

# **Ordinary Council Meeting**

## **Minutes**

**Monday 26 September 2022**

**Commenced at 6.15 pm to consider confidential business 'in camera' and adjourned at 6.17pm to reconvene at 7pm 7:00 PM**

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

<b>Members:</b>	Cr Jeff Springfield	Mayor
	Cr Tammy Radford	Deputy Mayor
	Cr Kaye Cameron	
	Cr Stephanie Davies	
	Cr Jack Kowarzik	
	Cr Graeme Moore	
	Cr Collin Ross	
	Cr Brett Owen	
	Cr Carol Ryan	
<b>Officers:</b>	Peter Benazic	Acting Chief Executive Officer
	Lili Rosic	General Manager Liveable Communities
	Debbie Tyson	General Manager Governance, Facilities and Economy
	Jenny Scicluna	General Manager Customer, People and Performance
	Doug Evans	Manager Governance
	Jack Coogan	Governance Officer

## Order of Business

<b>1</b>	<b>Opening And Reflection/Prayer</b> .....	<b>4</b>
<b>2</b>	<b>Acknowledgements</b> .....	<b>4</b>
<b>3</b>	<b>Apologies</b> .....	<b>4</b>
<b>4</b>	<b>Adoption And Confirmation Of Minutes</b> .....	<b>5</b>
<b>5</b>	<b>Declaration Of Interests</b> .....	<b>5</b>
<b>6</b>	<b>Ordinary Business</b> .....	<b>6</b>
6.1	Town Planning Reports.....	6
6.2	General Reports .....	6
6.2.1	Notice Of Intention - Sealing The Hills - St Georges (Beaconsfield Upper) Catchment - Special Charge Scheme .....	6
6.2.2	Special Charge Scheme - Legg Catchment .....	24
6.2.3	Abandonment Of Special Charge Scheme - Northern End Of Burton Road, Beaconsfield Upper .....	54
6.2.4	Cardinia Life Draft Scope & Staging .....	63
6.2.5	Appointment Of Committee Members To Nar Nar Goon North Hall Community Asset Committee.....	81
6.2.6	Cardinia Creek Regional Parklands Future Directions Plan 2022 .....	84
6.2.7	Reserve Community Asset Committee Project Update And Actions .....	157
6.2.8	2022 Victorian State Election - Advocacy Material .....	160
6.2.9	Mulcahy Road, Pakenham - Road Closure .....	212
6.3	Policy Reports .....	223
6.4	Financial Reports .....	224
6.4.1	Annual Supply Concrete Footpath, Kerb And Channel And Associated Works, New, Replacement And Maintenance .....	224
6.4.2	Cleaning & Internal Waste Contract - Extension Of Term .....	233
6.4.3	Financial Report And Performance Statement 2021-22.....	235

6.5 Activity Reports.....	315
6.5.1 Community Engagement Update.....	315
6.5.2 Major Projects Report.....	320
<b>7 Reports Or Minutes Of Committees .....</b>	<b>341</b>
<b>8 Reports By Delegates.....</b>	<b>342</b>
<b>9 Presentation Of Petitions .....</b>	<b>342</b>
<b>10 Notices Of Motion .....</b>	<b>343</b>
10.1 Notice Of Motion 1075 Cr Cameron.....	343
<b>11 Community Questions .....</b>	<b>345</b>
<b>12 Urgent Business.....</b>	<b>345</b>
<b>13 Councillor Questions .....</b>	<b>345</b>
<b>14 Confidential Business.....</b>	<b>346</b>

## **1 Opening And Reflection/Prayer**

Meeting opened at 6:13pm to consider a confidential item.

Moved Cr Moore seconded Cr Cameron

That the meeting be closed to members of the public to consider a confidential personal matter in accordance with section 66(2)(A) of the Local Government Act 2020

Carried.

At the conclusion of the confidential matter the meeting was adjourned to 7:00pm to consider General Business.

## **Passing of Her Majesty Queen Elizabeth II**

The Mayor advised that the meeting was initially scheduled for Monday 19 September but as a mark of respect following the sad passing of Her Majesty Queen Elizabeth II, the meeting was deferred until this evening.

The Mayor took the opportunity to place on record a tribute to Her Royal Highness On Thursday 8 September, Her Majesty, our Queen, passed away at the age of 96, surrounded by her family at Balmoral Castle in Scotland, after dedicating a lifetime of service to the people of the Commonwealth Nations.

Our longest ever reigning monarch, Queen Elizabeth saw us through many difficult times, and was always a beacon of stability and strength.

The news of her passing was devastating for so many of us, and on behalf of Cardinia Shire Council, we offer our sincere condolences to the Royal Family and to the many people here in Victoria who feel her loss.

The Mayor then asked for all present to join together in a moment of silence – in remembrance and reflection – for Queen Elizabeth the second.

I would also 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**

The Mayor advised that due to the deferral of the meeting that Cr Brett Owen had submitted an apology. The Mayor then advised that Cr Owen has asked him to publicly announce his intention to nominate as an independent candidate at the upcoming State Election for the seat of Pakenham. The Mayor further advised that Cr Owen had advised him that he will be seeking a leave of absence from the Council once he has lodged his nomination in early November.

#### **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 15 September 2022
- Town Planning Committee 5 September 2022

Carried

#### **5 Declaration Of Interests**

Nil.

**6 Ordinary Business**  
**6.1 Town Planning Reports**

**6.2 General Reports**

**6.2.1 Notice of Intention - Sealing the Hills - St Georges (Beaconsfield Upper) Catchment - Special Charge Scheme**

**Responsible GM:** Peter Benazic  
**Author:** Nicole Alvares

**Recommendation(s)**

That Council:

1. Acknowledge the majority property owner support as set out in this report to contribute to the construction of St Georges Road, Beaconsfield Upper; Halford Street, Beaconsfield Upper and Montuna Grove, Guys Hills (as shown in attachment 2), including sealed pavement, kerb & channel and associated drainage and incidental works.
2. Approve the assessment of the benefit ratio for the proposed special rate and charge scheme as set out in attachment 3 of this report.
3. Adopt the proposed area of the scheme and method of apportionment as set out in attachments 2 and 4 respectively.
4. Give notice of intention to declare a special charge scheme in accordance with the proposed declaration set out in attachment 5 to fund the construction of St Georges Road, Beaconsfield Upper; Halford Street, Beaconsfield Upper; and Montuna Grove, Guys Hills.
5. Consider the declaration (attachment 5) at its meeting of 21 November 2022, or such later date, as necessary.
6. Appoint the Mayor and/or ward Councillor and/ General Manager Infrastructure and Environment as a Council committee with a quorum of one to consider submissions received to Section 223 of the Local Government Act with respect to this scheme.
7. Authorise the General Manager Infrastructure and Environment to determine the administrative arrangements to enable submissions to be heard and considered.
8. Approve the public notice as set out in attachment 6 to be advertised in the Pakenham-Berwick Gazette and Hills Trader as newspapers that service the area.

## Attachments

1. Scheme Process Chart [6.2.1.1 - 1 page]
2. Plan of Scheme Area [6.2.1.2 - 2 pages]
3. Benefit Ratio Calculation [6.2.1.3 - 3 pages]
4. Proposed Council Declaration [6.2.1.4 - 2 pages]
5. Public Notice [6.2.1.5 - 1 page]
6. CONFIDENTIAL - Apportionment Table [6.2.1.6 - 2 pages]

## Executive Summary

This report proposes giving *notice of intention to declare* a special charge to part fund the construction of St Georges Road, Beaconsfield Upper; Halford Street, Beaconsfield Upper and Montuna Grove, Guys Hills. This notice begins the formal consultation process at the commencement of the statutory process that enables Council to levy a special charge, (refer attachment 1).

The St Georges (Beaconsfield Upper) catchment is included in the Australian Government funded Sealing the Hills program. A recent survey of the property owners in the specified roads in this catchment indicated 74% property owner support to contributing to a scheme from the responses received. Included property owners will receive special benefit as a result of the works including improved resident amenity, reduction in dust and associated health issues, improved drainage, less wear and tear on vehicles, reduced road maintenance costs and overall improved liveability.

The preliminary estimated cost of the proposed works is \$1,810,800 of which \$252,000 is proposed to be funded via the proposed special charge contribution received from the included property owners. This will leave an approximate balance of \$1,558,800 to be funded from the Australian Government grant.

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

## Background

The St Georges (Beaconsfield Upper) catchment that includes St Georges Road, Beaconsfield Upper; Halford Street, Beaconsfield Upper and Montuna Grove, Guys Hills is included for construction in Council's Sealing the Hills program. The properties included are shown on the plan as attachment 2 to this report.

Below is a comprehensive insight as to how the indicated roads in this catchment has been implemented to the priority list of the Sealing the Hills program:

- **St Georges Road, Beaconsfield Upper**  
The section of St Georges Road to be sealed completes the missing unsealed section north of Brennan Avenue to the fire access track. It provides benefit to not only the owners/residents on St Georges Road but also to the residents of Knapton Avenue who will be able to access their sealed road without the need to navigate approximately 350m of unsealed road. This section of road has high traffic volumes, therefore, the high maintenance effort required for this road will be greatly reduced.



- **Halford Street, Beaconsfield Upper**

Sealing Halford Street located in the centre of the Upper Beaconsfield township, presents many community benefits. This Street provides access to a number of community facilities including the Upper Beaconsfield Community Centre, CFA (Country Fire Authority), and RSL (Returned & Services League Club) as well as being the primary access to many local residents. Sealing this road will therefore provide a great benefit to the wider community of Beaconsfield Upper through improved access and amenity, while reducing the maintenance effort required for this busy street.

- **Montuna Grove, Guys Hill**

Montuna Grove was deemed to have a high community benefit under the scoring criteria as it has a high residential density and, given its steep topography, has recurring maintenance issues with washouts and flooding. Sealing this road will reduce the maintenance effort required and provide amenity benefits such as rubbish collection services from each property and improved dual carriageway access to the owners/residents.

A survey of the property owners within the scheme boundary, (total of 35), was undertaken asking if they were in support of contributing to a special charge scheme at a capped contribution rate of \$7,000 per benefit unit, with a benefit unit being defined as:

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

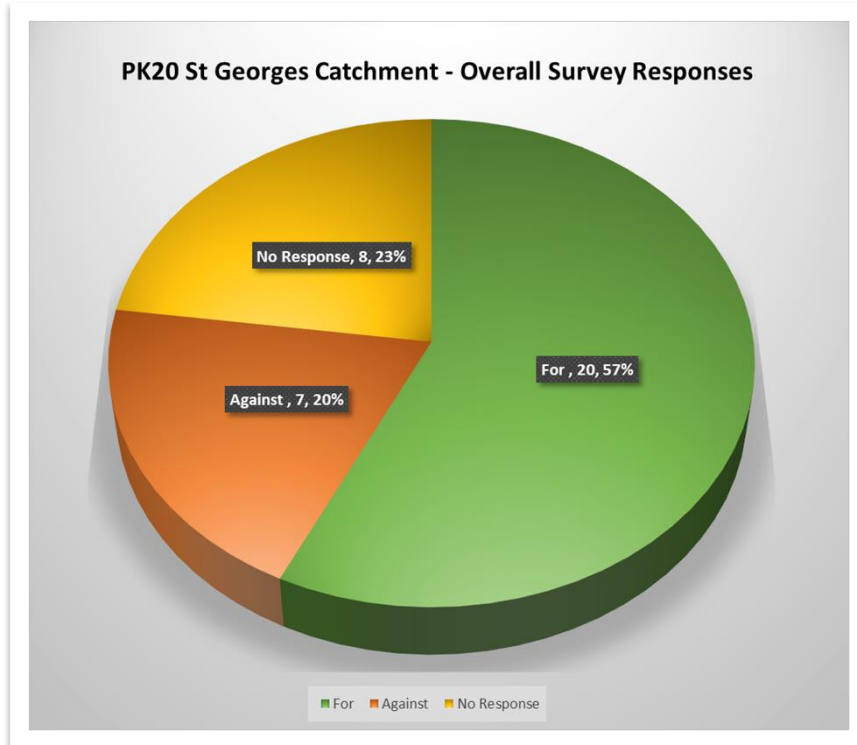
**Table 1. Questionnaire responses**

	Number	Percentage
Total no. properties in scheme	35	100%
No. of responses received	27	77%
No. of responses supporting the scheme	20	74%
No. of responses opposing the scheme	07	26%

Given the extremely small percentage of survey responses received from Halford Street, Beaconsfield Upper, additional steps were taken to gather more responses from the property owners who had not previously responded through courtesy additional mail and call outs.

Being that the initial survey responses received for Montuna Grove, Guys Hill was at 50% break-even, additional steps were taken to contact the property owners who had not responded to ascertain if the notice of intention for the proposed road works at Montuna Grove, Guys Hill should proceed.

The additional mail and call outs resulted in majority support from property owners from Halford Street, Beaconsfield Upper and Montuna Grove, Guys Hill, contributing to proceeding with the proposed scheme.



Following consideration of the survey responses, a special charge scheme has been prepared to part fund the construction of St Georges Road, Beaconsfield Upper; Halford Street, Beaconsfield Upper and Montuna Grove, Guys Hills.

### Policy Implications

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

Section 163 of the Local Government Act provides that Council may not recover a greater portion of the cost of the works than calculated in accordance with the statutory 'benefit ratio' as set out in attachment 3 to this report. Given that Council has capped the property owner contribution at \$7,000 per benefit unit, the proposed scheme is compliant.

### Relevance to Council Plan

#### 2.1 We support the creation of liveable spaces and places

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

### Climate Emergency Consideration

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

- minimising tree removal through innovative road design
- use of LED lighting to reduce energy emissions

- utilising local contractors and local road & drainage construction materials to minimise travel
  - investigating the reuse and use of recycled road construction materials

### Consultation/Communication

A letter was sent early June 2022 to the property owners of St Georges Road, Beaconsfield Upper; Halford Street, Beaconsfield Upper and Montuna Grove, Guys Hills outlining specifics in relation to their inclusion in the Sealing the Hills program and the associated special charge scheme proposal.

A subsequent face to face community consultation session was held at Upper Beaconsfield Community Centre at the end of June 2022, from 5.00pm to 7.00pm in the evening, to give owners and residents the opportunity to view plans and comment on the proposal. Hardly any property owners attended for this catchment.

At the end of June 2022, a questionnaire was mailed to property owners asking them to indicate their support/opposition to contributing to a special charge scheme at the capped rate of \$7,000 per benefit unit. As outlined above, with very few responses received from Halford Street, Beaconsfield Upper, a second questionnaire was mailed out early August 2022, to those who had not previously responded with a courtesy mail and call out.

Furthermore, online questionnaire forms have been introduced to give property owners the opportunity respond online, should they prefer. The online process has come into effect to receive more survey responses within the required time frame.

As outlined above, with all the additional efforts and systems in place, 27 questionnaire responses from 35 properties were received.

### Financial and Resource Implications

The scheme funding arrangements are as outlined in Table 2.

**Table 2. Preliminary estimated cost of project**

Total estimated cost of scheme	\$1,810,800
Total Council contribution (approx. 86%)	\$1,558,800
Benefiting property owner contribution (approx. 14%)	\$252,000

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

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

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

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

**Conclusion**

It is concluded that the overall majority of property owners support the construction of St Georges Road, Beaconsfield Upper; Halford Street, Beaconsfield Upper and Montuna Grove, Guys Hills and that Council should commence the formal consultation process to initiate a special charge scheme by proceeding to give notice of its intention to declare a special charge to part fund the works.

## Resolution

Moved Cr Tammy Radford, seconded Cr Graeme Moore.

That Council:

1. Acknowledge the majority property owner support as set out in this report to contribute to the construction of St Georges Road, Beaconsfield Upper; Halford Street, Beaconsfield Upper and Montuna Grove, Guys Hills (as shown in attachment 2), including sealed pavement, kerb & channel and associated drainage and incidental works.
2. Approve the assessment of the benefit ratio for the proposed special rate and charge scheme as set out in attachment 3 of this report.
3. Adopt the proposed area of the scheme and method of apportionment as set out in attachments 2 and 4 respectively.
4. Give notice of intention to declare a special charge scheme in accordance with the proposed declaration set out in attachment 5 to fund the construction of St Georges Road, Beaconsfield Upper; Halford Street, Beaconsfield Upper; and Montuna Grove, Guys Hills.
5. Consider the declaration (attachment 5) at its meeting of 21 November 2022, or such later date, as necessary.
6. Appoint the Mayor and/or ward Councillor and/ General Manager Infrastructure and Environment as a Council committee with a quorum of one to consider submissions received to Section 223 of the Local Government Act with respect to this scheme.
7. Authorise the General Manager Infrastructure and Environment to determine the administrative arrangements to enable submissions to be heard and considered.
8. Approve the public notice as set out in attachment 6 to be advertised in the Pakenham-Berwick Gazette and Hills Trader as newspapers that service the area.

Carried

## 6.2.2 Special Charge Scheme - Legg Catchment

**Responsible GM:** Peter Benazic  
**Author:** Donna Bird

### Recommendation(s)

That Council:

1. Acknowledge the majority property owner support as set out in this report to contribute to the construction of Boundary Road East, Legg Road, Steel Road, Curtis Road, Maisie Road, Nolan Road, Upton Road and Railway Road Emerald (as shown in attachment 2), including sealed pavement, kerb & channel and associated drainage and incidental works.
2. Approve the assessment of the benefit ratio for the proposed special rate and charge scheme as set out in attachment 3 of this report.
3. Adopt the proposed area of the scheme and method of apportionment as set out in attachments 2 and 4 respectively.
4. Give notice of intention to declare a special charge scheme in accordance with the proposed declaration set out in attachment 5 to fund the construction of Boundary Road East, Legg Road, Steel Road, Curtis Road, Maisie Road, Nolan Road, Upton Road and Railway Road Emerald.
5. Consider the declaration (attachment 5) at its meeting of 19 September 2022, or such later date as necessary.
6. Appoint the Mayor and/or ward Councillor and/ General Manager Infrastructure and Environment as a Council committee with a quorum of one to consider submissions received to Section 223 of the Local Government Act with respect to this scheme.
7. Authorise the General Manager Infrastructure and Environment to determine the administrative arrangements to enable submissions to be heard and considered.
8. Approve the public notice as set out in attachment 6 to be advertised in the Pakenham-Berwick Gazette and Hills Trader as newspapers that service the area.

### Attachments

1. Checklist Legg Catchment [6.2.2.1 - 1 page]
2. Legg Maps [6.2.2.2 - 4 pages]
3. Proposed Special Charge Scheme Legg Catchment [6.2.2.3 - 2 pages]
4. Special Charge Scheme Public Notice Legg Catchment [6.2.2.4 - 2 pages]
5. CONFIDENTIAL - Calculation of Special Benefit Legg Catchment [6.2.2.5 - 3 pages]
6. CONFIDENTIAL - Apportionment [6.2.2.6 - 11 pages]
7. CONFIDENTIAL - Overall Response for Catchment Legg [6.2.2.7 - 2 pages]

### Executive Summary

This report proposes giving *notice of intention to declare* a special charge to part fund the construction of Boundary Road East, Legg Road, Steel Road, Curtis Road, Maisie Road, Nolan Road, Upton Road and Railway Road Emerald. This notice begins the formal consultation

process at the commencement of the statutory process that enables Council to levy a special charge, (refer attachment 1).

The Boundary Road East, Legg Road, Steel Road, Curtis Road, Maisie Road, Nolan Road, Upton Road and Railway Road Emerald catchment is included in the Australian Government funded Sealing the Hills program. A recent survey of the property owners in the indicated roads in this catchment indicated 92% property owner support to contributing to a scheme from the responses received. Included property owners will receive special benefit as a result of the works including improved resident amenity, reduction in dust and associated health issues, improved drainage, less wear and tear on vehicles, reduced road maintenance costs and overall improved liveability.

The preliminary estimated cost of the proposed works is \$3,880,000.00 of which \$738,500.00 is proposed to be funded via the proposed special charge contribution received from the included property owners. This will leave an approximate balance of \$3,141,500.00 to be funded from the Australian Government grant.

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

## Background

The Boundary Road East, Legg Road, Steel Road, Curtis Road, Maisie Road, Nolan Road, Upton Road and Railway Road Emerald catchment that includes Boundary Road East, Legg Road, Steel Road, Curtis Road, Maisie Road, Nolan Road, Upton Road and Railway Road Emerald is included for construction in Council's Sealing the Hills program. The properties included are shown on the plan included as attachment 2 to this report.

A survey of the property owners within the scheme boundary, (total of 108), was undertaken asking if they were in support of contributing to a special charge scheme at a capped contribution rate of \$7,000 per benefit unit, with a benefit unit being defined as:

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

**Table 1. Questionnaire responses**

	Number	Percentage
Total no. properties in scheme	108	100%

No. of responses received	74	68.51%
No. of responses supporting the scheme	68	91.89%
No. of responses opposing the scheme	6	8.82%

Support for the scheme was consistent across all roads surveyed. Following consideration of the survey responses a special charge scheme has been prepared to part fund the construction of Boundary Road East, Legg Road, Steel Road, Curtis Road, Maisie Road, Nolan Road, Upton Road and Railway Road Emerald.

The property known as 4-10 Heroes Avenue Emerald has been removed from the scheme as it is Emerald Primary School.

### **Policy Implications**

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

Section 163 of the Local Government Act provides that Council may not recover a greater portion of the cost of the works than calculated in accordance with the statutory 'benefit ratio' as set out in attachment 3 to this report. Given that Council has capped the property owner contribution at \$7,000 per benefit unit, the proposed scheme is compliant.

### **Relevance to Council Plan**

#### **2.1 We support the creation of liveable spaces and places**

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

### **Climate Emergency Consideration**

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

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

### **Consultation/Communication**

A letter was sent in May 2022 to the property owners of Boundary Road East, Legg Road, Steel Road, Curtis Road, Maisie Road, Nolan Road, Upton Road and Railway Road Emerald outlining specifics in relation to their inclusion in the Sealing the Hills program and the associated special charge scheme proposal.

A face to face community consultation was held at the Emerald Hills Hub in June. This gave owners and residents an opportunity to view plans and comment on the proposal.



In June 2022 a questionnaire was mailed to property owners asking them to indicate their support/opposition to contributing to a special charge scheme at the capped rate of \$7,000 per benefit unit. As outlined above 74 questionnaire responses from 108 properties were received.

### Financial and Resource Implications

The scheme funding arrangements are as outlined in Table 2.

**Table 2. Preliminary estimated cost of project**

Total estimated cost of scheme	\$3,880,000.00
Total Council contribution (approx. 81%)	\$3,141,500.00
Benefiting property owner contribution (approx. 19%)	\$738,500.00

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

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

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

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

### Conclusion

It is concluded that the majority of property owners support the construction of Boundary Road East, Legg Road, Steel Road, Curtis Road, Maisie Road, Nolan Road, Upton Road and Railway Road Emerald and that Council should commence the formal consultation process to initiate a special charge scheme by proceeding to give notice of its intention to declare a special charge to part fund the works.

## Resolution

Moved Cr Tammy Radford, seconded Cr Graeme Moore.

That Council:

1. Acknowledge the majority property owner support as set out in this report to contribute to the construction of Boundary Road East, Legg Road, Steel Road, Curtis Road, Maisie Road, Nolan Road, Upton Road and Railway Road Emerald (as shown in attachment 2), including sealed pavement, kerb & channel and associated drainage and incidental works.
2. Approve the assessment of the benefit ratio for the proposed special rate and charge scheme as set out in attachment 3 of this report.
3. Adopt the proposed area of the scheme and method of apportionment as set out in attachments 2 and 4 respectively.
4. Give notice of intention to declare a special charge scheme in accordance with the proposed declaration set out in attachment 5 to fund the construction of Boundary Road East, Legg Road, Steel Road, Curtis Road, Maisie Road, Nolan Road, Upton Road and Railway Road Emerald.
5. Consider the declaration (attachment 5) at its meeting of 19 September 2022, or such later date as necessary.
6. Appoint the Mayor and/or ward Councillor and/ General Manager Infrastructure and Environment as a Council committee with a quorum of one to consider submissions received to Section 223 of the Local Government Act with respect to this scheme.
7. Authorise the General Manager Infrastructure and Environment to determine the administrative arrangements to enable submissions to be heard and considered.
8. Approve the public notice as set out in attachment 6 to be advertised in the Pakenham-Berwick Gazette and Hills Trader as newspapers that service the area.

Carried

## 6.2.3 Abandonment of Special Charge Scheme - Northern End of Burton Road, Beaconsfield Upper

**Responsible GM:** Peter Benazic  
**Author:** Nicole Alvares

### Recommendation(s)

That Council abandons the special charge scheme due to inadequate support from the proposed beneficiaries during the questionnaire survey phase as set out under Section 163B of the Local Government Act 1989 and ceases the associated planning for the proposed construction works on the private carriageway easement at 37, 41 Burton Road and 103 Beaconsfield-Emerald Road, Beaconsfield Upper.

### Attachments

1. Scheme Process Chart [6.2.3.1 - 1 page]
2. Plan of Scheme Area [6.2.3.2 - 1 page]
3. Benefit Ratio Calculation [6.2.3.3 - 2 pages]

### Executive Summary

This report proposes that Council abandons a special charge scheme to fund portion of the cost in constructing the carriageway easement at the northern end of Burton Road, Beaconsfield Upper. This notice terminates the formal consultation process at the commencement of the statutory process that enables Council to levy a special charge, (refer attachment 1).

A recent survey of the landowners in the specified section of Burton Road, Beaconsfield Upper indicated 67% were not in support to contributing to the new scheme from the responses received.

Included landowners would have received special benefit as a result of the works including improved resident amenity, reduction in dust and associated health issues, improved drainage, less wear and tear on vehicles, reduced road maintenance costs and overall improved liveability.

### Background

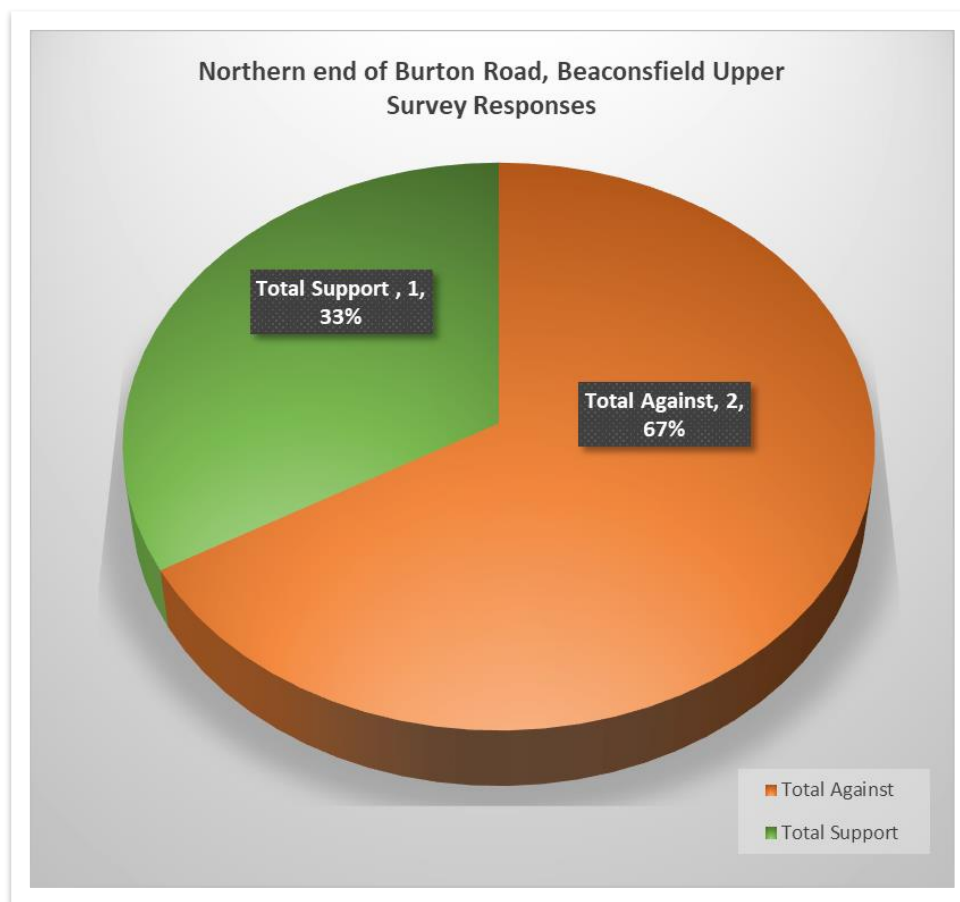
The carriageway easement at the northern end of Burton Road, Beaconsfield Upper that includes 37, 41 Burton Road and 103 Beaconsfield-Emerald Road, Beaconsfield Upper was initially included in the Stoney Creek catchment, Beaconsfield Upper as part of the Australian Government funded Sealing the Hills program. Being that Council is not the beneficiary of the carriageway easement, the properties involved were removed from the original scheme following the submissions hearing on 1<sup>st</sup> February 2022 and Council resolved to proceed with the proposed special charge scheme for Stoney Creek catchment at its meeting on 21<sup>st</sup> March 2022. The properties involved are shown on the plan as attachment 2 to this report.

Upon additional requests and further assessment of the scheme area, a new scheme was initiated to assess the level of support to proceed with the formal statutory special charge scheme process. A survey of the property owners, (total of 3), was undertaken, for the second time, asking if they were in support of contributing to a special charge scheme at a capped contribution rate of \$7,000 per benefit unit, with a benefit unit being defined as:

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

**Table 1. Questionnaire responses**

	Number	Percentage
Total no. properties in scheme	3	100%
No. of responses received	3	100%
No. of responses supporting the scheme	1	33%
No. of responses opposing the scheme	2	67%



Above statistics reflect the number and percentage of the survey responses received from all 3 property owners indicating insufficient support to the scheme.

Following consideration of the survey responses, Council resolves to abandon the special charge scheme legislative process as outlined in Section 163 of the *Local Government Act 1989* and affected property owners to be notified.

### Policy Implications

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

Section 163 of the Local Government Act provides that Council may not recover a greater portion of the cost of the works than calculated in accordance with the statutory 'benefit ratio' as set out in attachment 3 to this report. Given that Council has capped the property owner contribution at \$7,000 per benefit unit, the proposed scheme is compliant.

### Relevance to Council Plan

#### 2.1 We support the creation of liveable spaces and places

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

### Climate Emergency Consideration

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

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

### Consultation/Communication

A letter along with a formal questionnaire was sent at the end of May 2022 to all 3 property owners outlining specifics in relation to their inclusion, once again, in the Sealing the Hills program and the associated special charge scheme proposal as well as asking them to indicate their support or opposition to contributing to a special charge scheme at the capped rate of \$7,000 per benefit unit.

Verbal and written consultation was undertaken with the affected property owners, indicating interest to reassess the proposed scheme, whereby, the new scheme was determined. As outlined above, all 3 questionnaire responses from 3 properties were received.

### Financial and Resource Implications

The scheme funding arrangements as outlined in Table 2 are based on the original scheme specified in notice of decision of Stoney Creek catchment report at its meeting in December 2021 that included the 3 properties. The allocated benefit unit and reason are as specified in Table 3.

**Table 2. Preliminary estimated cost of project**

Total estimated cost of scheme	\$2,235,600
--------------------------------	-------------

Total Council contribution (approx. 83%)	\$1,854,100
Benefiting property owner contribution (approx. 17%)	\$381,500

Table 3. Note: the estimated project cost includes an allowance of 15% for design, supervision, and administration of the scheme.

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

**Table 4. Properties in scheme allocated benefit unit and reason**

Property Address	Benefit Unit	Reason
37 Burton Road, Beaconsfield Upper VIC 3808	1	Driveway access on to Burton Road
41 Burton Road, Beaconsfield Upper VIC 3808	1	Driveway access on to Burton Road
103 Beaconsfield-Emerald Road, Beaconsfield Upper VIC 3808	0.5	Primary access to Beaconsfield-Emerald Road with rear boundary and secondary access to Burton Road

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

Council would have required the first payment, either in full or by instalment to be made within a 12 months of declaration date and after one month of the commencement of the works.

Property owner contributions were assessed based on the benefit gained by each existing developed or vacant allotment, capped by Council at \$7,000 per benefit unit, (refer to benefit unit calculation in attachment 3 of this report). Councils' special rates and charges policy provides for levies to be paid in quarterly instalments that include principle and interest. For the Sealing the Hills program, it has been decided that a maximum 7-year payment period be adopted. The financial hardship provisions of this policy provide further relief to those owners demonstrating genuine financial hardship.

## Conclusion

It is concluded that due to the insufficient support from proposed beneficiaries, the formal legislative process for a Special Charge is unable to proceed to prepare a design plan for the carriageway easement at the northern end of Burton Road, Beaconsfield Upper.

In accordance with 2020 Review of Special Rate and Charge Scheme Policy, where a special rate or charge scheme does not proceed due to inadequate support from proposed beneficiaries during the development phase pursuant Section 163B of the Local Government Act, the project will not be re-investigated within three years from its date of abandonment.

**Resolution**

Moved Cr Tammy Radford, seconded Cr Graeme Moore.

That Council abandons the special charge scheme due to inadequate support from the proposed beneficiaries during the questionnaire survey phase as set out under Section 163B of the Local Government Act 1989 and ceases the associated planning for the proposed construction works on the private carriageway easement at 37, 41 Burton Road and 103 Beaconsfield-Emerald Road, Beaconsfield Upper.

Carried

## 6.2.4 Cardinia Life Draft Scope & Staging

**Responsible GM:** Lili Rosic  
**Author:** Michael Casey

### Recommendation(s)

That Council:

- Endorses the draft scope for the entire Cardinia Life redevelopment project.
- Notes that the facility may need to be delivered in stages, dependent upon construction costs and the level of funding secured from other levels of government.
- Endorses Council officers to undertake concept and detailed designs of the entire Cardinia Life redevelopment. Noting the design will allow for the staged delivery of the development and will include components designated as in scope in the report.
- Advocates to the State and Federal Governments for funding to redevelop the Cardinia Life facility.
- Notes that a future report will be presented to Council on the project in 2023.

### Attachments

1. Cardinia Life Social Value Model Dashboard [6.2.4.1 - 2 pages]
2. Cardinia Life Advocacy Pack [6.2.4.2 - 6 pages]

### Executive Summary

In 2021, an updated feasibility study was completed for Cardinia Life (aquatic and leisure centre). The study identified the need and opportunity to significantly upgrade the facility to provide the facilities, programs and services that meet the needs of our growing community now and into the future.

External funding is essential to progress this project due to its magnitude, whether it is delivered as a staged project or in its entirety at one time.

An initial round of community engagement has now been completed. The 7-week engagement period concluded mid-May and offered extensive opportunities for people to provide their feedback.

The review of the engagement results and feasibility study findings has led to the development of a draft scope for the Cardinia Life redevelopment. The draft scope proposes the inclusion of the following elements:

#### Aquatics:

- Existing lap pool repurposed to warm water pool
- Indoor 50m pool, with moveable boom, 8 lanes at 2.5m wide
- Indoor pool amenities including accessible change with direct hoist access to warm water pool, and specific family change space.



- Zero depth entry, soft fall/splash pad with large aquatic playground and interactive play features, all accessible. Adjoining small toddler's pool
- Sap, sauna, steam room
- Multi-purpose room on pool deck, with kitchenette and small storage
- Large pool deck storage
- Pool deck seating serving all areas where possible

### Health and Fitness

- 1100m<sup>2</sup> gym space, 24/7 access, consider gym over-looking aquatics area.
- Group fitness room, catering for 50 participants, large storage
- Cycle studio, catering for 50 bikes, large storage
- Yoga/Pilates studio, approximately 400m<sup>2</sup>, large storage
- Multi-purpose room, with kitchenette and small storage (this will be considered a provisional item)

### Stadium

- 4 indoor stadium courts, including a show court and seating area
- Multi-purpose room, with kitchenette and small storage.
- Stadium amenities to include lockable change rooms located near show court.
- Large storage space
- Unisex accessible referee change rooms and amenity
- Small office space
- 1550m<sup>2</sup> gymnastics facility, 12m roof height, viewing platforms/seating, large storage (this will be considered a provisional item).
- Air-conditioning and heating provided to courts (this will be considered a provisional item).

### Centre

- Existing gym space repurposed to wellness facility
- Larger café, with appropriate seating area
- Increase car parking, well-lit and sheltered path through parking to entrance.
  - More accessible parking bays, and inclusion of deeper bays for unloading wheelchairs
- Surveillance system
- Separate entrance/s
- Wheelchair access through all entrances / turnstiles
- Air-conditioning and heating throughout building
- Merchandising area with fitting room
- Increase staff administration
- Two outdoor sports courts, well-lit and sheltered

### Other considerations requiring more investigation

- Technology
- Green rating / sustainability
- SALTO

Items listed as provisional require further investigation.

The first stage of works is proposed to focus on the stadium, including construction of four stadium courts, gymnastics facility, change rooms, office space, storage, and car parking. Future stages will include aquatics and health and fitness. The priority of the remaining stages is to be determined.

Whilst Cardinia Life is still a functional facility, it does not meet contemporary standards for leisure and aquatic facilities, and current and future community demand.

It is recommended that Councillors endorse the draft scope, staging priorities, and draft scope for stage 1 works for the redevelopment of Cardinia Life.

Next steps include continued advocacy to secure project funding, procurement of required consultants and architect, further stakeholder engagement and the development of concept plans.

## Background

Cardinia Life opened in 2006 to service Cardinia Shire.

In 2013, a feasibility study of Cardinia Life was undertaken. The study recommended that Cardinia Life be extended as the facility had reached capacity. The study recommended the below components be added to Cardinia Life:

- Two additional sports courts
- Outdoor splash pad
- Dedicated program pool/warm water
- Leisure Pool with toddler zone
- Spa, dry sauna, steam sauna
- Upgrade supporting infrastructure - offices, change and storage facilities

In 2016, Council appointed a new facility contractor to manage the facilities, this brought about a review of operations, resulting in altered programs and service models. The change to operations resulted in improved accessibility with the centre now accommodating additional patrons.

Cardinia Life attendances have continually increased since that time and a new feasibility study was undertaken in June 2021. The feasibility study identified the need to provide additional facilities to meet the needs of the current and future growing population.

In January 2022, an engagement and communications plan were developed, and the initial round of community engagement was completed. A 7-week community engagement program commenced on 28 March and concluded on 15 May.

Through the engagement period messaging was clear that the redevelopment of Cardinia Life requires external funding. While a draft scope is being presented and staging priorities are being determined, external funding is essential for any construction to commence due to the high cost to redevelop the leisure and aquatic facility.

## Scope

A draft scope for the Cardinia Life redevelopment has been developed after considering the engagement feedback and the findings from the 2021 feasibility study. The components proposed for the Cardinia Life redevelopment include:

### *High priority items (included in scope)*

#### Warm water pool

- Large indoor warm water pool for therapy-based activities, including an aerial hoist connection directly to the change room.
  - Reference to a hydrotherapy pool or warm/heated pool was included in 30% of engagement responses. A warm water pool has been included in the scope because a Hydrotherapy pool is highly regulated and cannot drop below or

exceed a set temperature, therefore offers less flexibility, present challenges in maintaining air temperature which may require it be located separately on pool deck.

- Existing lap pool to be re-purposed as warm water pool
- Pool deck seating
- 19% of engagement respondents in reference to swimming and fitness classes, specifically wanted an increase in the offering/class capacity.

#### Indoor 50m pool

- Indoor 50m pool including moveable boom (51.5m total), lane rope attachments vertical and horizontal, 8 lanes at 2.5m lane width.
- Pool deck seating/area suitable to cater for school groups/events/competitions
- 40% of engagement respondents mentioned the need for a larger pool (current pool is 25m), with the ability to section it off for multiple uses (boom and lane ropes).

#### Indoor pool amenities

- Maintain separate school change facilities.

#### Leisure pool / splash area

- Beach entry, soft fall, adjoining toddler pool, and a large indoor water playground
- Children/toddler/kids pool component received the highest number of mentions amongst all pool and water facilities (42%), with an additional 24% of engagement respondents specifically mentioning the need for an aquatic play area.
- This component addresses a gap in service/provision, consistent with demand and population profile, has a high impact/value and can be the distinctive feature or unique identifier for the facility.

#### Spa, sauna & steam room

- Occupy small areas and add value to memberships/options
- Steam room and sauna were mentioned in 40% of engagement responses, spa in 13% of responses.

#### Gym (1100m<sup>2</sup>)

- Members per square meter at Cardinia Life is well over the benchmark (4 v 2.5)
- Comparative to the costs associated with aquatics, the gym is far less expensive to operate
- 2% of engagement respondents mentioned the need to continue to offer 24/7 facilities
- Current challenges identified in the feasibility study include limited space for users to move past each other (difficult for people in wheelchairs), limited stretching space, adjacent room creates challenges for supervision, and no room for additional equipment
- Layout can be a distinctive feature, overlooking pool deck from above

#### Group fitness room, cycle, and wellness studios

- Group fitness room and cycle studio to cater for a 50-participant class, acoustic design to keep noise in/protect surrounding areas.
- Separate space for yoga/Pilates. Designed to keep noise in/out, temperature controlled, appropriate flooring to be investigated
- Large storage areas for each room
- 19% of engagement respondents referred to fitness and swimming classes, specifically to increase the offering/class capacity
- 13% of engagement respondents wanted wellness classes like yoga and Pilates offered

- Current challenges identified in the feasibility study include the smaller capacity of the spin room, that is it not purpose built, and has noise carry issues.

#### Four indoor sports courts (one show court)

- 52% of engagement respondents mentioned the need for increased courts, basketball / netball facilities.
- 16% of engagement respondents referred to the need for additional seating relative to sports/café areas, to provide better viewing and additional catch-up spaces.
- 4% of engagement respondents want the stadium to be welcoming for social sports, not just competitive sports and 3% of engagement respondents mentioned the need for casual play opportunities.
  - If retractable seating is used, when retracted, that space will be allocated for casual participation. If retractable seating is not used, further investigation is required as to what can be provided.
- Viewing platform / seating
- Lockable change rooms for representative sport requirements

#### Three multi-purpose rooms – (aquatics, fitness, stadium) including storage for each room.

- Multi-purpose rooms provide flexibility in programming
- 12% of engagement respondents identified the need for opportunities to offer a stronger connection and meeting space inside the facility which may attract people to the centre for more than just sports.
- The fitness multi-purpose room is considered provisional

#### Café

- 26% of engagement respondents referred to the café, half of those mentioned the need for a bigger/more modern café with more food options.
- The café provides opportunities for social connections and needs to meet the demand of an expanded centre. Investigate opportunity for a sit-down meal, away from noise of the centre
- Investigate switching location of administration area and café to achieve better serviceability for the café.

#### Other considerations through design:

- Inclusivity - safety:
  - Surveillance system
- Transport and movement
  - Improved lighting and increased parking bays
  - Investigate sheltered access way to entrance
  - Deeper parking bays for those with wheelchairs
  - Increased accessible parking bays
  - Investigate separate entrances, traffic flow through building
  - Wheelchair accessible entrances throughout building (e.g., gym)
- Air-conditioning and heating require more investigation to understand operating costs
- Technology, SALTO, Green star rating also need to be further investigated

#### ***Medium priority items (included in scope)***

##### Separable wellness facility

- To be in existing gym space
- 15% of engagement respondents mentioned rehab, massage, physiotherapy, osteopathy, and chiro as services they would like to see based at the centre.
- To investigate lease of this element of the facility

#### Gymnastics (1500m<sup>2</sup>)

- Gymnastics Victoria (GV) forecast over 2,300 new participants in gymnastics (0-4yrs) by 2031 in Cardinia
- Opportunity to boost female participation in sport. Of the 1202 registered GV participants living in Cardinia 878 are female
- Of the 1202 registered in Cardinia, 45% leave Cardinia to participate
- 3% of engagement respondents mentioned gymnastics/ninja warrior facility and 9% of engagement respondents indicated a need for variety in programming, with children's / youth programming specifically mentioned.
- The gymnastics facility is to be confirmed as the project progresses through design and costing.

#### Two outdoor basketball/netball courts

- Require paths of travel, lighting, and a shelter
- Provides a casual option at no cost
- Can be used as warm up area if no indoor courts are available

#### Merchandising area

Increased administration area

Additional storage

#### Items not included in the scope

##### Water slides

- Mentioned by 21% of respondents.
- No Australian standards for water slides
- The facility is not looking to compete with nearby aquatic facilities
- Maintenance costs and down time are industry issues
- Operational costs are high

##### Diving board

- 6% of respondents referred to diving blocks or boards.
- Diving blocks (different to a diving board) have been included in scope.
- Australian total organised participation is estimated at approximately 3,000 adults per year (0.012%).
- Statistically it is likely less than 14 people within Cardinia Shire will participate in diving at least once per year.
- The construction of infrastructure to support diving when the current participation rate and demand was not considered a priority
- The pool design for a diving board or platform only allows for diving.

##### Squash

- 6% of engagement respondents mentioned squash courts included.

##### Indoor soccer / cricket

- 2/3% of engagement respondents mentioned an indoor cricket pitch included
- Indoor cricket provided at Casey stadium
- Indoor cricket and soccer opportunities are provided at the Southeast business park.

##### Outdoor 25m pool, with family aquatic and picnic facilities

- Allow space / future proof
- Not mentioned through engagement

### Staging of the redevelopment

The project can be delivered in its entirety or in stages dependent upon funding secured to deliver the redevelopment. The entire project is estimated at \$114m. The project has been broken into three stages, including a stadium, aquatics, and health and fitness stages.

The project staging was determined after considering the development cost, demand for services and programs (aquatic, stadium, and health & fitness), capacity issues, and community engagement results. Community engagement results showed strong engagement on both the aquatic and stadium components of the building.

Both the aquatics and stadium areas have capacity issues, however when comparing aquatic members, learn to swim participants, swim users and aqua aerobics attendances against over 510 teams participating weekly in the stadium, a conservative comparison showed a much higher attendance in the stadium, and it is the priority for stage 1 works.

The proposed scope for stage 1 works is identified in table 1.

Table 1 – Stage 1 scope

Stage 1	Comments	Cost estimate
Four additional stadium courts & gymnastics	Includes show court, office, change rooms, storerooms, additional car parking	\$40,614,276

### Next steps

Subject to Council's endorsement, a business case will be developed and used to advocate to other levels of government for funding.

An architect will be engaged to develop concept designs for the entire project, including each stage.

Advocacy work continues ahead of the state government election in November.

### Policy Implications

All engagement (architect, consultant, etc.) will be completed in line with Council's procurement policy.

### Relevance to Council Plan

#### 1.1 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.

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

#### 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.

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

4.1.2 Plan for sustainable employment precincts to entice new industries to the region and support new business.

4.1.4 Drive local innovation in technology to better support and attract businesses and industries.

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.

5.1.3 Strive to be a customer focused organisation and be a great place to work.

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

### **Climate Emergency Consideration**

Any construction at Cardinia Life will consider Council's aspirational energy transition plan and sustainable environment policy.

### **Consultation/Communication**

Targeted engagement for the Cardinia Life feasibility study included key stakeholders of the centre, state sporting associations and recreation bodies, Cardinia Shire Sporting Clubs, and internal Council business units.

A series of face-to-face workshops were held with key stakeholders and internal business Council business units, whilst online surveys were sent to state sporting associations and recreation bodies and Cardinia Shire Sporting Clubs.

An engagement and communications plan were developed for broader community engagement. A 7-week engagement plan commenced on 28 March and concluded on 15 May. The engagement was promoted via:

- Council's Creating Cardinia engagement platform (4,216 views)
- Emails (8,200)
- Social media (77,099 reach)
- Postcards (10,000 distributed to sites across Cardinia)
- Posters (distributed to sites across Cardinia)
- Local media advertising (5 promotions/articles)
- Media (4 media releases and a new story)

Activities undertaken through the engagement included:

- Survey
- Creating Cardinia visioner function
- Pop-ups

- Briefings
- Focus groups
- Interviews
- Workshop
- Phone calls
- Emails received

In total, 657 contributions were received through these various activities during the engagement program.

### **Financial and Resource Implications**

A high-level internal cost estimate has been prepared using the above scope and based on the initial cost estimate provided by Turner and Townsend. The estimated project cost is \$114,376,000 and comparable to other leisure and aquatic facility projects of a similar size.

To deliver stage 1 works as detailed in this report, the cost is estimated to be \$40,614,276.

It is proposed that Council advocates to the state and federal government to facilitate delivery of the Cardinia Life redevelopment.

Operating costs will be further investigated and updated once the project stages are finalised.

Funding for the project will include a contribution from Council, with \$20M allocated in Cardinia's 10-year capital budget.

### **Conclusion**

A feasibility study of the Cardinia Life leisure and aquatic facility was completed in 2021 and identified the need for a redevelopment of the facility. A 7-week period of community engagement has concluded, with results from the engagement and feasibility study used to develop a proposed scope for the redevelopment project.

The funding to deliver the redevelopment of Cardinia Life will be sought from a variety of funding sources, including the State and Federal Government. The project may be delivered in stages dependent upon the level of funding received by Council.

Subject to Council's endorsement, the next steps will include continued advocacy to State and Federal Government for funding, development of a business case and engagement of an architect to develop concept and detailed designs.



## **Resolution**

Moved Cr Stephanie Davies, seconded Cr Graeme Moore.

That Council:

- Endorses the draft scope for the entire Cardinia Life redevelopment project.
- Notes that the facility may need to be delivered in stages, dependent upon construction costs and the level of funding secured from other levels of government.
- Endorses Council officers to undertake concept and detailed designs of the entire Cardinia Life redevelopment. Noting the design will allow for the staged delivery of the development and will include components designated as in scope in the report.
- Advocates to the State and Federal Governments for funding to redevelop the Cardinia Life facility.
- Notes that a future report will be presented to Council on the project in 2023.

Carried

## 6.2.5 Appointment of Committee Members to Nar Nar Goon North Hall Community Asset Committee

**Responsible GM:** Lili Rosic  
**Author:** Helena Moloney

### Recommendation(s)

That Council:

1. Make the following appointments to the Nar Nar Goon North Hall Community Asset Committee under Section 65 of the Local Government Act (2020):
  - Kaye Willis President
  - Greg Peck Vice President
  - Erica Peck Secretary
  - Dorle Harris Assistant Secretary
  - Heather Owen Treasurer
  - Norman Gray Committee member
  - Heather Power Committee member

### Attachments

Nil

### Executive Summary

This report seeks a Council resolution to appoint membership to the Nar Nar Goon North Hall Community Asset Committee following a public meeting conducted by the Bunyip Ward Councillor.

### Background

Members of Community Asset Committees require appointment by Council resolution in accordance with Section 65 of the Local Government Act annually or at other specified times.

At a public meeting held Thursday 11 August 2022, the members detailed in Recommendation 1 were elected to be appointed by Council to the Nar Nar Goon North Hall Community Asset Committee for the current term as specified in the Instrument of Delegation (2 years).

Council is very grateful to all committee members of halls for the time and energy they dedicate to their important roles.

### Policy Implications

Nil

### Relevance to Council Plan

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

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.

**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.

**Climate Emergency Consideration**

Nil

**Consultation/Communication**

Nil

**Financial and Resource Implications**

Nil

**Conclusion**

Following public meeting election process and in accordance with the Local Government Act 2020 it is recommended that Council resolve to appoint the nominated new members to the Nar Nar Goon North Hall Community Asset Committee.

## Resolution

Moved Cr Graeme Moore, seconded Cr Collin Ross.

That Council:

1. Make the following appointments to the Nar Nar Goon North Hall Community Asset Committee under Section 65 of the Local Government Act (2020):

- Kaye Willis                      President
- Greg Peck                      Vice President
- Erica Peck                      Secretary
- Dorle Harris                    Assistant Secretary
- Heather Owen                Treasurer
- Norman Gray                 Committee member
- Heather Power                Committee member

Carried

## 6.2.6 Cardinia Creek Regional Parklands Future Directions Plan 2022

**Responsible GM:** Lili Rosic  
**Author:** Samantha Cross

### Recommendation(s)

That Council:

- Notes the Cardinia Creek Regional Parklands Future Directions Plan 2022 has recently been amended by the DELWP and that the main changes include clarifying wording regarding investment to fund the implementation of the plan. These changes maintain the shared strategic direction for the parklands but do not include the details of any funding for implementation.
- Endorses the Cardinia Creek Regional Parklands Future Directions Plan 2022
- Writes to DELWP, project lead for the preparation of the Plan, advising of its resolution, expressing concern that there is no funding commitment to the implementation of the Plan and requesting funding is allocated to ensure the outcomes of the Plan can be delivered.

### Attachments

1. Cardinia Creek Regional Parklands Final Future Directions Plan 2022 [6.2.6.1 - 53 pages]
2. Engaging on the Cardinia Creek Regional Parklands Draft Future Directions Plan July 2022 [6.2.6.2 - 13 pages]

### Executive Summary

The Cardinia Creek Parklands has been progressively expanding under the guidance of the 2002 Cardinia Creek Parklands Future Directions Plan developed by Parks Victoria. The Cardinia Creek Regional Parklands Future Directions Plan 2022 has been developed by the Mosaic Insights and REALMstudios team on behalf of the Parklands Partnership Group.

DELWP (Department of Environment, Land, Water and Planning) led the Cardinia Creek Regional Parklands refresh project, working collaboratively with the Project Partners including Cardinia Shire Council, City of Casey, Parks Victoria, Melbourne Water and the BLCAC (Bunurong Land Council Aboriginal Corporation). Supporting Project Partners included the Akoonah Park Committee of Management and the Beaconsfield Recreation Reserve Committee of Management.

The Future Directions Plan 2022 forms the basis for design and implementation planning of the Parklands over the next 10-15 years and will help identify future funding and partnership opportunities. As outlined in the Plan, more detailed planning to deliver actions, including the development of trails and new and upgrades to existing visitor nodes, will be progressively undertaken subject to land availability, visitor demand, and funding obtained or allocated by project partners.

The main objectives of the Plan are to:

- Set strategic management directions within a transparent framework

- Identify management zones to guide decision making regarding appropriate current and future uses
- Identify key actions for expanding the Parklands.

Following two rounds of extensive community engagement, the Cardinia Creek Regional Parklands Future Directions Plan 2022 is ready for endorsement. Each partner needs to confirm its own organisational endorsement of the Plan by 20 September 2022, to DELWP.

### **Background**

The Cardinia Creek Regional Parklands will encompass more than 600 ha of parkland from Berwick to Clyde on both sides of Cardinia Creek. First reserved in 1994 for future public open space, the Parklands are growing to provide important ecological, cultural and community benefits for the region. Development of the previous Future Directions Plan in 2002 by Parks Victoria focused on ensuring ongoing acquisition of land within the park boundary to protect and enhance flora and fauna values, develop trail connections, and provide visitor facilities for public enjoyment.

There are many existing parks and reserves within the Parklands, approximately 28 privately owned properties, and a mix of additional smaller parcels owned by Melbourne Water, DELWP, the City of Casey and Cardinia Shire Council.

DELWP have been undertaking the Cardinia Creek Regional Parklands Future Directions Plan refresh project in conjunction with the project partners. The project partners include Parks Victoria, Cardinia Shire Council, City of Casey, Melbourne Water, and DELWP. Other invited project partners include the Committees of Management for Acoonah Park and Beaconsfield Recreation Reserve, and Bunurong Land Council Aboriginal Corporation.

At its heart, the Plan recognises and embeds the rights and values of the Traditional Owners, the Bunurong people, in the planning and management of the Parklands, and responds to the continued urban expansion in the region. It responds to the pressing need to mitigate climate change, protect, and enhance biodiversity, and contribute to improved community health and wellbeing. The Plan outlines the expanded area of the Regional Parklands with the main purpose to protect new areas of biodiversity values on both sides of the Creek and create new and improved access and links between a network of existing parks and reserves along Cardinia Creek.

The Plan aims to create a shared vision and commitment for the co-management of the expanded parklands to collaboratively expand Cardinia Creek Regional Parklands by working towards a continuous chain of parks and reserves. This open space will provide wellbeing, cultural and environmental benefits for the wider community. The Plan forms the basis for design and implementation planning of the Parklands over the next 10-15 years and will help shape future funding and partnership opportunities.

The Cardinia Creek Regional Parklands Draft Future Directions Plan was presented for community consultation from 25 May to 23 June 2022. Refer attached *Engaging on the Cardinia Creek Regional Parklands Future Directions Plan July 2022* for a detailed outline of the feedback received.

The Draft Plan was revised in response to the feedback from the community and project partners. The Cardinia Creek Regional Parklands Future Directions Plan 2022 is attached and is presented to Council for endorsement.

## Policy Implications

Existing strategies, plans and policy commitments of Federal, State and Local Government and Parklands Partners were reviewed to inform parklands planning. The background review was critical in understanding the opportunities and constraints for parkland planning, and directly informed the Plan.

A number of Cardinia Shire Council's existing Strategies and Policies were considered as part of the development of the Plan including:

- Council Plan 2021
- Community Vision 2040
- Cardinia Shire's Liveability Plan 2017-29
- Cardinia Planning Scheme
- Cardinia Biolink Plan 2023-33
- Cardinia Climate Change Adaptation Strategy 2022-33
- Cardinia Shire Council Pedestrian and Bicycle Strategy 2017
- Cardinia Shire Council Equestrian Strategy 2014
- Cardinia Shire Council Integrated Water Management Plan 2015-25

The Cardinia Creek Parklands form important part of existing and future Precinct Structure Plans and township strategies for the area including:

- Beaconsfield Structure Plan (2013)
- Officer Precinct Structure Plan (amended November 2019)
- Officer Precinct Structure Plan Cardinia Creek: Conservation Management Plan 2011 Ecology Australia – Prepared for Growth Areas Authority.
- Officer South Employment Precinct Structure Plan (currently in development by the VPA (Victorian Planning Authority)).

## 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.

1.1.4 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.

3.1.4 Plan and advocate for better water cycle planning and management to reduce environmental impacts.

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

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**

Open Space and green areas reduce the urban heat island affect by having a cooling effect on the landscape and surrounding areas. Green, permeable surfaces increase evapotranspiration rates of the vegetation, with trees and shrubs providing shelter during extreme heat, benefiting various fauna species as well as people.

Open space reduces the impacts of climate change by sequestering carbon through the vegetation. Given climate change is expected to increase the number of extreme heat days, open space areas especially large open spaces such as the Cardinia Creek Regional Parklands, will provide relief for residents, habitat for native fauna, also providing cooling benefits in the surrounding areas.

Green space also provides positive mental health benefits people. Being able to spend time in open space and nature assists people's mental health. The need for green spaces and places to gather outside for mental as well as physical health reasons, has only increased due to the recent pandemic.

The Cardinia Creek Regional Parklands Future Directions Plan 2022, responds to the pressing need to mitigate climate change, protect, and enhance biodiversity, and contribute to improved community health and wellbeing.

### **Consultation/Communication**

Two rounds of community consultation were undertaken. Early community input was sought from 3 November to 30 November 2021 to help understand the future of Cardinia Creek Regional Parklands. Six themes were identified during this round of public consultation. These themes were used to frame and better understand feedback received:

- Biodiversity values
- Safety and accessibility
- Users and uses
- Facilities and landscape elements
- Cultural heritage and Bunurong values
- Parklands management

The feedback helped to develop the Draft Cardinia Creek Regional Parklands Future Directions Plan which was released for a second round of community consultation in May 2022.

Community and stakeholders were invited to review the Plan from 25 May to 23 June 2022 and provide their feedback. A range of methods and tools were used to consult with the community and stakeholders.

The results of the online survey completed by 35 respondents revealed overall support for the commitments outlined in the Cardinia Creek Regional Parklands Draft Future Directions Plan. A summary of online feedback includes the following:

- 62.5% of people were either very satisfied or satisfied with the draft Vision
- 69% people were either very satisfied or satisfied that the commitments in the draft Plan
- will help visitors appreciate the importance of Bunurong values and principles
- 75% people were either very satisfied or satisfied with the commitment to protecting biodiversity in the Parklands
- 87% people were either very supportive or supportive of the commitments to shorter walking loops within the Parklands



- 94% of survey participants were either very supportive or supportive of the commitment to walking and cycling trails that connect the different areas of the Parklands
- 84% of survey participants were either very supportive or supportive of the commitment to connect the trail to the regional cycling network.

Three respondents were 'not satisfied.' One because they sought stronger commitments to biodiversity, one because they sought stronger commitments to increased sporting facilities, and one for unclear reasons.

A summary of the feedback received during the consultation period includes:

- Support for the environmental and cultural benefits that the Draft Plan will provide
- Requests for consideration of wildlife and protection of native flora and fauna
- Support for off-lead dog areas in places that limit damage to natural areas
- Improvements to pedestrian access and safety, in particular at Inglis Road
- Desire for more trails and greater connection of trails in different areas of parklands
- Desire for the provision of wayfinding and interpretive signage
- Desire for more activities such as events, sound stage, sports activities & horse trails
- Provision of amenities and seating
- Seeking more acknowledgement of community groups.

Refer the attached report *Engaging on the Cardinia Creek Regional Parklands Future Directions Plan July 2022*.

### **Financial and Resource Implications**

There will be financial and resource requirements for the implementation of the actions included within the Plan. However, many of these revolve around seeking additional funding from the State Government for upgrade and improvement works to open space along the existing and proposed Cardinia Creek Regional parklands.

There is an expectation that Council will become future land managers of parcels along the Parklands, however, this is to be determined and explored as part of the development of an Implementation Plan. **Section 5 Implementation** of the Cardinia Creek Regional Parklands Future Directions Plan 2022 identifies Actions for each of the Themes. These actions will be progressively implemented over the life of the Plan.

### **Conclusion**

DELWP with the support of the Project Partners have prepared the Cardinia Creek Regional Parklands Future Directions Plan 2022. Two rounds of extensive community engagement were undertaken to help inform the development of the Plan.

At its heart, the Plan recognises and embeds the rights and values of the Traditional Owners, the Bunurong people, in the planning and management of the Parklands, and responds to the continued urban expansion in the region. It responds to the pressing need to mitigate climate change, protect, and enhance biodiversity, and contribute to improved community health and wellbeing. The Plan outlines the expanded area of the Regional Parklands with the main purpose to protect new areas of biodiversity values on both sides of the Creek and create new

and improved access and links between a network of existing parks and reserves along Cardinia Creek.

The Plan forms the basis for design and implementation planning of the Parklands over the next 10-15 years and will help identify future funding and partnership opportunities. As outlined in the Parklands Plan, more detailed planning to deliver actions, including the development of trails and new and upgrades to existing visitor nodes, will be progressively undertaken subject to land availability, visitor demand, and funding obtained or allocated by project partners.

The main objectives of the Plan are to:

- Set strategic management directions within a transparent framework
- Identify management zones to guide decision making regarding appropriate current and future uses
- Identify key actions for expanding the Parklands.

The Cardinia Creek Regional Parklands Future Directions Plan 2022 is ready for endorsement by Cardinia Shire Council as a Project Partner and key stakeholder.

## **Resolution**

Moved Cr Tammy Radford, seconded Cr Collin Ross.

That Council:

- Notes the Cardinia Creek Regional Parklands Future Directions Plan 2022 has recently been amended by the DELWP and that the main changes include clarifying wording regarding investment to fund the implementation of the plan. These changes maintain the shared strategic direction for the parklands but do not include the details of any funding for implementation.
- Endorses the Cardinia Creek Regional Parklands Future Directions Plan 2022
- Writes to DEWLP, project lead for the preparation of the Plan, advising of its resolution, expressing concern that there is no funding commitment to the implementation of the Plan and requesting funding is allocated to the ensure the outcomes of the Plan can be delivered.

Carried

## 6.2.7 Reserve Community Asset Committee Project Update and Actions

**Responsible GM:** Lili Rosic  
**Author:** Cameron Miller

### Recommendation(s)

That Council:

1. Exercise the powers conferred by Section 65 of the Local Government Act 2020 (the Act), resolving to establish a special committee, the Yannathan Recreation Reserve Community Asset Committee.
2. Thank all recreation reserve Community Asset Committees for their valuable contribution to the management of community recreation reserves and for meeting Council's and the new Local Government Act requirements.

### Attachments

Nil

### Executive Summary

All fifteen Recreation Reserve Community Asset Committees have implemented actions that were required to ensure compliance with Council's governance and risk project recommendations and the Local Government Act 2020. The risk project requirements are listed in the Community Asset Committee Governance Manual, which outlines the statutory requirements and aids, pertaining to good governance.

Council has not appointed a Community Asset Committee for the Yannathan Recreation Reserve, despite a committee being established and currently operating and managing the land. It is recommended Council formally establish a Community Asset Committee for this recreation reserve in exercise of the powers conferred by Section 65 of the Local Government Act 2020.

### Background

In February 2019, Councillors support retaining Section 86 Recreation Reserve Committees and transitioning to Community Asset Committees if/when the new Local Government Act was implemented. This followed the Recreation Reserve Maintenance and Management review. Councillors also supported developing and implementing a program to work with each of the Section 86 Reserve Committees to address risk, OHS and governance issues and report back to Council on the outcomes.

Due to a change in the Local Government Act, all Section 86 committees transitioned to Community Asset Committees.

At the start of the 2021-22 financial year, Council provided all recreation reserve Community Asset Committees with a list of requirements that needed to be met by 31 October 2021. These were identified through Council's governance and risk project and the introduction of the new Local Government Act 2020.

This project focussed on recreation reserve Community Asset Committees initially, due to the potential risks associated with the maintenance tasks they undertake. Some of the key changes to roles and responsibilities that were implemented, because of the risk project's recommendations included the following:

- Council to be responsible for all reserve surrounds maintenance.
- Maintenance performed by committees must be conducted by Council approved contractors.
- Committee's must collect user fees from all users.
- All committee members must complete the governance training module (online and face-to-face offered).

Council has allocated increased maintenance grants to ensure committees have the resources to engage contractors to undertake the required playing field and building maintenance.

Committees are required to:

- Hold a meeting to action and implement the requirements of the governance manual and adopt the occupational health and safety policy and code of conduct policy.
- Provide completed user agreements and maintenance agreements to Council.
- Meet quarterly at a minimum.

Council officers have been working with the Community Asset Committees to assist them to implement these requirements. Due to the impact of the ongoing COVID-19 restrictions and inability to meet face-to-face, Council initially extended the deadline to meet the requirements to 31 December 2021 and then again to 30 June 2022.

Based on recent feedback from committees, Council officers updated the Community Asset Committee Portal to make it more user friendly. Multiple short online sessions were offered in May 2022 to show committee members how to navigate the page and get the most out of the resources provided. One of the sessions was recorded and uploaded onto the portal.

The following Recreation Reserve Community Asset Committees have met the requirements outlined above and will continue to manage their respective recreation reserves on behalf of Council:

- Cardinia Recreation Reserve
- Chandler Reserve
- Garfield Recreation Reserve
- Gembrook Recreation Reserve
- Huxtable Road Reserve
- Josie Bysouth Reserve
- Lang Lang Community Recreation Reserve
- Maryknoll Recreation Reserve
- Officer Recreation Reserve
- Pound Road Reserve
- Rythdale Recreation Reserve
- Sutherland Park Recreation Reserve
- Worrell Reserve
- Yarrabubba Reserve

Despite the Yannathan Recreation Reserve operating as if they were a Community Asset Committee and successfully participating in the risk project, it was recently discovered that there is no Council appointed Community Asset Committee for the Recreation Reserve, only for the Hall.

This was communicated to the now informal committee in July 2022 by Council officers. The informal committee's preferred option was for Council to establish a Community Asset Committee for the Yannathan Recreation Reserve. Council officers support this option.

### **Policy Implications**

This proposal is consistent with both Council policy and requirements for Recreation Reserve Community Asset Committees.

### **Relevance to Council Plan**

#### **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.

5.1.5 Champion the collective values of the community through the Councillors' governance of the shire.

### **Climate Emergency Consideration**

N/A

### **Consultation/Communication**

Council officers are in regular communication with all reserve Community Asset Committees. Whether it's through supporting governance, assisting with questions and queries, or promoting development opportunities.

Recreation reserve committees are aware of Council's processes and requirements, and support has been offered to every committee on every aspect of the project.

### **Financial and Resource Implications**

There is no additional cost to Council to establish a Community Asset Committee for the Yannathan Recreation Reserve. The maintenance grant provided is covered by an existing budget allocation.

### **Conclusion**

It is recommended that Council formally establish a Community Asset Committee for the Yannathan Recreation Reserve, and that Council thank all recreation reserve Community Asset Committees for their valuable contribution.

## **Resolution**

Moved Cr Tammy Radford, seconded Cr Graeme Moore.

That Council:

1. Exercise the powers conferred by Section 65 of the Local Government Act 2020 (the Act), resolving to establish a special committee, the Yannathan Recreation Reserve Community Asset Committee.
2. Thank all recreation reserve Community Asset Committees for their valuable contribution to the management of community recreation reserves and for meeting Council's and the new Local Government Act requirements.

Carried

## 6.2.8 2022 Victorian State Election - Advocacy Material

**Responsible GM:** Debbie Tyson  
**Author:** Shae Hansen

### Recommendation(s)

That Council:

- Endorse the key themes of the campaign and the advocacy pack, enabling the council members to use it in their advocacy work for the 2022 Victoria State election.
- Note the priorities of the IFC advocacy platform.

### Attachments

1. Cardinia Calls For - Advocacy Pack [6.2.8.1 - 28 pages]
2. IFC Week 2022 Priorities [6.2.8.2 - 20 pages]

### Executive Summary

The Advocacy pack provides Councillors guidance on the top initiatives that Cardinia Shire Council will actively promote throughout the 2022 Victoria State election campaign.

To support the overall advocacy activities, the Councillors will be encouraged to distribute the attached pack to their networks.

### Background

The objective of this advocacy pack is to increase awareness of and provide support for the Cardinia Calls For... advocacy campaign plan.

With the assistance of the appropriate line Managers, the projects in this pack have been confirmed.

The Coordinator for Communications and Engagement has given approval for both the layout and the text.

### Policy Implications

This advocacy pack has been designed to support the requirement of the advocacy framework.

### Relevance to Council Plan

#### 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.

2.1.4 Advocate for increased and more-connected public transport options.

### Climate Emergency Consideration

There is no climate emergency consideration as part of this report.



### **Consultation/Communication**

All relevant line managers and the Communications and Engagement Coordinator were involved in the formulation of this advocacy pack.

### **Risk Assessment**

A risk assessment is not required as part of this report,

### **Financial and Resource Implications**

Additional budget is not required in delivering the advocacy pack.

### **Conclusion**

It is respectfully requested that Councillors endorse the Advocacy pack and note the Interface Councils (IFC) advocacy priorities.

**Resolution**

Moved Cr Tammy Radford, seconded Cr Jack Kowarzik.

That Council:

- Endorse the key themes of the campaign and the advocacy pack, enabling the council members to use it in their advocacy work for the 2022 Victoria State election.
- Note the priorities of the IFC advocacy platform.

Carried

## 6.2.9 Mulcahy Road, Pakenham - Road Closure

**Responsible GM:** Peter Benazic  
**Author:** Roland Rozario, David Fice

### Recommendation(s)

That Council:

1. Resolve to commence the statutory procedures in accordance with clause 9 schedule 11 of the Local Government Act, 1989, (the Act) to close Mulcahy Road, Pakenham between Thewlis Road and Moritz Street, and
2. Resolve to commence the statutory procedures in accordance with clause 3 of Schedule 10 to the Local Government Act 1989 to discontinue the section of Mulcahy road adjoining the Pakenham Cemetery in order that the Department of Environment Land Water and Planning can include this parcel of crown land under the management of the Pakenham Cemetery Trust.
3. Resolve to appoint a Committee comprising of the Mayor and Deputy Mayor to hear any submissions, and the Chief Executive Officer be authorised to set the day, time and place for the hearing of such submissions.

### Attachments

1. Mulcahy Road Overview and Engagement Strategy Timeline [6.2.9.1 - 2 pages]

### Executive Summary

Mulcahy Road, Pakenham, runs from Thewlis Road, east past Purton Road. The road is located on Department of Environment, Land, Water and Planning (DELWP) land. Some parts have kerb and channel and sealed pavement whilst other sections are totally unconstructed.

The closure of Mulcahy Road at Thewlis Road is proposed as the designated, unsignalised intersection treatment (i.e. roundabout) as shown within the Cardinia Road Precinct Structure Plan is not able to be achieved. The roundabout was investigated and would have required land acquisition from the adjacent cemetery, most probably including relocation of graves, and was thus not deemed reasonable. This was reviewed and confirmed a number of years ago, and developments in the area have proceeded on this basis with alternate access being provided through the adjacent developments (existing and future).

The Cardinia Road Precinct Structure Plan also shows the road priority at the intersection as a local arterial road connection from Thewlis Road (southern approach), to Kenneth Road (western approach). This will still be able to be maintained with a developer delivered alternative intersection treatment and the proposed Mulcahy Road road closure in place.

Council must either open up Mulcahy Road to motor traffic or instigate a permanent closure at this location.

Motorists wishing to enter the Mt Pleasant estate will be able to do so via Havana Parade and Pointer Drive. The Pakenham Cemetery abuts the northern side of Mulcahy Road from Thewlis Road to Mammoth Court.

In order to close Mulcahy Road at Thewlis Road, Council must resolve to do so in accordance with Clause 9 Schedule 11 of the Local Government Act, 1989, (the Act).

The Pakenham Cemetery has expressed interest in acquiring a portion of the Mulcahy Road, road reserve. This will require a discontinuance in accordance with Clause 3, Schedule 10 of the Local Government Act, 1989 (the Act)

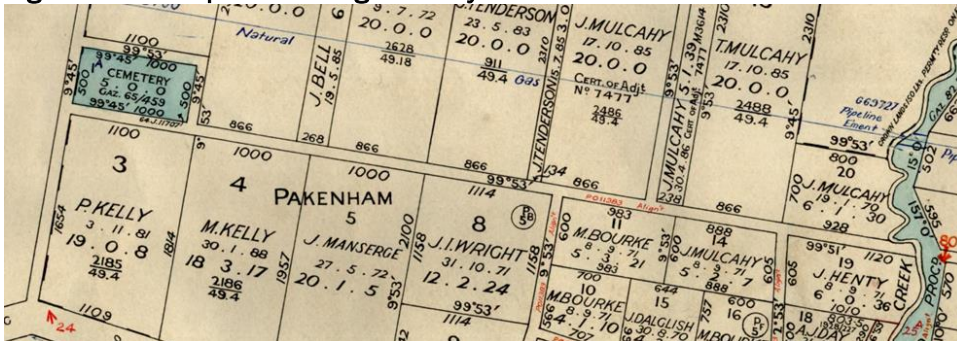
**Background**

Mulcahy Road, Pakenham runs from Thewlis Road east past Purton Road. It is located on Department of Environment, Land Water and Planning (DELWP) land, see Figures 1 and 2.

**Figure 1. Aerial photo of Mulcahy Rd**



**Figure 2. Parish plan showing Mulcahy Road 1948**



Most of the eastern part of Mulcahy Road has kerb and channel on both sides of the road and underground drainage (this excludes the very eastern section near Toomuc Creek). There is no formal footpath in Mulcahy Road between Purton Road and Studd Road, see Figure 3. A gravel path exists along the southern boundary of Mulcahy Road between Merlot Street and Studd Road. A concrete path has been provided along the southern boundary of Mulcahy Rd between O'Brien Parade and Merlot Street where residential properties front Mulcahy Road.

**Figure 3. Mulcahy Road looking east near Studd Road**



The western end of Mulcahy Road, Thewlis Road to Moritz Street, is currently blocked to motor traffic. This was done as a temporary arrangement by the developer of the Mount Pleasant Estate, which includes Moritz Street and Mammoth Court. See Figure 4. As this developer has nearly completed works associated with the development Council must either open Up Mulcahy Road or instigate a formal closure. Note the developer has already commenced constructing the road between Moritz Street and Pointer Drive. No road pavement is proposed west of Moritz Street.

The formal closure of Mulcahy Road at Thewlis Road is proposed as the designated, unsignalised intersection treatment (i.e. roundabout) as shown within the Cardinia Road Precinct Structure Plan is not able to be achieved. The roundabout was investigated and would have required land acquisition from the adjacent cemetery, most probably including relocation of graves, and was thus not deemed reasonable. This was reviewed and confirmed a number of years ago, and developments in the area have proceeded on this basis with alternate access being provided through the adjacent developments (existing and future).

Although Mulcahy Road was shown in the Precinct Structure Plan as providing a connection to Thewlis Road, is it not considered necessary as alternative east-west access to Thewlis Road will be provided.

Currently Havanna Parade provides access from Thewlis Road through to O' Brien Parade, immediately south of Mulcahy Road. The intersection of O'Brien Parade and Princes Highway is also signalised.

Future east west access from Thewlis Road will also be provided north of the cemetery as part of future residential developments via an extension of Prizzle Road. This access will link with Studd Road which intersects Mulcahy Road to the east in the industrial area.

The intersection of Thewlis Road and Princes Highway will also be signalised in the future to provide for enhanced safety for vehicles entering and exiting the highway from Thewlis Road.

If Mulcahy Road is not closed to motor traffic then the intersection of Thewlis Road, Kenneth Road and Mulcahy Road would require redesign and reconstruction.

One possible option is signalisation of this intersection.

This would present the following issues to Council:

- Signalisation of the intersection would cost approximately \$750,000 to \$1 M depending on services, alignment etc.
- The design of Kenneth Road is such that alignment of traffic lanes with current road space  
i.e. the alignment of the traffic lanes are likely to be impacted by the cemetery therefore it is likely traffic signals would need to occupy the same construction footprint as a roundabout.
- The modified T intersection of Thewlis Rd and Kenneth Rd is being developer delivered based on approved plans. Any modifications to this design, or redesign to signalise the intersection would be at Councils cost.
- Any signalisation of an intersection requires approval from the Department of Transport (DoT) with DoT unlikely to support signals at a local intersection.
- Traffic Signals would be out of character with the area.
- Ongoing maintenance costs may come back to Council if the DoT does not support traffic signals.

Given the above, Traffic signals are not supported.

Another option would be to include Mulcahy Road in the Modified T intersection. Possibly with a 'Left In' and 'Left out' arrangement, however this is not recommended on safety grounds.

The 'modified T' is designed to accommodate the priority traffic movements from Thewlis Road to Kenneth Road as per the intent of the Cardinia Road Precinct Structure Plan. Given this forms part of the local arterial road network, which is designed to carry traffic volumes greater than 7000 vehicles per day, introducing additional vehicle conflicts within the intersection which are not appropriately controlled (E.g. via a roundabout or signalisation) poses serious safety risks and cannot be supported on safety grounds.

The current 'Modified T' intersection is considered the most appropriate treatment for this location and is to be developer funded.

Council must either open up Mulcahy Road to motor traffic or instigate a permanent closure at this location.

**Figure 4. Intersection of Thewlis Road and Mulcahy Road showing current (temporary) road closure and Mulcahy Rd - looking east from Thewlis Rd**



The developer of the Mount Pleasant estate will also be connecting (constructing) Moritz Street to Pointer Drive in the near future as works in this development site near completion, see Figure 5.

**Figure 5. Mulcahy Road looking west to Moritz Street from Pointer Drive- soon to be constructed by developer**



The developer of the Worthington Estate (west of Thewlis Road) will be constructing the modified T intersection of Kenneth Road and Thewlis Road in the near future. The new intersection will maintain road priority as per the Cardinia Road Precinct Structure Plan with a local arterial road connection from Thewlis Road (southern approach), to Kenneth Road (western approach). Motorists wanting to continue straight (north) along Thewlis Road will in effect have to make a right hand turn. This can be seen in Figure 7.

There are some services in Mulcahy Road particularly at the intersection with Thewlis Road, see Figure 6. The extent of underground services is being investigated as the owners of these services will require access for maintenance.

**Figure 6. Services in Mulcahy Rd at Thewlis Rd**

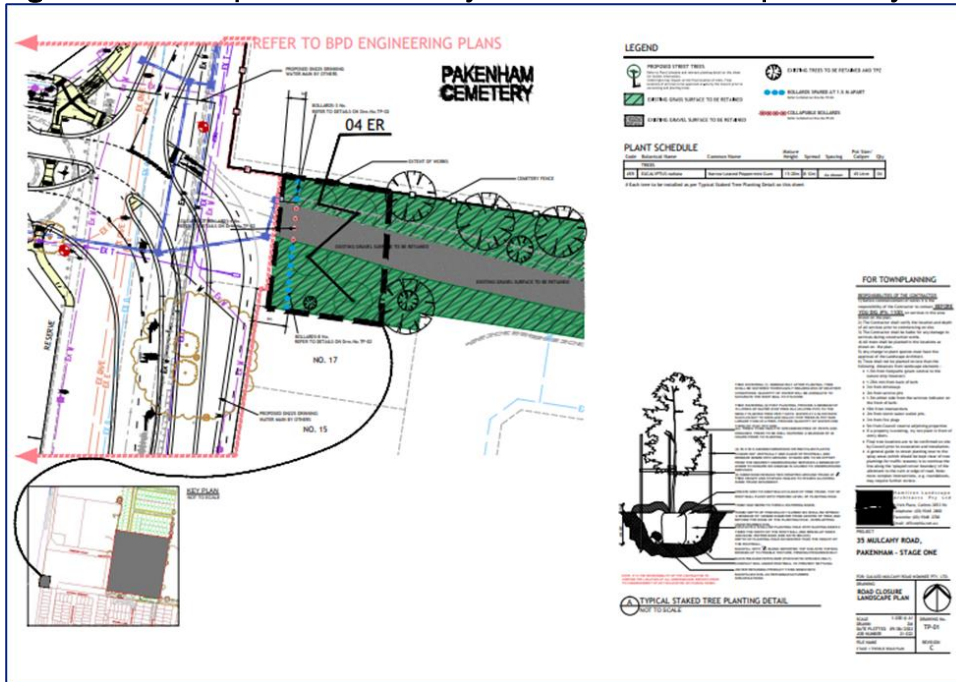
The Cemetery Committee of Management, which is the 'Department of Health and Human Services', has expressed some interest in acquiring or incorporating part of the road reserve adjacent to the cemetery. This will require a discontinuance. If this is deemed feasible and a portion of road is discontinued, the land vests in DELWP not Council. Therefore, DELWP will be dealing with the land transfer. The length of land to be discontinued is assumed to be the length of the Cemetery- believed to be 221.1 m (1100 links) but to be confirmed. The width is yet to be established but would be dependent on

- the slope of the land
- underground services
- existing trees and vegetation, i.e., what can be lost/removed or should be retained?
- amenity of the shared path, i.e., would landscaping be required on either side of shared path?
- stormwater drainage and overland flow and how these would be managed.
- future upgrade of the Kenneth/Thewlis intersection.

As part of the developer delivered modified T intersection, landscape plans have been approved for landscape treatments east of the intersection within the Mulcahy Road road reserve. If these require further changes or if any other works were going to occur along the discontinued section of Mulcahy Road, it would need to be delivered and funded by Council.

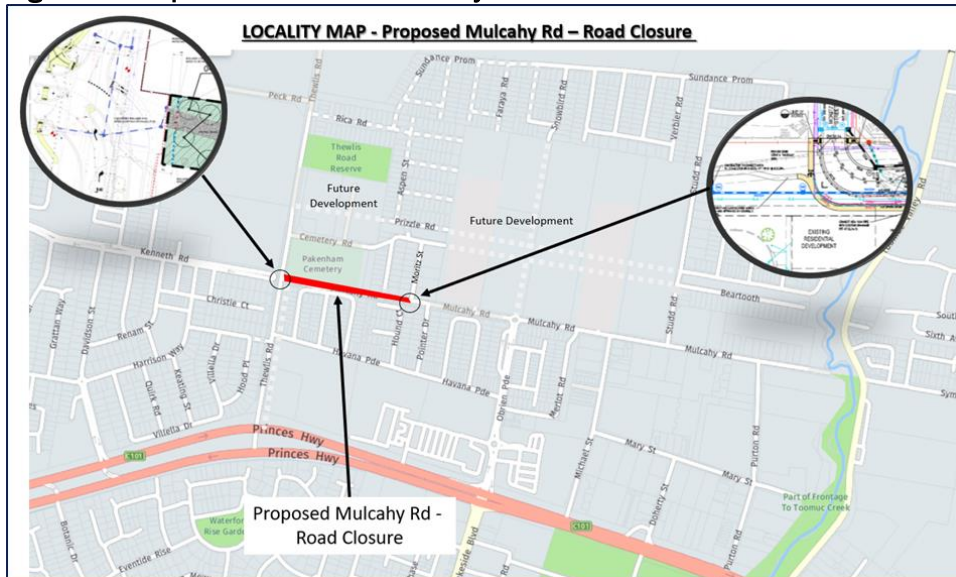


Figure 7. Landscape Plan for Mulcahy Road at Thewlis Road provided by Developer



Further investigation and discussions are required with the DHHS into the exact size of the parcel of land they are seeking to acquire. The use of a licensed surveyor and a title search is also recommended in determining the exact dimensions of the parcel of land (road reserve) to be discontinued.

Figure 8. Proposed closure of Mulcahy Road - Thewlis Road to Moritz Street



It appears that a property on Botham Crescent is using Mulcahy Road for additional vehicle access from the side boundary of their property. A strip of land actually separates this property from Mulcahy Road. A check with Statutory Planning has determined that while a building permit was obtained for the shed at the rear of the property, no approval has been provided

for vehicle access to this property from Mulcahy Road. Consultation will be required with this owner.

As the closure of the western end of Mulcahy Road is a permanent road obstruction, it must be completed in accordance with Clause 9, Schedule 11 of the Local Government Act, 1989 and requires a public notice to be published by Council under sections 207A and 223 of the Act.

The process Council has to take can be summarised in the following steps

1. resolve to commence the statutory procedures in accordance with Clause 9 Schedule 11 of the Local Government Act, 1989, (the Act) to close Mulcahy Road, Pakenham between Thewlis Road and Moritz Street, and
2. resolve to commence the statutory procedures in accordance with Clause 3 of Schedule 10 to the Local Government Act 1989 to discontinue the section of Mulcahy road adjoining the Pakenham Cemetery in order that the Department of Environment Land Water and Planning can include this parcel of crown land under the management of the Pakenham Cemetery Trust.
3. resolve to appoint a committee comprising of the Mayor and Deputy Mayor to hear any submissions, and the Chief Executive Officer be authorised to set the day, time and place for the hearing of such submissions.

## **Policy Implications**

There are no Policy Implications.

## **Relevance to Council Plan**

### **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.

### **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.

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

## **Climate Emergency Consideration**

This proposal has no impact on Climate Emergency.

## **Consultation/Communication**

A permanent road obstruction under clause 9, Schedule 11 of the Local Government Act, 1989, requires that under sections 207A and 223 that a person be given the opportunity to make a submission. This requires the issuing of a public notice and a minimum 28 days for submissions to be made following the issuing of the public notice. A person making a submission who wishes, may request to be heard in person at a meeting of Council, in this case a committee comprising the Mayor and Deputy Mayor should be appointed and the Chief

Executive Officer be authorised to set the day, time and place for the hearing of such submissions.

As Mulcahy Road is located on Department of Environment, Land, Water and Planning (DELWP) land, Council will have to liaise/consult with DELWP.

Consultation will be required with some property owners. While the community cannot change the need for the road closure, it can influence the appearance of the physical road closure.

Shortly after the Council meeting it is proposed that letters be sent to residents and other stakeholders advising of the proposed road closure. A 'drop in' session will also be organised at the the Council Civic Centre where residents and stakeholders can ask questions.

Emergency Services will also be contacted and asked for their support for the proposal. Emergency Services will be invited to the 'drop in' session.

The owner of 21 Botham Crescent appears to be using Mulcahy Road for vehicle access to their property. It is believed this was never approved as vehicle access to this property is provided off Botham Crescent, see Figure 9. Consultation will be required with this owner.

Consultation will also be required as part of the discontinuance process. Property owners directly south of the cemetery could have an interest in the discontinuance due to the proximity of their properties to the cemetery. Therefore, consultation with these owners is recommended.

Council's Communications Team has been asked to prepare an Engagement and Communications Plan. A community engagement strategy overview plan is attached to this report.

### Financial and Resource Implications

Costs for the closure of western end of Mulcahy Road are outlined in Table 1.

T. Table 1. Thewlis Road to Moritz Street closure

Proposed works	Cost
Construction of physical barriers such as bollards to prevent access to motor vehicles, 40 round, dome top timber bollards 1800 long (to be installed 600mm in ground)	\$8,000
Landscaping including tree planting	\$11,000
Supply and installation of signs	\$1,000
<b>Total cost</b>	<b>\$20,000</b>

### Conclusion

The western end of Mulcahy Road up to Moritz Street is not needed for the movement of motor traffic in this area. The existing temporary closure, at the western end of Mulcahy Road, needs to be formalised. To close this section of Mulcahy Road, Council must resolve to do so in accordance with Clause 9 Schedule 11 of the Local Government Act, 1989, (the Act). This will require consultation with DELWP who own the land, property owners and emergency services. As the cemetery would also like to incorporate a part of the adjacent road reserve, Council must resolve to discontinue a section of the road adjacent to the cemetery to facilitate this.

## Resolution

Moved Cr Tammy Radford, seconded Cr Graeme Moore.

That Council:

1. Resolve to commence the statutory procedures in accordance with clause 9 schedule 11 of the Local Government Act, 1989, (the Act) to close Mulcahy Road, Pakenham between Thewlis Road and Moritz Street, and
2. Resolve to commence the statutory procedures in accordance with clause 3 of Schedule 10 to the Local Government Act 1989 to discontinue the section of Mulcahy road adjoining the Pakenham Cemetery in order that the Department of Environment Land Water and Planning can include this parcel of crown land under the management of the Pakenham Cemetery Trust.
3. Resolve to appoint a Committee comprising of the Mayor and Deputy Mayor to hear any submissions, and the Chief Executive Officer be authorised to set the day, time and place for the hearing of such submissions.

Carried

## 6.4 Financial Reports

### 6.4.1 Annual Supply Concrete Footpath, Kerb and Channel and Associated Works, New, Replacement and Maintenance

**Responsible GM:** Peter Benazic  
**Author:** Roland Rozario, David Fice

#### Recommendation(s)

That Council:

- Approve the following tenderers to be accepted for the Panel Contract 'RFT 22-009 Annual Supply Concrete Footpath, Kerb & Channel & Associated Works, New, Replacement and Maintenance'
    - APS Drainage and Civil – All works except tactiles
    - All Repair Building Maintenance – Tactile installation and replacement only
    - McDonough Contracting Pty Ltd - For footpath grinding only
    - Rabot Paving Pty Ltd, - All works
    - Ultimate Civil Group Pty Ltd- All works
    - Uniscape Pty Ltd, - All works
- \*This contract will be for a period of 3 years with the option to extend for a further 2 years.
- The remaining tenderers be advised accordingly
  - The common seal of the Council be affixed to the contract documents

#### Attachments

1. CONFIDENTIAL - Confidential Memorandum - Circulated to Councillors only [6.4.1.1 - 5 pages]

#### Executive Summary

Tenders have been sought for Council's Panel for 'Annual Supply Concrete Footpath, Kerb & Channel and Associated Works-New, Replacement and Maintenance'. This Panel will undertake construction of new, and reconstruction of existing concrete works including footpaths, kerb and channel and perambulator crossings. The contract also provides for the grinding of existing footpath bay lips necessary to satisfy the requirements of Council's *Road Management Plan*.

It is considered that the tenders submitted by the following companies will provide best value to Council. It is noted that all companies have worked for Council for a number of years and are compliant with Council's standards and occupational health and safety requirements.

- APS Drainage and Civil – All works except tactiles
- All Repair Building Maintenance – Tactile installation and replacement only
- McDonough Contracting Pty Ltd – For footpath grinding only

- Rabot Paving Pty Ltd, - All works
- Ultimate Civil Group Pty Ltd- All works
- Uniscape Pty Ltd, - All works

It is therefore recommended that these companies be accepted for the Council's Panel Contract 'RFT 22-009 Annual Supply Concrete Footpath, Kerb & Channel & Associated Works, New, Replacement and Maintenance'. This contract will be for a period of 3 years with the option to extend for a further 2 years.

## Background

Council's previous panel contract expired earlier this year, therefore a new panel and contract had to be established for the 'Annual Supply Concrete Footpath, Kerb & Channel and Associated Works-New, Replacement and Maintenance'. Accordingly tenders were called and evaluated.

As per Council's previous annual supply contract of 2017, of which 7 contractors were selected, the tender was structured to enable Council to enter into contracts with several contractors to ensure adequate resources are required to complete a range of concrete footpath works in an efficient and timely manner. Works will be allocated on a project by project basis on an assessment of the individual rates of each contractor, their relative quality of work and the availability of the contractor at that time.

This panel will undertake construction of new, and reconstruction of existing concrete works including footpaths, kerb and channel and perambulator crossings. The contract also provides for the grinding of existing footpath bay lips necessary to satisfy the requirements of *Council's Road Management Plan*.

## Policy Implications

The works to be undertaken by the successful tenderers will be in accordance with Council's *Asset Management Plans, Pedestrian and Bicycle Strategy, Road Management Plan* as well as the *Road Management Act* and *Disability Discrimination Act*.

## Relevance to Council Plan

### 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.

## Climate Emergency Consideration

Part of the evaluation criteria for this tender was Environmental Commitments, including the use of innovations such as the use of recycled materials. Responses from the 6 preferred companies are summarised below.

- APS Drainage and Civil – use recycled crushed rock, also offer a product called 'future aggregates' including a free trial.
- All Repair Building Maintenance – recycled concrete waste materials.
- McDonough Contracting Pty Ltd - mixes concrete dust with concrete removed by sister company (Rabot). This is taken to be recycled into crushed rock which is used by the sister company.
- Rabot Paving Pty Ltd - use recycled crushed rock .

- Ultimate Civil Group Pty Ltd - use recycled crushed rock, recycled steel and recycled top soil. Also use battery powered tools instead of petrol driven.
- Uniscape Pty Ltd - use recycled crushed rock, also offer 'PolyRock'

### **Consultation/Communication**

Consultation occurs for individual projects such as the construction of new shared paths and footpaths. Consultation will also occur for renewal works where there is an impact on abutting owners/occupiers, businesses, schools etc, for example; replacment of footpath in a shopping centre. Contractors are aware of the requirements for consultation, provision of safe alternative access, traffic management plans etc.

Relevant teams across Council (e.g. maintenance) will be notified of this panel contract as they may also have to engage contractors for works.

### **Financial and Resource Implications**

Over the past several years, Council typically expends over \$1m per annum on construction of new and replacement footpaths, renewal of kerb & channel and grinding of footpaths as part of its annual maintenance and capital works programs, with the actual amount varying considerably depending on annual budget allocations and grant funding received.

There is not one specific budget set aside exclusively for these works. Concrete footpath works are funded from a various range of capital and operating budget allocations including new footpaths and footpath renewals. Prices have been sought on a schedule of rates basis. This contract does not guarantee work or prevent Council from engaging contractors outside of the contract. There is no fixed financial implication resulting from the award of these contracts. Services provided under this contract will be subject to individual project and program budgets and will be approved in line with the thresholds in Council's Procurement Policy.

### **Conclusion**

The tenders submitted by the following companies to be accepted by Council for the Panel Contract 'RFT 22-009 Annual Supply Concrete Footpath, Kerb & Channel & Associated Works, New, Replacement and Maintenance'.

- APS Drainage and Civil – all works except tactiles
- All Repair Building Maintenance – tactile Installation and replacement only
- McDonough Contracting Pty Ltd - for footpath grinding only
- Rabot Paving Pty Ltd, - all works
- Ultimate Civil Group Pty Ltd- all works
- Uniscape Pty Ltd - all works

This contract will be for a perod of 3 years with the option to extend for a further 2 years.

## Resolution

Moved Cr Tammy Radford, seconded Cr Graeme Moore.

That Council:

- Approve the following tenderers to be accepted for the Panel Contract 'RFT 22-009 Annual Supply Concrete Footpath, Kerb & Channel & Associated Works, New, Replacement and Maintenance'
    - APS Drainage and Civil – All works except tactiles
    - All Repair Building Maintenance – Tactile installation and replacement only
    - McDonough Contracting Pty Ltd - For footpath grinding only
    - Rabot Paving Pty Ltd, - All works
    - Ultimate Civil Group Pty Ltd- All works
    - Uniscape Pty Ltd, - All works
- \*This contract will be for a period of 3 years with the option to extend for a further 2 years.
- The remaining tenderers be advised accordingly
  - The common seal of the Council be affixed to the contract documents

Carried



## 6.4.2 Cleaning & Internal Waste Contract - Extension of Term

**Responsible GM:** Debbie Tyson  
**Author:** Walter Carmignani

### Recommendation(s)

1. That Council approves the proposed contract option term extension from the period of 16 July 2022 to 16 July 2023, for the Cleaning and Internal Waste Contract 18-03 with Pickwick Group.
2. That Council approves retrospectively the ontract option term extension from the period of 16 July 2021 to 16 July 2022, for the Cleaning and Internal Waste Contract 18-03 with Pickwick Group.

### Attachments

Nil

### Executive Summary

The Cleaning and Internal Waste Contract 18-03 is proposed to be extended using the last option contract term from 16 July 2022 to 16 July 2023.

### Background

In July 2018, Council entered into a 3 year with 2 x 1 year options extension terms with Pickwick Group for the Cleaning and Internal Waste Services Contract across Council's facilities and related assets such as barbecues and public toilets. The original approval by Council only considered the initial three year contract with annual 1% CPI increases.

Due to COVID impact and requirements to change cleaning activities in keeping our community and staff safe, emphasis was on ensuring a vigorous touch-point cleaning strategy was being implemented. Consequently, the formalising in approving the contract extension process was missed.

A full review of all charges and costs has now been undertaken, together with applicable requirements satisfying procurement guidelines, for now appropriate consideration and formalisation.

### Policy Implications

Not applicable.

### 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.

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

#### 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**

3.1.2 Actively move towards zero waste through increasing waste recovery and reuse.

3.1.4 Plan and advocate for better water cycle planning and management to reduce environmental impacts.

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

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

**5.1 We practise responsible leadership**

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

### Climate Emergency Consideration

The Cleaning and Internal Waste Contract has been developed to consider Council's climate change strategies, through the purchasing of environmentally sustainable products and in ensuring that impacts to community and Council are mitigated.

### Consultation/Communication

Our clients continually provide feedback on the performance and quality delivery of services, and Client Surveys are conducted to further understand how well or otherwise client expectations are being met, including key performance measures, as part of the management requirements of the Contract.

Feedback to date indicates that although some improvements on service delivery have taken place, with our contractor Pickwick Group, customers are not altogether satisfied with the cleaner's performance, having clear understanding of customer needs, and in receiving value in return.

With this in mind, the last option term only has been recommended for approval, whilst reading to go to market in 2023.

### Financial and Resource Implications

The Council's annual Operating budgets allocated for the relevant commitments are sufficient and maintain services to requirements.

Note that the impact of COVID19 meant that additional cleaning and a different approach was required, in mitigating risks to community and staff, on top of additional facilities coming online post construction.

Contract expenditure experienced to date is:

- **2018/19FY** - \$747,149.04 (Note this figure includes a number of variations to a total of \$29,115.30 allowing for changes with cleaning activities).
- **2019/20FY** - \$811,368.12 (Note this figure includes a number of variations to a total of \$56,747.59 allowing new additional facilities (Deep Creek Public Toilets and BBQ's, Cardinia Cultural Centre extension).
- **2020/21FY** - \$826,037.28 (Note this figure includes a number of variations to a total of \$6,555.48 allowing new additional facilities (Bunyip, Nar Nar Goon and Koo Wee Rup Maternal Child Health centres previously cleaned by bestchance).
- **2021/22FY** - \$923,763.00 (Note this figure includes a number of variations to a total of \$89,465.35 allowing new additional facilities (Konewark Children's Centre and Emerald Hills Hub).
- **2022/23FY** - \$980,807.52 (Note this figure includes a number of variations to a total of \$180,000 (approximately) allowing new additional facilities (Bridgewood Children'

Centre) plus future addition of facilities throughout financial year (Timbertop Children's Centre and Cardinia Youth Facilities).

### **Conclusion**

We are preparing contractual documentation to go back to market in 2023 in achieving a better quality of service and value for money Cleaning & Internal Waste service for Council and our community.

This report has been tabled for approval consideration of the retrospective option for the 2021/22FY period and current option for the 2022/23FY period.

### **Resolution**

Moved Cr Tammy Radford, seconded Cr Graeme Moore.

1. That Council approves the proposed contract option term extension from the period of 16 July 2022 to 16 July 2023, for the Cleaning and Internal Waste Contract 18-03 with Pickwick Group.
2. That Council approves retrospectively the ontract option term extension from the period of 16 July 2021 to 16 July 2022, for the Cleaning and Internal Waste Contract 18-03 with Pickwick Group.

Carried

## **6.4.3 Financial Report and Performance Statement 2021-22**

**Responsible GM:** Jenny Scicluna  
**Author:** Scott Moore

### **Recommendation(s)**

That Council:

1. Pursuant to Section 99(2) of the Local Government Act 2020, Council gives its approval in principle to the financial statements and performance statement for the year ended
2. 30 June 2022, subject to any changes recommended or agreed to by the auditor;
3. Pursuant to Section 99(3) of the Local Government Act 2020, Council authorises Cr. Jack Kowarzik and Cr. Tammy Radford to certify the financial statements and performance statement for the year ended 30 June 2022, in their final form after any changes recommended or agreed by the auditor have been made, in accordance with the Local Government (Planning and Reporting) Regulations 2020; and
4. Scott Moore, Chief Finance Officer, is appointed as the Principal Accounting Officer for the purposes of Section 99(3b) of the Local Government Act 2020.

### **Attachments**

1. 2021 2022 Financial statements [6.4.3.1 - 49 pages]

2. 2021 2022 Performance Statement [6.4.3.2 - 20 pages]

### Executive Summary

This report seeks Council to approve the financial statements and performance statement for the year ended 30 June 2022 and authorise Cr. Jack Kowarzik and Cr. Tammy Radford as the Audit and Risk Committee representatives to sign the documents in their final form after any changes recommended or agreed to by the auditors have been made.

### Background

Council is required to prepare an Annual Report in respect to the financial year ended 30 June 2022. The *Local Government Act 2020* prescribes the information that must appear in the Annual Report, the process that the Council must undertake to prepare the report, the audit requirements and the process to be undertaken to adopt the report. Section 98(2) requires the inclusion of the annual financial statements and performance statement in the Annual Report.

Council is required to authorise two councillors to approve the annual financial statements and performance statement in their final form after any changes recommended, or agreed to, by the Auditor have been made. It is recommended that the Audit and Risk Committee members Cr. Jack Kowarzik and Cr. Tammy Radford be the councillors authorised to sign these documents.

The documents were considered by the by the Audit and Risk Committee at its meeting on 26 August 2022.

Section 100 of the *Local Government Act 2020* stipulates that the Mayor must present the Annual Report at a Council meeting open to the public within 4 months of the end of the financial year. It is proposed to consider the Annual Report at the Council Meeting to be held on 17 October 2022.

### Discussion

#### Annual Financial Report

The financial statements are prepared in accordance with Australian Accounting Standards, the *Local Government Act 2020*, *Local Government (Planning and Reporting) Regulations 2020* and the Local Government Model Financial Report (LGMFR) published by Local Government Victoria as required by the Regulations.

The financial statements are a general purpose financial report comprising a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and accompanying notes.

#### Comprehensive Income Statement

Council achieved a surplus for the year of \$61.49m before net asset revaluation increment, compared to a budget of \$89.39m and last year's surplus of \$68.33m.

This surplus is due to \$62.24m of income 'tied' and unavailable for general operational use. This 'tied' income includes non-cash contributions of \$26.86m for the value of roads, drains, bridges, land and land under roads contributed by developers undertaking residential developments within the Urban Growth Corridor and \$19.88m of cash Development levies, Community infrastructure levies and Public open space contributions.

Also included in this income are non-recurrent capital grants of \$15.32m and capital cash contributions of \$0.18m, which do not cover operating expenses but relate to capital expenditure for non-current assets summarised in the Statement of Capital Works.

The adjusted underlying result, which is a key financial sustainability indicator that excludes these capital and abnormal items, is a deficit of \$0.57m for the year.

The factors that contributed to the surplus for the year 2021-22 included the following:

- Rates and charges income exceeded budget by \$0.07m due to higher than expected interest income of \$0.29m less a reduction in garbage income \$0.22m.
- Statutory fees and fines income was \$0.82m below budget mainly due to lower than expected development fees of \$0.86m and landscape development fees of \$0.3m resulting from the combination of weather, lockdowns, timing of Pakenham East development and other developer agreements. These were partly offset by unbudgeted election fines income of \$0.11m.
- User fees income was \$0.42m lower than budget mainly due to lower than budgeted income from: Community asset committees by \$0.14m; Cardinia Cultural Centre event income by \$0.07m and room hire revenue resulting from lower bookings due to COVID-19; and reduced user fee income due to COVID-19 related temporary closures of other Council facilities.

- Operating grant income was \$10.74m higher than budget mainly due to:
  - recognition this year of \$1.2m grant income received in advance last year;
  - unbudgeted grants of \$7.0m, including \$4.5m for capital works projects of Officer intersections, Koo Wee Rup football/cricket pavilion upgrades, and Avon Road blackspot (where expenditure has been classified as operating), \$426k for Local Partnerships, \$250k for COVID-Safe Outdoor Activation Funding, \$231k for South East Victorian Fires Recovery Support, and \$324k for Storm and Flood Event Staffing; and
  - VLGGC grant being \$3.4m better than budget due to advance payment of part of the 2022-23 annual grant.
- Capital grant income was \$11.0m less than budget primarily due to:
  - recognition of budgeted Officer intersections capital project grant of \$3.0m as an operating grant;
  - \$6.0m received for intersection project recognised in the balance sheet as income in advance in 2021-22;
  - \$3.35m current year budgeted grant for My Place youth facility was recognised as income in previous years;
  - unfavourable timing in the receipt of budgeted grants totaling \$3.3m, including Brunt Rd Child Care Centre \$1.4m, Soldiers Road widening \$800k, Kenilworth Avenue footpath \$225k and Toomuc Valley Road footpath \$200k.

Partly offsetting the above was the receipt of:

- unbudgeted grants totalling \$5.46m, including Toomuc Res south oval pavilion upgrade \$2.25m, Timbertop integrated children's facility \$800k, Toomuc Res north oval pavilion upgrade \$770k and Gembrook Reserve \$500k;
  - grants above budget totalling \$1.39m, including Sealing the Hills \$791k and Rix Road integrated children's facility \$600k; and
  - grants in advance last year but recognised this year.
- Contributions (monetary) income lower than budget by \$0.16m mainly due to a decrease in decorative light poles developer contributions received.
  - Development levies (monetary) income exceeded budget by \$2.2m, representing higher than expected Public Open Space and Community Infrastructure levies received for Officer DCP.
  - Contributions (non-monetary) income was \$18.14m less than budget due to lower developer contributions of roads, footpaths, drains, bridges, land and land under roads received during the year.
  - Other income exceeded budget by \$1.99m primarily due to higher than budgeted cost recovery income for the June 2021 Rain and October 2021 Storm events of \$1.71m. Council has also earned higher than budgeted interest income on investments of \$0.96m following increase in the cash rate in the last quarter.
  - Employee costs were \$0.69m lower than budget mainly due to position vacancies and hiring delays.
  - Materials and services expenditure exceeded budget by \$13.16m mainly due to:
    - funded capital works, including community capital works and priority works, being expensed after not meeting the financial criteria to be recognised as assets. This included \$12.1m expenditure on non-council assets such as Koo Wee Rup school upgrades, upgrade of Princes Hwy and O'Neil road intersections and upgrade of Glismann and Princes Hwy intersection;
    - funded capital works expenditure of \$3.6m being expensed after not meeting capitalisation value thresholds;

- hard and green waste contract expenditure overspend due to COVID-19 driven unprecedented demand for at-home orders and seasonal factors. This overspend was subsidised by savings of \$0.2m in dumped rubbish costs; and
- recreational service contract costs above budget due to COVID-19 related contractual commitments.

Partially offsetting the above were contracts expenditure below budget, mainly due to:

- general garbage charge contract related right-of-use (ROU) costs being recognised as ROU amortisation and finance expense;
  - lower than budgeted green waste costs due to weather events and seasonality factors;
  - ROU accounting treatment related transfers of costs to amortisation and finance costs.
- Amortisation - intangible assets \$0.17m lower than budget due to the disposal of intangible assets during 2020-21.
  - Amortisation – right of use assets exceeded budget by \$0.41m due to additional right of use assets in the waste and parks and gardens areas.
  - Borrowing costs were lower than budget by \$0.14m due budgeted new loans not drawn.
  - Net loss on disposal of assets of \$0.2m from the disposal of old infrastructure assets, such as roads, buildings and drains resulting from capital works undertaken during the year, was not budgeted.
  - Share of net loss of associates and distributions for Casey Cardinia Library Corporation of \$0.03m was not budgeted.
  - Other expenses less than budget by \$0.62m primarily in relation to computer hardware leases, garbage collection, rental property leases and audit fees.

### Balance Sheet

Net assets of \$2.22b as at 30 June 2022 exceeded budget by \$0.21m (\$0.14m higher than 2020-21) to maintain Council's strong financial position.

Total Cash and cash equivalents of \$20.96m were lower than budget by \$45.65m (\$12.61m lower than 2020-21), mainly due to a higher level of investment held in term deposits with longer maturities to yield a better interest income. Other financials assets (term deposits with a maturity over 3 months) of \$111.5m exceeded budget by \$74.5m (\$38.5m higher than 2020-21) mainly due to grants received in advance for capital projects, such as Sealing the Hills funds and Intersection works, and the carryover of budgeted capital projects to the next financial year.

Council's cash and cash equivalents are subject to external restrictions of \$56.22m (Trust funds and deposits, Developer contribution levy and Asset Committee funds) and \$44.9m of intended allocations (discretionary reserves, including capital carried forward and unspent grants). Together with Other financial assets, Council has more than sufficient funds to cover these requirements, despite it being highly unlikely that settlement of all restricted funds and intended allocations will be required within the next twelve months.

Council performed a condition-based assessment of land and land under roads assets in line with its 2-year revaluation cycle. The revaluation was performed by external valuer, Westlink Consulting. Internal council valuers performed a full revaluation of Council's drainage assets in 2021-22 (full revaluation occurs every 4 years as per the infrastructure assets revaluation cycle requirement in council's revaluation program, with an annual indexation review of fair values of infrastructure performed every year). Council reviewed the carrying value of individual asset classes measured at fair value to ensure each asset materially approximated its fair value. There were no assets where the carrying value materially differed from the fair value at balance date that warranted an indexation or full revaluation.

The land valuation resulted in an overall decrease in land assets by \$12.21m. While land values increased by \$32.89m, land under roads declined by \$45.1m partially caused by the indexation applied last financial year. In addition, the best use for some properties were changed to better reflect the fair value, which caused a further reduction in values.

Council's drainage assets register experienced a revaluation increment of \$92.52m due to changes in unit rates and review of rates used to ascertain the unit rate.

The overall increase in revaluation reserve amounted to \$80.31m.

Council's total trade and other payables of \$22.99m is lower than 2020-21 by \$12.91m, mainly due to settlement of land purchases while unearned income of \$40.85m is higher by \$24.43m, mainly due to Sealing the Hills and Intersection funding received during 2021-22 being recognised in advance.

#### **Statement of Capital Works**

Capital works expenditure for the year of \$52.33m (excluding capital carryovers of \$35.96m) was \$46.16m below budget (\$0.34m higher than 2020-21). This was mainly due to timing of expenditure recognition for land assets and the delay in some major projects like intersection upgrades (mainly due to delays in permit approvals and grant approvals). In addition, final payments made in 2021/22 in relation to \$10m of property settlements over three years were recognised as capital expenditure in 2019-20.

Works already underway totaling \$36.96m carried over to 2022-23 for completion include: Timbertop Integrated Children's Facility; Cora Lynn Reserve Pavilion; Gembrook Reserve Pavilion; Sealing the Hills program; Intersection upgrades; My Place; Officer District Park; and Bunyip Soccer Sports field Redevelopment. Most of these projects have commenced and commitments raised for the projects to be delivered over multiple years. The timing of community consultation, tendering and other external factors like COVID delays and materials shortages have impacted the delivery of the capital works program.

#### **Statement of Cash Flows**

Council's cash and investments with maturities of 3 months or less were \$20.96m as at 30 June 2022, compared to \$33.57m in the prior year, which is a decrease of \$12.61m. One of the main contributors to this change has been council's shift in investment practices to increase term deposits from a maximum of 3 months to 12 months to avail better investment rate opportunities in a challenging market.

Council's cash and cash equivalents need to be considered together with term deposits with maturities over 3 months, which have increased by \$38.5m since 2020-21. Together with Other financial assets, Council has more than sufficient funds to cover all restricted funds and intended allocations, despite it being highly unlikely that their settlement will be required within the next twelve months.



Other cash flow items of note are as follows:

- Increase in net cash provided from operating activities of \$38.34m, mainly due to an increase in grant and contributions inflows. Council received significant grants in advance, mainly in relation to Sealing the Hills, Intersection upgrades, GSF funding and VGC funding. These have been partially offset by increased Material and services outflows \$10m, which was primarily due to expensing of capital works project expenditure on assets not owned by Council;
- Decrease in net cash used in investing activities of \$14.08m, mainly due to reduced payment outflows for investments of \$22.5m less higher payment outflows for Property, infrastructure, plant and equipment of \$8.3m; and
- Total loan borrowings as at 30 June 2022 were \$16.89m, after \$11.35m scheduled principal repayments finalisation of the rolling loan of \$8.0m during the year.

### Performance Statement

The Local Government Performance Reporting Framework (LGPRF) is a mandatory reporting requirement under the *Local Government (Planning and Reporting) Regulations 2020*. The framework includes:

- Report of Operations: All service indicator results.
- The Performance Statement: A selection of service indicators and all financial and sustainability indicators. The Performance Statement is audited and is certified by two Councillors, the CEO and Principal Accounting Officer.
- Governance and Management Checklist: A list of 24 policies, plans, strategies, and guidelines.

All performance results are reported in Council's Annual Report 2021-22 and published on the 'KnowYourCouncil' website.

Six performance indicators recorded materially unfavourable variations (10% materiality threshold):

Performance indicators	2019	2020	2021	2022	Comment to be published in Annual Report
Workforce turnover	10.01%	12.75%	13.38%	14.92%	Whilst this is greater than 10%, it is only marginally more than in previous years. Since COVID-19 in 2020 the market for candidates has been extremely competitive and it is becoming hard to keep and retain employees. This trend can be seen across many industries and local government areas.
Active library borrowers in municipality	10.39%	10.14%	8.67%	7.48%	Loans and Active Borrowers participation in Quarters 1 and 2 were heavily reduced by COVID-19 lockdowns. This has been the case for the 2 years since March 2020. Active re-engagement campaigns have commenced to encourage new members and towards the re-activation of disengaged members to improve future participation.
Participation in the MCH service	76.70%	76.80%	68.73%	67.41%	The COVID-19 pandemic impacted service levels with reduced numbers of children attending the service. The service model prioritised young and vulnerable children in accordance with State Government directions.
Participation in the MCH service by Aboriginal children	79.71%	84.98%	73.26%	67.62%	The COVID-19 pandemic impacted service levels. The service experienced workforce pressures and staff shortages. Therefore, a reduced number of Aboriginal children were identified during consultations.

Performance indicators	2019	2020	2021	2022	Comment to be published in Annual Report
Unrestricted cash compared to current liabilities	-50.41%	-23.22%	-86.00%	-102.19%	The increase in 2021-22 is due to an increase in negative Unrestricted Cash, resulting from an increase in short term investments. The indicator excludes term deposits from unrestricted cash, in which Council invests the majority of its funds to maximise returns. Council disputes the merits of this exclusion. Contributing to the negative result is the decrease in Current Liabilities, particularly Trade and Other Payables and Interest-Bearing Loans, which was due to the timely settlement of creditors and bank loans. Council regards this as a positive business practice.
Asset renewal and upgrade	New in 2020	79.55%	106.09%	71.56%	The decrease in 2021-22 is due to a decrease in Upgrade Capital expenditure as projects are carried forward to 2022-23 and Depreciation expense increases.

Ten performance indicators recorded materially favourable variations (10% materiality threshold):

Performance indicators	2019	2020	2021	2022	Comment to be published in Annual Report
Recurrent grants per head of municipal population	\$165.49	\$146.51	\$155.65	\$178.58	The increase in 2021-22 is primarily the result of an increase in Operating Recurrent Grants, including the annual Commonwealth Financial Assistance Grant, due to the partial in-advance receipt for 2022-23, and the State Maternal and Child Health Grant.
Utilisation of aquatic facilities	6.93	4.78	2.46	3.29	Attendance has continued to increase following COVID shutdowns. The previous financial year included COVID-19 shutdown periods where no attendance was possible. It is expected attendance will continue to increase as people return to using the aquatic facilities post COVID.
Satisfaction with council decisions	54	51	55	65	Improvements, within the community, of the perception and understanding of decisions made by Councillors, may have influenced this result. Furthermore, a new, in-person, methodology used for the 2022 Community Satisfaction Survey may have been better suited to having respondents understand the meaning of the relevant question when it was asked.
Satisfaction with sealed local roads	58	52	56	64	Council's improved preparation for re-sealing activities, and increased use of higher-quality double seals, is likely to have had a positive impact on this measure. Furthermore, the second sealed road maintenance unit came online for council's internal work force in the last 18 months significantly increasing our ability to address a large network in a timely way. Lastly, it is important to note that the Community Satisfaction Survey for 2022 was conducted using a new, in-person, methodology for the Community Satisfaction Survey may have improved the respondents' understanding of the relevant question when it was asked.

Performance indicators	2019	2020	2021	2022	Comment to be published in Annual Report
Council planning decisions upheld at VCAT	100%	0%	40%	57%	The total number of VCAT decisions in the period was small (7) and the circumstances of each case are highly fact specific.
Current assets compared to current liabilities	247.49%	215.85%	189.21%	221.08%	The increase in 2021-22 is due to an increase in Current Assets, particularly term deposit investments and Developer Contribution Plan Receivables, and a reduction in Current Liabilities, particularly Trade and Other Payables and Interest-Bearing Liabilities. Increased term deposit investments were assisted by the partial in-advance receipt of the annual Commonwealth Financial Assistance Grant for 2022-23.
Loans and borrowings compared to rates	40.88%	33.95%	28.15%	15.94%	The decrease in 2021-22 reflects the welcomed servicing and decrease of Loans & Borrowings, as Council gradually extinguishes its bank loans as part of its prudent debt management strategy. This is combined with an increase in rate revenue through adoption of the approved rate cap increase and rates assessment growth. Responsible cash and investment management removed the need to initiate budgeted debt borrowings in 2021-22.
Loans and borrowings repayments compared to rates	7.82%	6.71%	14.03%	12.09%	The decrease in 2021-22 is primarily due to the decrease in loan borrowing repayments. Lower repayments in comparison to 2020-21 is a result of the reducing outstanding loans commitments. This is combined with an increase in rate revenue through adoption of the approved rate cap increase and rates assessments growth.
Non-current liabilities compared to own source revenue	32.56%	39.44%	31.11%	25.03%	The decrease in 2021-22 is due to a reduction in Non-Current Liabilities, particularly Interest-Bearing Loans and Borrowings, as bank loans were serviced as scheduled.
Adjusted underlying surplus (or deficit) *	4.76%	-2.54%	-0.80%	-0.39%	The adjusted underlying deficit reduced by \$0.5m in 2021-22 despite an \$8.6m Materials and Services expense increase for the transfer of capital project expenditure to operating where asset capitalisation accounting requirements were not met. This related to projects such as Koo Wee Rup school upgrades; Glismann and Princes Hwy intersection upgrades; and Princes Hwy and O'Neil Road intersection upgrades. Employee Costs increased \$3.0m due to increases in Enterprise Agreement (EA) rate, staff FTE and superannuation guarantee levy rate. Contributing to the result were increases in Rates and Charges income \$5.7m, due to rate cap and growth, and Operating Grants \$4.7m, primarily in Financial Assistance Grants.

Note:

- \* Although the ratio is negative and indicates a risk to council, the surplus for the year was \$61.49m and Council's operating position is backed by significant accumulated surplus of \$1.18b and reserves balance of \$925m.

The remaining measures within the performance statement are all within materiality thresholds, with minor improvements or declines.

### **Conclusion**

It is recommended that Council approve the financial statements and performance statement and authorise Cr. Jack Kowarzik and Cr. Tammy Radford to sign the documents in their final form.

## Resolution

Moved Cr Jack Kowarzik, seconded Cr Tammy Radford.

That Council:

1. Pursuant to Section 99(2) of the Local Government Act 2020, Council gives its approval in principle to the financial statements and performance statement for the year ended 30 June 2022, subject to any changes recommended or agreed to by the auditor;
2. Pursuant to Section 99(3) of the Local Government Act 2020, Council authorises Cr. Jack Kowarzik and Cr. Tammy Radford to certify the financial statements and performance statement for the year ended 30 June 2022, in their final form after any changes recommended or agreed by the auditor have been made, in accordance with the Local Government (Planning and Reporting) Regulations 2020; and
3. Scott Moore, Chief Finance Officer, is appointed as the Principal Accounting Officer for the purposes of Section 99(3b) of the Local Government Act 2020.

Carried

## 6.5 Activity Reports

### 6.5.1 Community Engagement Update

**Responsible GM:** Jenny Scicluna  
**Author:** Georgia Davies-Jackson (Team Leader Engagement)

#### Recommendation(s)

That Council notes the community engagement activities being undertaken this month.

#### Attachments

Nil

#### Executive Summary

Monthly update on community engagement opportunities commencing or continuing.

#### Background

Community engagement is a process whereby Council uses a variety of methods to proactively seek out information and feedback from the community, including their values, concerns, ideas and aspirations. Where possible and when required by legislation, Council will include the community in the development and delivery of identified initiatives and projects. This practice establishes an ongoing partnership, ensuring that community members continue to shape Council's decision making and implementation process.

Council's *Community Engagement Policy* (Policy) sets out Council's accountability for community engagement practices. The Policy meets the requirements of the *Local Government Act 2020* and Council's commitment to undertaking best practice, high quality community engagement activities to receive input, feedback and ideas from the community on Council projects, services, plans, policies, strategies and other Council decisions.

Council uses the IAP2 Spectrum of Public Participation (see below) as the model for its community engagement activities depending on the nature of the project, legislative requirements affecting the project and level of influence the community can have on the project, the risk and level of complexity of the project and available resources.

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decision.	To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advise and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
EXAMPLE TOOLS	<ul style="list-style-type: none"> <li>• Fact sheets</li> <li>• Websites</li> <li>• Open houses</li> </ul>	<ul style="list-style-type: none"> <li>• Public comment</li> <li>• Focus groups</li> <li>• Surveys</li> <li>• Public meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Workshops</li> <li>• Deliberate polling</li> </ul>	<ul style="list-style-type: none"> <li>• Citizen Advisory committees</li> <li>• Consensus building</li> <li>• Participatory</li> <li>• Decision-making</li> </ul>	<ul style="list-style-type: none"> <li>• Citizen juries</li> <li>• Ballots</li> <li>• Delegated</li> <li>• Decisions</li> </ul>

### Policy Implications

Community engagement is undertaken in line with Council's *Community Engagement Policy*.

### 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

N.A

### Consultation/Communication

This month, the following Engagement Plans are being implemented:

Community engagement activity September 2022			
Project	Project description	Proposed consultation date/s	Responsible Business Unit
<b>ROADS: Sealing the Hills: Special Charge Scheme</b>	Package #22 Hillside-Dorchester Catchment (Hillside Rd, Edmunds Rd, Haven Crt, Haylock Av, George St, Dorchester Rd, Salisbury Av, Laneway Access)	Drop-in session 28 September 2022	Community Infrastructure Delivery



Some projects will involve more than one stage of engagement. The relevant Engagement Plans for each project will document the stages and purpose of engagement.

### **Financial and Resource Implications**

N.A

### **Conclusion**

The table above outlines projects for engagement that can be promoted to the community this month to support its awareness and involvement and will assist Council in the delivery of the Council Plan action.

The relevant Business Unit can be contacted for additional information and for further details on specific engagement activities planned (including dates).

**Resolution**

Moved Cr Tammy Radford, seconded Cr Graeme Moore.

That Council notes the community engagement activities being undertaken this month.

Carried

## 6.5.2 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 [6.5.2.1 - 20 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 Tammy Radford, seconded Cr Graeme Moore.

That Council note this report

Carried

## 8 Reports By Delegates

Cr Radford reported on her attendance at:

- Victorian Rugby League Grand Finals hosted by the Pakenham Eels Rugby Club at Comely Banks Reserve
- Cardinia Carers Catch-up
- Good Choice Awards and congratulated the winners
- Citizenship Day Citizenship Ceremony

Cr Kowarzik advised of his attendance at:

- Koorie Schools event involving 200 children from 24 separate schools
- Good Choice Awards
- Presentation to year 5 students of Lakeside College
- Biggest Blok's Lunch
- Emerging from Fire Art Exhibition at the Cardinia Cultural Centre

Cr Ryan advised of her attendance at:

- Good Choice Awards
- Berwick Pakenham Historical Society book launch
- Pakenham Men's Shed
- Advised that October is Mental Health Month

Cr Ross advised of his attendance at:

- Rugby League Grand Finals at Comely Banks
- Good Choice Awards
- Citizenship Ceremonies
- Safer Communities Partnership Meeting
- Social and Affordable Housing Committee
- Sikh Games on the 25th of September

Cr Cameron advised of her attendance at:

- KWR Senior Citizens 50th Anniversary Lunch
- Sikh Games

Cr Moore advised of his attendance at:

- Citizenship Ceremonies
- Graeme Legge book launch

Cr Springfield:

- Congratulated the Gembrook/ Cockatoo Football and Netball Club who won 2 Grand Finals over the weekend.

## 9 Presentation Of Petitions

Nil.

## 10 Notices Of Motion

### 10.1 Notice of Motion 1075 Cr Cameron

#### **Motion**

That:

1. A report be prepared for consideration at the November Council meeting outlining the impact of recent weather patterns on the performance of Council's roads, what measures have been undertaken by Council to respond to the conditions, and how it has impacted the timeliness of repair work, and
2. Council write to the Minister for Roads asking for action and a reduction in the delay in the completion of repairs to defects in the state owned and managed arterial road network.

## **Resolution**

Moved Cr Kaye Cameron, seconded Cr Jack Kowarzik.

That:

1. A report be prepared for consideration at the November Council meeting outlining the impact of recent weather patterns on the performance of Council's roads, what measures have been undertaken by Council to respond to the conditions, and how it has impacted the timeliness of repair work, and
2. Council write to the Minister for Roads asking for action and a reduction in the delay in the completion of repairs to defects in the state owned and managed arterial road network.

Carried

**11 Community Questions**

Nil.

**12 Urgent Business**

There was no urgent business.

**13 Councillor Questions**

Nil.



**15 Meeting Closure**

Meeting closed at 8:43 pm.

---

Minutes confirmed  
Chairman