisions included in the **proposed Local Law 20**.

Community consultation through the 28 days statutory consultation process will provide for community and stakeholder engagement, prior to the **proposed Local Law 20** being made.

Once the results of the community consultation are known, the **proposed Local Law 20** will return to Council meeting, for Council to further consider whether the **proposed Local Law 20** should be brought into effect.

If, after the consultation phase, Council proposes any further changes that affect the rights or obligations of residents, Council will be required to undertake further drafting and consultation, in accordance with the *Local Government Act 2020*.

Resolution

Moved Cr Jeff Springfield, seconded Cr Graeme Moore.

It is recommended that:

1. Council resolves to propose to make “Local Law 20 – Open Air Fires Local Law (version 2.0)” (including Schedule 1 maps), in accordance with Part 3 – Division 3 of the *Local Government Act 2020*, and
2. Council resolves to give notice of the proposed “Local Law 20 – Open Air Fires Local Law (version 2.0)” (including Schedule 1 maps) in accordance with Section 73 of the *Local Government Act 2020*, and to conduct community engagement in accordance with the Community Engagement Policy, and
3. Council further considers, at a future Council meeting on a date to be fixed, whether to make “Local Law 20 – Open Air Fires Local Law (version 2.0)” (including Schedule 1 maps) to have effect within the municipal district.

Carried

6.5 Activity Reports

6.5.1 Performance and Growth Reports - Q4 2020-21

Responsible GM: Jenny Scicluna
Author: Jo Battin
Report purpose: (For discussion)
Presentation time: 30 minutes

Recommendation(s)

The Performance and Growth Reports for Quarter 4 2020-21 be received and noted.

Attachments

1. Attachment 1 - Performance Report 2020-21 Q 4 [6.2.8.1 - 14 pages]
2. Attachment 2 - Growth Report 2020-21 Q 4 [6.2.8.2 - 6 pages]

Executive Summary

Council has committed to undertake work on 131 Council Plan actions during the 2020-21 financial year. The organisation completed 116 actions, achieving 89% Council Plan completion.

The organisation service request performance for the quarter is 82%, below our target of 90% of service requests completed within service standard. The Customer Support service level (percentage of calls answered within 90 seconds) is 36% for the quarter. There has been a high level of staff turnover in the contact centre this quarter with several staff taking secondments or other permanent roles at Cardinia. The significant increase in new staff training has driven up handle times and resulted in a decreased service level.

There are 8 Local Government Performance Reporting Framework (LGPRF) service measures; Time Taken to Action Animal Requests, Animals Reclaimed, Council Decision Closed to the Public, Councillor Meeting Attendance, Planning Application Decisions in 60 Days, Planning Decisions Upheld at VCAT, Missed Bins and Waste Diverted from Landfill, where we have observed some variation in results, while all other metric results remain relatively stable.

Population growth within the Shire has increased this quarter. There are four households moving to the area per day, for the quarter. While subdivision land activity is starting to gain momentum, the construction of sealed roads and footpaths remains slow low due to the reduction in completed estate development.

Background

CEO Report

The final quarter of 2020–21 presented a number of opportunities and challenges. We progressed or finalised a number of key strategies and projects, continued to deliver essential services, achieve results across all areas of our Council Plan and support our community through a number of challenges.

Key strategies adopted by Council

Our 4 key strategic documents have been finalised and were adopted by Council at the June 2021 Council meeting. They are our Council Plan 2021–25, incorporating the Community Vision 2040, Council Budget 2021–25, Financial Plan 2021–31 and Revenue and Rating Plan 2021–25.

We're grateful to our community and the Imagine Cardinia People's Panel for input that helped develop these key documents. The strategies will guide our strategic direction over the coming years and set us up to respond to long-term challenges and opportunities.

We look forward to working with our community to achieve our shared goals.

Supporting our community

Council continued to support our community this quarter through the impacts of the COVID-19 pandemic. As a Council, we've continued to deliver essential services to the community throughout the pandemic, as well as a range of additional supports. The COVID-19 Community Recovery Committee, comprising local volunteers, also planned a series of events to help build community connections.

The severe storm event and subsequent power outages in June further tested our community's resilience. We moved quickly following the storm and opened community drop-in centres at Emerald and Cockatoo. We understand that it's been a challenging time for many residents and our thoughts are with those who have been affected.

Advocacy

Council continues to actively seek grant funds from a variety of state and federal government funding programs. In 2020–21 Council applied for 45 grants. Of these 29 were successful, securing \$9 million in funding for a range of projects.

Council also continues to work with all levels of government to advocate for action on important local issues and to influence government priorities for the benefit of our community. We also work with other groups of councils to facilitate investment in the broader region.

Major projects and roads

A number of roads projects progressed as part of our Better Local Roads program. Civil works were completed at 2 separate Princes Highway intersections at Beaconsfield (O'Neil Road and Glismann Road/Beaconsfield Avenue) as part of our Better Local Roads – Princes Highway Intersections project. The sealing of Boundary Drain Road and Main Drain Road, Koo Wee Rup is now complete as part of the Better Local Roads – Strategic Road Sealing project. The Better Local Roads – Sealing the Hills project is also progressing, with the first roads scheduled for construction in Cockatoo and Emerald later this year, pending the establishment of the special charge schemes.

A number of major projects across the shire also progressed or were completed. Official launch events were held to mark the completion of projects at Worrell Reserve and Perc Allison pavilion.

Further information regarding Council's progress this quarter can be found on the following pages.

Carol Jeffs

Chief Executive Officer
Cardinia Shire Council

Government Interaction

Government Advocacy

Council continues to work collaboratively with the State Government in responding to the Coronavirus (COVID-19) pandemic and is closely following advice being received while the situation is rapidly evolving.

Our primary concerns are to support the health and wellbeing of our staff and community, and the continuation of essential services.

Council works with all levels of Government to lobby for action on important local issues and works hard to influence government priorities that will benefit our local communities. Council also works with other groups of Councils, such as South East Melbourne and Interface Groups, to facilitate investment into the broader region.

The South East Melbourne Group of Councils is in discussions with both the State and Federal Government in developing a 'City Deal' for the region.

Grant applications

Council continues to rely heavily on rate revenue to fund the provision of infrastructure and services. Due to the Victorian Government's rate cap, Council is limited in the amount of revenue it can achieve through rates and is required to have a strong focus on seeking grants.

For the financial year Council applied for 45 separate grant opportunities for a total of which 29 were successful proving \$9M in grants for a range of projects.

Legislative Program

The staged implementation of the Local Government Act 2020 continues, a compliance timetable has been prepared to ensure that all policies, plans and new initiatives required will be implemented in accordance with this staged approach. The Audit Committee is monitoring this timetable.

The Gender Equality Act 2020 took effect on 31 March 2021. It requires Council to measure, report on, plan for and progress gender equality in the organisation. Importantly, the Gender Equality Act 2020 requires council to consider gender equality not only in the workforce but in policies, programs and services that the Council delivers.

Performance Summary

Council Plan Performance

The Council Plan sets out a medium to long-term vision for how Council will respond to community needs and the opportunities and challenges facing Cardinia Shire. Council delivers the plan through a 4-year action plan which covers 5 Key Priority Areas (KPAs). The performance of the 5 KPAs and their Council Plan Actions is illustrated in Figure 1. For a more comprehensive account of the action progress, please refer to the Council Plan Action Progress Report attached.

There are 131 Council Plan actions due to be completed during the 2020-21 financial year. The remaining 15 actions are off-track and are now considered overdue. With the introduction of the new 2021-25 Council Plan, these overdue actions will be converted to 2021-22 Business Plan initiatives and their progress will be reported to SLT on a quarterly basis. Please refer to Table 1 for further details.

Figure 1. Council Plan Action Performance

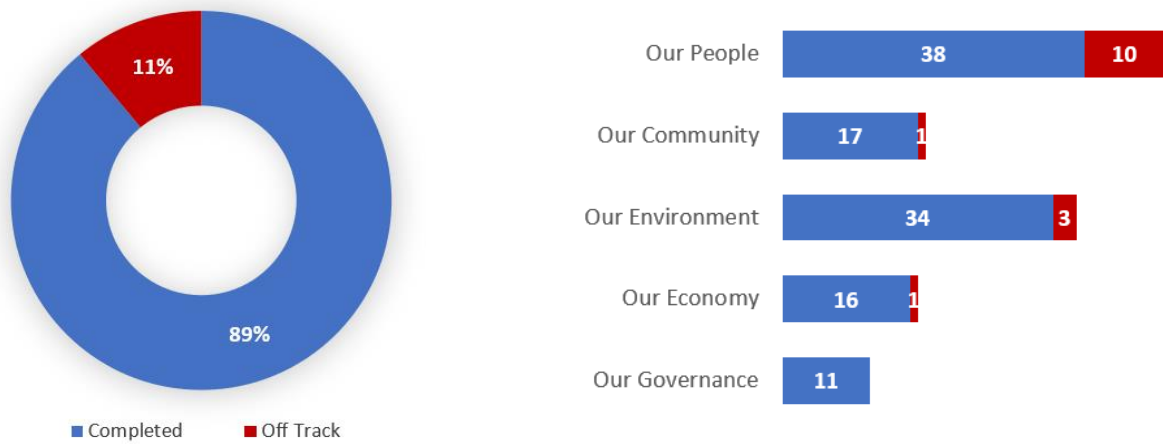


Table 1. Off-track Council Plan Actions

#	Action	Business Unit	Executive Comment
4.	1.5.1.1 CP - Prepare a master plan for Gin Gin Bin Reserve, Officer	Active Communities	The planning process for this project is underway. Concept plans and community engagement to be completed in the coming months, working toward endorsement of the master plan by the end of 2021. This project was delayed while we liaised with the State Government regarding joint planning and shared facilities.
5.	1.5.1.2 CP - Prepare a master plan for McMullen Recreation Reserve Officer	Active Communities	Project delayed due to waiting for land acquisition. Preparation of the McMullen Recreation Reserve master plan is on hold pending settlement of the purchase of land required to create the new reserve.
6.	1.5.1.5 CP - Present options to Council for the potential redevelopment and expansion of Cardinia Life. If approved, proceed with detailed design.	Active Communities	Feasibility study underway including community and stakeholder consultation. This project was delayed due to a readjustment of priorities.
7.	1.5.1.6 CP - Complete design for Bunyip Indoor Stadium.	Active Communities	<p>The project has been delayed due to extended discussions with the committee of management. A feasibility analysis of the new site is being investigated in consultation with the committee of management, reserve users, and DELWP.</p> <p>A report on the options for moving forward with this project has been prepared and direction is being sought from within Council before further engagement with the reserve committee of management and user groups.</p>
8.	1.5.1.7 CP - Complete the construction and fit-out of the KWR Bowls Club. This project is dependent on external funding confirmation.	Active Communities	The concept design for this new facility has been revised in consultation with the user groups. The project has been delayed due to the need to secure external funding. A funding application to the Growing Suburbs Fund was successful. Now that funding is secured, detailed design work is set to commence next financial year, with construction to follow.

#	Action	Business Unit	Executive Comment
9.	1.5.1.8 CP - Commence the construction and fit-out of the extension of the Bunyip Basketball Stadium. The timing of this project is subject to external funding confirmation.	Active Communities	<p>The project has been delayed due to extended discussions with the committee of management. A feasibility analysis of the new site is being investigated in consultation with the committee of management, reserve users, and DELWP.</p> <p>A report on the options for moving forward with this project has been prepared and direction is being sought from within Council before further engagement with the reserve committee of management and user groups.</p>
10.	1.4.4.1 CP - Finalise the design and start construction of MyPlace.	Buildings and Facilities	The project has been delayed slightly due to the preferred contractor withdrawing from the tender process. A recommendation will be made at a future Council meeting.
11.	1.5.1.14 CP - Develop a buildings masterplan and start construction of new change rooms at Upper Beaconsfield Recreation Reserve.	Buildings and Facilities	The building master plan has been developed and is awaiting stakeholder feedback to progress this project further.
12.	1.5.1.6 CP - Start the construction and fit-out for opening of the Cora Lynn Reserve Pavilion.	Buildings and Facilities	Project on hold while a number of scope and funding considerations are resolved.
13.	2.1.4.4 CP - Complete Multicultural Hub feasibility study.	Buildings and Facilities	The project has been delayed due to a pause during Council elections and associated caretaker period. A report from consultants has been submitted in stages, with Council officers undertaking reviews to progress the study to completion. A report will be provided to Council briefing in July to update Councillors on the status.
14.	3.1.3.1 CP - Upgrade of the Gembrook Reserve Sports Pavilion.	Buildings and Facilities	The Gembrook pavilion project has experienced various delays due to staged building permits, construction changes as a result of unpredictable site conditions and ongoing impact of COVID-19. Scheduled works are now back on track with the project expected to be completed by October 2021.
15.	4.1.5.5 CP - Finalise the new Cardinia Shire Council Economic Development Strategy.	Economic Development	Following engagement with internal and external stakeholders, the new Economic Development Strategy is about to commence community engagement. COVID-19 has resulted in a number of changes in the strategy development to assist businesses through this impact. It is expected to be finalised in the first half of the 21/22 financial year.

#	Action	Business Unit	Executive Comment
16.	1.5.1.3 CP - Complete civil works to enable access to Pepi's Land facilities in Emerald.	Infrastructure Services	Project delayed due to Council finalising designs of the external intersection works to the satisfaction of the Department of Transport (DOT). Tenders have been called to enable works to commence with all work to be completed by the end of February 2022.
17.	3.2.1.1 CP - Commence construction of the Lang Lang Bypass from Westernport Road to McDonalds Track, including Milner's Road.	Infrastructure Services	The project has been delayed due to ongoing negotiations with quarry operators. Further progress with this project is dependent on further negotiations and securing appropriate funding agreements.
18.	3.2.2.7 CP - Finalise the O'Sullivan Road, Hill Street and Peet Street (Pakenham) scheme.	Infrastructure Services	Works on site are substantially complete with only minor works requiring access to private land outstanding.



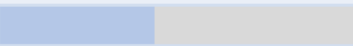


Service Request Performance

Service requests are recorded in Council's Customer Relationship Management System (CRMS) when a request for service is made to Council via an established channel, including telephone, Council's website, and web mail. Each request type is assigned a service standard, which is a target timeframe for completion. The term 'Service Level' refers to the percentage of requests completed within their target timeframe. Council's target Service Level is 90%.

Organisation Performance:

The overall Service Level for the organisation for the quarter was 82%, a 6% increase from the previous quarter. Table 3 illustrates the top 5 service categories by volume and their service level, for the quarter. A focus on improving Service Levels across these service categories is expected to have a strong effect on the overall Service Level for the organisation.

Table 2. Top 5 Service Request Categories by Volume, and their Service Levels

					90% target
1	Waste – Kerbside Bin	2,758	90%		
2	Waste – Kerbside Bin - Order/Cancel Service	1,252	98%		
3	Trees and vegetation on Public or Council land	820	36%		
4	Planning	676	92%		
5	Council Properties	644	59%		

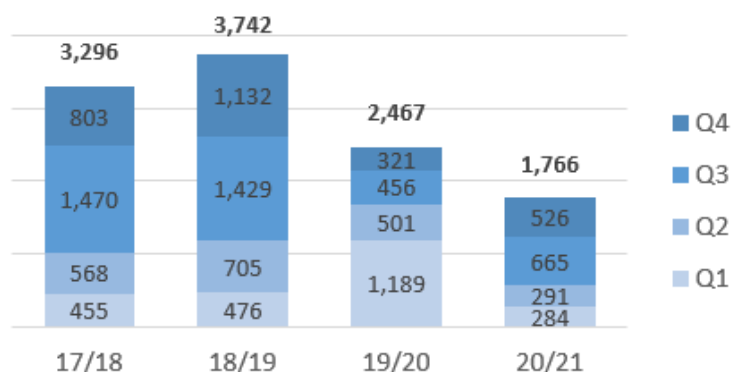
Operations Performance:

Council maintains a large, unsealed road network. Maintenance works consist of both grading and resheeting done on a cyclic basis, along with response to defects caused by adverse weather conditions such as storms or long dry spells. All works are conducted in accordance with Council's Road Management Plan, which ensures that the network is kept in a safe and trafficable condition. The number of hours grading roads has decreased by 18% compared to the same time last year. This outcome may be due to more favourable weather conditions this year, a noticeable reduction in traffic volumes due to COVID-19 travel restrictions, and a

reduction in customer requests for inspections under the Road Management Plan. These factors combined with the efficiency of Operation’s predictive maintenance program has likely led to this steady result.

The current service level for unsealed road related requests is 50%. There has been a concerted effort by management and staff to reduce the number of unsealed road complaints over the past year. This is illustrated in Figure 2 below, where there has been a 28% decrease in the number of unsealed road services requests compared to the same time last year. That is, 1,766 service requests compared to 2,467 the year before. This significant decrease is due to changes in the unsealed road maintenance program enabling roads to be proactively graded before a complaint is lodged.

Figure 2. Unsealed road service requests due



Despite this positive result from the proactive maintenance program, only 50% of the 526 service requests that were lodged in quarter 4 were recorded as completed within the service standard in the CRMS. Unsealed road service requests are recorded initially through the CRMS, however, the work to resolve the service request is handled through the inspection and maintenance management system called Reflect. There is a lag in time between the resolution of the work in Reflect and the subsequent update in the CRMS, resulting in a discrepancy of the in-time completion rate between the two systems. Compounding this issue is the variation of the service standards applied by each system, and this affects the weight that we should put on the current service level being reported through the CRMS.

To improve the confidence in the service level being reported in this area, it will be important to integrate the CRMS and Reflect systems. Integrating the Reflect system with the CRMS should result in a seamless workflow process that delivers accurate reporting of service levels. This integrated solution is complex and will take time to implement, yet the long-term benefits of time and cost efficiencies across Council will ultimately provide a better customer service to our community. This integration project is currently under review, and further details will be provided when available.

Council also maintains over 3000 km of open surface drains. These drains are cleaned out using a maintenance system that is driven by proactive inspections and reactive works and supplemented by responding to flooding issues following storms. Works are prioritised based on risk to property or person.

The number of linear metres of surface drains cleared is 27% higher than the same time last year. This increase is due to the availability of resources, a combination of both internal staff and contractors. The number of linear metres of underground drains cleared has decreased by 48% compared to the same time last year. The current service level for drainage related requests is 42%. As the drainage service requests are also managed through the Reflect system, it is expected that the integrated solution will also affect the service level results for this service area.

Waste Management Performance:

As the Shire's population continues to grow, the amount of waste generated is also growing. Cardinia Shire Council will continue to take advantage of recent advancements such as newer technologies and improved markets for products, resulting in improved financial outcomes for resource recovery. The impact of drought can also vary the tonnage of green waste recycling due to moisture content from wet or dry years.

The average volume of garbage to landfill per household is 527kg to date this financial year. This is a 2% increase from last year's annual average. The amount of garbage waste to landfill is 9% lower than compared to the same time last year. The amount of recycled waste is 27% higher and the amount of green waste is 10% higher, both in comparison to the same time last year. The service level achieved for waste management requests this quarter was 92%, above the organisation's 90% target.

Customer Support Call Performance

The organisation's call centre is run by the Customer Support team. As these calls are largely the first interaction our community has with our organisation, it is important that we deliver a positive customer service experience. Monitoring the service level of the call centre is only one of many ways to tap into our customers' experience with Council.

We currently report our Service Level as the percentage of calls that are answered in 90 seconds. At Cardinia, our current Service Level target is 80%. The Service Level for the quarter is 36%, well below the target. The average wait time for a customer in the call queue last quarter was 204 seconds, which is 114 seconds above target. After Call Work Time is the average time taken by Customer Support officers to finalise call details. The result this quarter was 132 seconds, which is 27 seconds above the target. The Abandoned Call rate is 18.8% this quarter, well above the target of 3%.

There has been a high turnover of staff in the Customer Support team over the last quarter. This is due to several team members taking secondments or finding new permanent roles within Cardinia. This has resulted in a 42% staff turnover during Q4 which has led to a significant increase in new staff requiring training. This has driven increased handle times and a decreased service level. On top of this, some roles were left vacant for a period of time due to recruitment issues outside of Cardinia's control. With the team now staffed to full allocated FTE and training underway, it is anticipated that performance results will begin to improve.

LGPRF Performance

The Local Government Performance Reporting Framework (LGPRF) is a platform for key local government service and financial measures. The measures are reported annually in Council Annual Reports and published on the Know Your Council website. A selection of LGPRF service measures that can be reported on a quarterly basis are provided.

The time taken to action animal requests has increased slightly while the rate of animals reclaimed has dropped to 36%. The time taken to action food complaints has remained stable at 1.37 days. Council decisions closed to the public decreased to 2.9%, in which only 5 matters have been considered at meetings closed to the public this year. Councillor attendance at meetings is 82%. The position of councillor for Westernport Ward is currently vacant, following the passing of our much-respected councillor, Ray Brown on 16 April 2021. A by-election is set for July 2021.

Cardinia sealed roads maintained to condition standards has increased slightly to 98.67%. Maternal and Child Health enrolments and the 4-week Key Ages and Stages (KAS)

participation rates remain high. The percentage of planning applications decided in 60 days has dropped to 69%, primarily as a result of pandemic related disruptions and changes to our internal records management system this financial year. 40% of planning decisions made by Council have been upheld at VCAT. The percentage of kerbside bins collection missed has increased to 10.32%, a notable increase from the last 3 years of results. At the same time, the percentage of waste diverted from landfill is 48.6%, a positive result.

Growth Summary

Residential development activity drives much of the growth in demand for Council's services and facilities. There are 4 main precincts across the Shire in which residential land is currently in development. On 21 January 2021 the structure plan for the Pakenham East Precinct was approved and the development for this new precinct will begin shortly. There are over 19,000 lots still to be developed across the shire, the majority of which being within the Officer and the Pakenham East precincts. Residential land development in the Shire had varied results this quarter. The number of residential subdivision lot applications lodged is 43% higher compared to the same time last year. The number of residential lots issued a statement of compliance is 12% lower compared to the same time last year.

Activity within the property sector can help determine the growth rate within a municipality and therefore assist with future decision making. The number of building permits issued is 17% higher than the same time last year. Residential building completions continue to trend downwards, with 332 residential building completions processed this quarter. The number of residential building completions processed is 19% lower than the same time last year.

A new household garbage service is requested predominantly when a new home has been completed and is ready to be occupied. This indicator can therefore represent the growth of new households within the Shire. The number of new garbage bin requests received is 29% lower than the same time last year. The household growth rate in the Shire is four households per calendar day for the current financial year.

The Maternal and Child Health statistics are also a lead growth indicator. Birth notices are the number of notifications received from hospitals, for newborn babies in the municipality. There were 471 births in the shire this quarter. Birth notifications are 3% higher than the same time last year. Maternal and Child Health Enrolments include the number of babies and children, from birth to school age, that visit and enrol at an MCH centre, including children of families moving to Cardinia Shire. Enrolments are on par with the same time last year.

The growth of the sealed road and footpath network provides insight into the progress of infrastructure activity within the Shire. Sealed road growth is due to a combination of subdivision development and Council's sealing of unsealed roads through special charge schemes or other external funding such as Roads to Recovery. There were 3.23 KMs of sealed roads constructed this quarter. Sealed road construction is 32% lower than the same time last year. Footpath growth is due to a combination of footpaths constructed from subdivision development and Council's capital works program. There were 5.43 KMs of footpaths constructed this quarter. The length of footpaths constructed is 29% lower than the same time last year. The construction of both sealed roads and footpaths has slowed due to the reduction in completed estate development.

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.

Climate Emergency Consideration

Not Applicable

Consultation/Communication

Relevant managers and officers, from all divisions across the organisation, provide updates and comments that feed into the Performance and Growth reports.

Risk Assessment

Not Applicable

Financial and Resource Implications

Nil

Conclusion

This is the final quarterly report for the 2020-21 year. Council committed to undertake work on 131 Council Plan actions during this period. The organisation completed 116 actions, achieving 89% Council Plan completion. The organisation service request Service Level was 82% and the Customer Support call Service Level was 36% for the quarter. The LGPRF service measures results remain relatively stable.

Resolution

Moved Cr Graeme Moore, seconded Cr Jack Kowarzik.

The Performance and Growth Reports for Quarter 4 2020-21 be received and noted.

Carried

6.5.2 Environment Quarterly Report

Responsible GM: Peter Benazic
Author: Desiree Lovell and Jacqui Kelly

Recommendation(s)

That Council note this report

Executive Summary

This report provides a summary of some key projects, services and actions delivering environmental benefits across the work of Council. Projects have been categorised according to the Sustainable Environment Policy (SEP) 2018–28 themes of:

- Biodiversity
- Climate change
- Water
- Waste and resource recovery

The SEP is the roadmap for the future direction of Council's environmental and sustainability strategies, plans and activities.

A similar report will be presented each quarter highlighting new programs or projects that have achieved significant milestones.

Background

There are a broad range of projects, services and actions delivering environmental benefits throughout the organisation. While many of these occur within or are led by the Environment and Infrastructure Group, most of the organisation is involved in environmental sustainability to some degree. Below is a highlight of some of the key projects currently being undertaken.

All actions fall within the Council Plan 2021–22 under the key priority area of Thriving Environment 'we value our natural assets and support our biodiversity to thrive'.

Project update

Projects and updates are included in the attached report, along with a list of the key actions/projects from our environment strategies and annual programs for 2021-22.

Resolution

Moved Cr Stephanie Davies, seconded Cr Jack Kowarzik.

That Council note this report

Carried

6.5.3 Major projects report

Responsible GM: Peter Benazic
Author: David Fice, Walter Carmignani, Kristen Jackson

Recommendation(s)

That Council note this report

Attachments

1. Major projects report - 16 August 2021 [6.5.3.1 - 17 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.

Background

Projects and updates are included in the attached report

Conclusion

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

Resolution

Moved Cr Stephanie Davies, seconded Cr Tammy Radford.

That Council note this report

Carried

7 Reports Or Minutes Of Committees

Nil.

8 Reports By Delegates

Cr Kowarzik spoke to the importance of following COVID-19 restrictions and resources available for people affected.

Cr Radford welcomed Cr Cameron to her first Council Meeting.

Cr Radford also advised of her attendance at the Officer Sikh Temple's new car park opening, virtually.

Cr Ryan advised that she had attended the Pakenham Police Station and discussed CCTV in Cardinia Shire.

Cr Ryan also advised that she had attended the Housing Summit for housing affordability and homelessness.

Cr Ryan advised of her participation in the Youth Network Meeting and spoke to its benefits.

The Mayor advised that he also attended the Officer Sikh Temple's car park opening and attended the Headspace 1 year anniversary and spoke to the upcoming advocacy in advance of the state and federal elections.

9 Presentation Of Petitions

Nil.

10 Notices Of Motion

Nil.

11 Community Questions

The Mayor advised that Council had received two questions from Mr McNabb that are, for all relevant purposes, identical to questions that have previously been asked and answered at a Council meeting in the past.

On this basis, and consistent with the Governance Rules, I don't intend to read or otherwise deal with the questions from Mr McNabb

The Mayor advised that Council received 1 question from Cheryl Billing Smith. The question read:

Why are councillors expenses and out of pocket expenses not itemised in detail in each claim.

Cr Davies has a claim for more than \$9,000 for childcare, travelling and out of pocket, why is this not itemised with dates and why the claim is as big as it is.

Also Cr Springfield has a claim for more than \$9,000.00 why is this not itemised with dates etc.

The Chief Executive Officer responded with:

Thank you for your question Ms Billing Smith,

I firstly would like to correct the amounts of claims for each councillor. The total since election claimed by Cr Davies is in fact \$7,920 and \$8,549 for Cr Springfield. Both of these include expenses for councillor development activities and all expenses have been approved in accordance with the councillor expenses policy

Councillor expense claims submitted for approval do contain the details you outline in your question and these are then summarised by category and by month on the Council's website.

12 Urgent Business

Nil.

13 Councillor Questions

Nil.

15 Meeting Closure

Meeting closed at 8:42pm.

Minutes confirmed
Chairman