

Ordinary Council Meeting

Minutes

Monday 17 October 2022

Commenced at 7:00 PM

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

Members:	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	
Officers:	Carol Jeffs	Chief Executive Officer
	Peter Benazic	General Manager Infrastructure and Environment
	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

1	Opening And Reflection/Prayer	4
2	Acknowledgements	4
3	Apologies	4
4	Adoption And Confirmation Of Minutes	4
5	Declaration Of Interests	4
6	Ordinary Business	5
6.1	Town Planning Reports.....	5
6.1.1	T210968 PA - Use And Development Of Land For A Child Care Centre 1-3 Savage Street, Pakenham	5
6.2	General Reports.....	23
6.2.1	Annual Report 2021/22.....	23
6.3	Policy Reports.....	187
6.4	Financial Reports	187
6.5	Activity Reports.....	187
6.5.1	Community Engagement Update.....	187
6.5.2	Quarterly Resolutions Report July - September 2022.....	191
6.5.3	Major Projects Report.....	216
7	Reports Or Minutes Of Committees	239
8	Reports By Delegates	239
9	Presentation Of Petitions	240
10	Notices Of Motion	241
11	Community Questions	241
12	Urgent Business	241
13	Councillor Questions	241

1 Opening And Reflection/Prayer

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

Meeting opened at 7:00pm.

2 Acknowledgements

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

3 Apologies

Nil.

4 Adoption And Confirmation Of Minutes

Moved Cr Jack Kowarzik, seconded Cr Graeme Moore

That minutes of the following meetings be confirmed:

- General Council meeting 26 September 2022
- Town Planning Committee 3 October 2022
- Special Council Meeting 3 October 2022

Carried

5 Declaration Of Interests

Nil.

6 Ordinary Business

6.1 Town Planning Reports

6.1.1 T210968 PA - Use and Development of Land for a Child Care Centre 1-3 Savage Street, Pakenham

Responsible GM: Lili Rosic
Author: Benjamin Jones

Recommendation(s)

That a Notice of Decision to Grant Planning Permit T210968 be issued for the Use and Development of Land for a Child Care Centre' at 1-3 Savage Street, Pakenham VIC 3810 subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale and be generally in accordance with the plans prepared by Melvic Homes, Revision G, dated 21/03/22 submitted with the application but modified to show:
 - a. All site plans to show acoustic fencing along the side and rear property boundaries in accordance with Section 5.0 (Recommendations for Noise Mitigation) of the Acoustic Assessment prepared by Waveform Acoustics, dated 23/03/22.
 - b. A separate plan to show the construction method and materials of the acoustic fencing and screening for plant equipment in accordance with the recommendations of the Acoustic Report prepared by Section 5.0 (Recommendations for Noise Mitigation) of the Acoustic Assessment prepared by Waveform Acoustics, dated 23/03/22.
 - c. Sightline triangles in accordance with Design Standard 1 (Accessways) of Clause 52.06-9
2. Before the development starts, drainage plans must be submitted to and approved by the Responsible Authority. The plans must show the provision of a stormwater detention system. The stormwater detention system will become the responsibility of the property owner or body corporate to maintain to the satisfaction of the Responsible Authority.
3. The development as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
4. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
5. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.

Use:

6. The use as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.

7. No more than seventy-six (76) children may be cared for on the premises at any time without the prior written consent of the Responsible Authority.
8. Except with the written consent of the Responsible Authority, the childcare centre may only have staff present on the site Monday to Friday between 6.30am and 6.30pm.
9. Except with the written consent of the Responsible Authority, the use may only operate:
 - a. Monday to Friday between 6.30am and 6.30pm.
10. Except with the written consent of the Responsible Authority, children shall be permitted within the outdoor play areas only during the hours of:
 - a. Monday to Friday between 7:30am to 6.00pm.

Tree protection:

11. Before works start, a fence must be erected around trees shown for retention on the endorsed plan. This fence will protect the trees by demarcating the tree protection zone and must be erected at a radius of $12 \times$ the diameter of the trunk at a height of 1.3 metres above ground level, to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the trees (excepting the approved area of encroachment for construction as shown on endorsed plans) to the satisfaction of the Responsible Authority. The protection fence must be constructed of star pickets and flagging tape/chain mesh or similar to the satisfaction of the Responsible Authority. The protection fence must remain in place until all works are completed to the satisfaction of the Responsible Authority. Except with the written consent of the Responsible Authority, within the tree protection zone, the following are prohibited:
 - a. vehicular access.
 - b. trenching or soil excavation.
 - c. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.
 - d. entry and exit pits for underground services.
 - e. any other actions or activities that may result in adverse impacts to retained native vegetation.

Amenity (during construction):

12. The works associated with the construction of the development must not detrimentally affect the amenity of the area, through the:
 - a. Transport of materials, goods or commodities to or from the land;
 - b. Inappropriate storage of any works or construction materials;
 - c. Hours of construction activity;
 - d. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil;
 - e. Presence of vermin; or
 - f. In any other way.

To the satisfaction of the Responsible Authority.

Amenity (ongoing):

13. Noise emissions from the land shall comply with EPA Publication 1826 – Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues (or as amended) at all times.

14. The acoustic fencing must be constructed and maintained in accordance with the recommendations of the Acoustic Assessment prepared by Section 5.0 (Recommendations for Noise Mitigation) of the Acoustic Assessment prepared by Waveform Acoustics, dated 23/03/22 as shown on the endorsed plans to the satisfaction of the Responsible Authority.
15. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. Transport of materials, goods or commodities to or from the land;
 - b. Appearance of any building, works or materials;
 - c. Emission of noise, artificial light, vibration, smell, flumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - d. Presence of vermin; or
 - e. In any other way.To the satisfaction of the Responsible Authority.
16. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcements, broadcasts, playing of music or similar purposes.
17. External lighting of the areas set aside for car parking, access lanes and driveways must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
18. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level at all times satisfactory to the Responsible Authority.
19. All pipes, fixtures, fittings and vents servicing any building on the subject land must be concealed in service ducts or otherwise hidden from view at all times to the satisfaction of the Responsible Authority.
20. The site including all buildings and works must be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance to the satisfaction of the Responsible Authority.
21. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the development must be of a non-reflective nature in accordance with the endorsed plans.

Waste Management:

22. Except with the prior written consent of the Responsible Authority, waste may only be collected from the site:
 - a. Monday to Saturday between 7.00am and 6.00pm.
23. All waste generated by the use of the land must at all times be managed in accordance with the Waste Management Plan for the land prepared by Low Impact Development Consulting (LID), dated 25/03/2022 and approved by the Responsible Authority.
24. Provision must be made on the subject land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.
25. All waste must be stored effectively to prevent odours from affecting neighbouring properties.

Earthworks:

26. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
27. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.

Stormwater Management:

28. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority.
29. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.

Prior to Occupation:

30. Prior to occupation:
 - a. All proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.
 - b. All redundant existing vehicle crossing(s) must be removed and the nature strip and kerb and channel reinstated at the cost of the owner and to the satisfaction of the Responsible Authority.
 - c. Commercial standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
 - d. The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
 - e. The acoustic fencing as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.
 - f. A bin storage area must be provided as shown on the endorsed plans and screened so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
 - g. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level satisfactory to the Responsible Authority.

Expiry:

31. A permit for the development and use of land expires if-
 - a. the development does not start within two (2) years after the issue of the permit; or
 - b. the development is not completed within four (4) years after the issue of the permit; or
 - c. the use does not start within two (2) years after the completion of the development; or
 - d. the use is discontinued for a period of two (2) years.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Notes:

- Council recommends that prior to activating this permit, a registered building surveyor be contacted to ensure the development complies with the Building Act and Building Regulations.
- Prior to commencement of the proposed use a Building Permit must be obtained for any retaining wall exceeding 1.0 metres in height.
- A 'Vehicle Crossing Permit' must be obtained from the relevant authority prior to the commencement of any works associated with the proposed vehicle crossing.
- As the development has an impervious ratio greater than 35%, the developer shall engage the services of a suitably experienced Engineer to design a stormwater detention system that will reduce the intensity of the storm water discharge entering Council's drainage system, i.e.: a detention system. The storm water detention system shall provide for the same five (5) year ARI peak discharge as that for a standard house lot with no storm water detention. A standard house lot is assumed to have a fraction impervious area of 35%. Calculations and a plan shall be submitted to Council for approval prior to construction. The storm water detention system must be constructed prior to the occupation of the proposed development.

Attachments

1. Locality Map [6.1.1.1 - 1 page]
2. Development Plans [6.1.1.2 - 7 pages]
3. Copy of Objections (Redacted) [6.1.1.3 - 9 pages]

Executive Summary

APPLICATION NO.:	T210968
APPLICANT:	Emma Nicolson Urban Arc Planning Pty Ltd
LAND:	L4 LP50825, 1-3 Savage Street Pakenham VIC 3810
PROPOSAL:	Use and Development of Land for a Child Care Centre
PLANNING CONTROLS:	General Residential Zone – Schedule 1 Development Contributions Plan Overlay – Schedule 1
NOTIFICATION & OBJECTIONS:	Pursuant to Section 52 of the <i>Planning and Environment Act 1987</i> , the application was advertised by the placing of signs on site and sending notices in the mail to nearby property owners. Six (6) objections were received.
KEY PLANNING CONSIDERATIONS:	Activity Centres Urban Design

	Streetscape Character Amenity Car Parking Traffic
RECOMMENDATION:	That a Notice of Decision to Grant a Planning Permit be issued, subject to the conditions within this report.

This application was listed for consideration at the Town Planning Committee Meeting held on Monday 3 October and was deferred for further consideration at this meeting

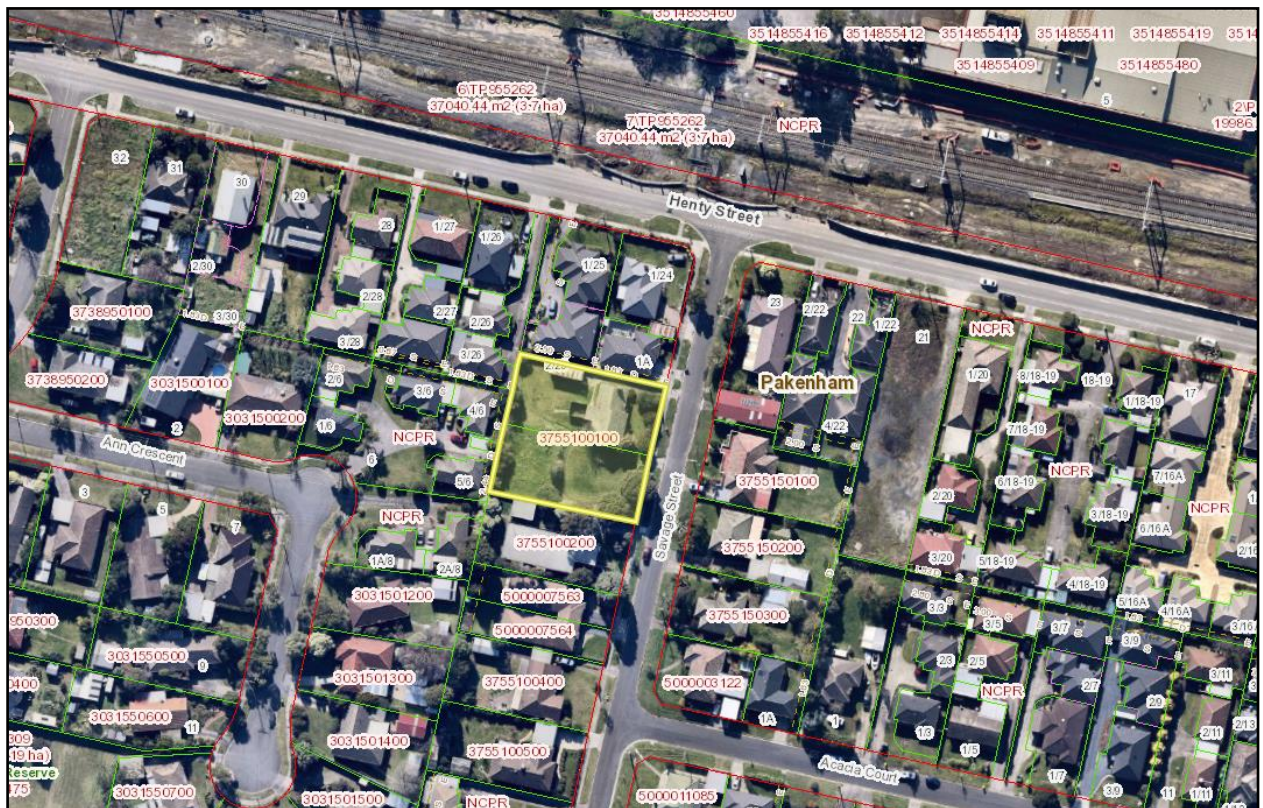
Background

Planning Permit Application T170462 which sought approval for ‘Use and Development of Land for Residential Building (Boarding House) was Refused by Council on 07 March 2018.

An application for review of Councils decision was subsequently lodged with the Victorian Civil and Administrative Tribunal on 23 March 2018 – however was subsequently withdrawn prior to hearing on 24 August 2018.

There is no other Planning history for this site.

Subject Site



The site, comprising two allotments, is located on the west side of Savage Street, Pakenham approximately 150m south from Pakenham Town Centre. The parcel is generally square in shape, has a combined frontage to Savage Street of 40.2m and a total area of 1680sqm. No. 1 Savage Street is currently developed with a single dwelling setback 9.1m from the frontage with No.3 undeveloped.

There is a land rise of less than 1.0m from the front to the rear (flat). There is established vegetation located along the front title boundary. Vehicle access to each parcel is provided via a crossover and driveway along the northern boundary. 1.6m high timber paling fencing defines the side and rear boundaries.

No. 1A Savage Street and 2/25 Henty Street both adjoin the northern boundary and are each developed with a single dwelling setback between 2.0m and 3.0m from the common boundary. There are multiple habitable room windows that directly face the site within 9.0m. Secluded private open space (SPOS) is located to the north and west of each dwelling. There is no significant vegetation that abuts the common boundary.

No. 3/26 Henty Street and 4 and 5/6 Ann Crescent all adjoin the western boundary and are each developed with a single dwelling setback between 2.4m and 3.5m from the common boundary. There are multiple habitable room windows that directly face the site within 9.0m. SPOS is located to the side and rear of each dwelling. There is established vegetation that abuts the common boundary.

No. 5 Savage Street adjoins the southern boundary and is developed with a single dwelling setback 7.9m from the common boundary and 15.1m from the frontage. There are multiple habitable room windows that directly face the site within 9.0m. SPOS is located to the rear. There is no significant vegetation that abuts the common boundary.

Land on the south side of Henty Street and is used and developed for residential purposes. Vegetation is typically subordinate to the built form within the streetscape. Land on the north side of Henty Street is used and developed for commercial purposes (Pakenham Town Centre). Pakenham Rail Station is located 650m from the subject site.

Proposal

Approval is sought for the use and development of the land for a Use and Development of Land for a Child Care Centre.

The childcare centre offers places to children that range in age from infants to 5-year old's and includes an integrated preschool/kinder program. Internally the development provides for a total 5 childcare rooms, a kitchen, staff, and management offices, 4 bathrooms (1 disabled), reception area and a laundry.

A minimum front building setback to Savage Street is proposed at 9 metres and side and rear built form setbacks are confirmed as being 3.005m to northern boundary, 12.88m to the southern boundary and 5.01m to the western boundary.

The building has been designed with a single storey building height and a modern, modular form. The building adopts a flat roof profile and incorporates window proportions and building materials that ensure built form reads as a residential form of architecture and is generally in keeping with the surrounding character of the area.

Access is provided via a 6.1.m wide accessway directly from Savage Street leading into a 17-space car park.

Outdoor play areas are located to the North, South and East of the proposed building with all existing fencing between outdoor play areas and existing dwellings to be replaced with acoustic fencing and abutting the car park.

A maximum 76 children are to be accommodated within the building at any one time and the hours of operation are proposed to be Monday to Friday 6.30am – 6.30pm.

Waste is to be collected by a private contractor. Waste is to be stored within the designated waste storage area and collected from Savage Street or the internal car park area.

Planning Scheme Provisions

Zone

The land is subject to the following zones:

- General Residential Zone – Schedule 1

Overlays

The land is subject to the following overlays:

- Development Contributions Plan Overlay - Schedule 1

Planning Policy Framework (PPF)

The relevant clauses of the PPF are:

- Clause 11.01-1S – Settlement
- Clause 11.02-1S - Supply of Urban Land
- Clause 13.05-1S - Noise Abatement
- Clause 13.07-1S - Land Use Compatibility
- Clause 15.01-1S - Urban Design
- Clause 15.01-2S - Building Design
- Clause 15.01-5S - Neighbourhood Character
- Clause 17.01-1S - Diversified Economy
- Clause 18.01-1S – Land Use and Transport Integration
- Clause 18.02-4S – Roads
- Clause 19.02-2S - Education Facilities

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- Clause 21.01 – Cardinia Shire Key Issues and Strategic Vision
- Clause 21.03-2 – Urban Established Area – Beaconsfield and Pakenham
- Clause 21.04-1 – Employment
- Clause 21.05-3 – Local Roads
- Clause 21.05-6 - Community Services and Facilities
- Clause 21.06-1 – Urban Design

Relevant Particular/General Provisions and Relevant Incorporated or Reference Documents

The relevant provisions/ documents are:

- Clause 52.06 – Car Parking

- Clause 52.34 – Bicycle Facilities
- Clause 65 – Decision Guidelines
- Clause 66 – Referral and Notice Provisions

Planning Permit Triggers

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

- Pursuant to Clause 32.08 – 2, a planning permit is required for the use of the land for a Childcare Centre.
- Pursuant to Clause 32.08 – 9, a planning permit is required for buildings and works associated with a Section 2 Use.

Public Notification

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by:

- Sending notices to the owners and occupiers of adjoining and nearby land; and
- Placing a sign on site.

▪
The notification has been carried out correctly, and the statutory declaration has been submitted to Council on 31 May 2022.

Council has received six (6) objections to date.

The key issues that were raised in the objections are:

- - Appropriateness of Land Use in Residential Area
 - Provision of Car Parking
 - Increase in Traffic Congestion and Local Road Network
 - Waste Collection
 - Noise Impacts
 - Potential Future Use and/or Development

A response to the concerns raised above is provided in the relevant section of the assessment further in this report.

With respect to any future potential use or development of the subject site, this can only be assessed on its merits and the Cardinia Planning Scheme at the time.

Referrals

External Referrals/Notices:

Referrals/Notice	Referral Authority	Brief summary of response
Section 55 Referrals	Head, Department of Transport [Determining]	No objection (no conditions)

Internal Referrals:

Internal Council Referral	Advice/ Response/ Conditions
Engineering	No objection (subject to conditions)
Traffic	No objection (subject to conditions)
Waste	No objection (subject to conditions)
Strategic Planning	No objection (subject to conditions)
Urban Design	No objection (subject to conditions)

Discussion

The proposal has been assessed against the Cardinia Planning Scheme and is considered to be consistent with the aims and objectives of the Scheme.

Planning Policy

A number of state and local policies are relevant to this application.

Clause 11.01-1S (Settlement) seeks to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements, including by developing compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services and ensuring retail, office-based employment, community facilities and services are concentrated in central locations. Clause 11.02-1S (Supply of urban land) seeks to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

- The proposal is considered to adequately respond to these policies as it proposes a use and development that is compatible with the location being within a residential area, accessible from two significant municipal roads (McGregor Road & Main Street) and within close proximity to the Pakenham Activity Centre and Railway Station.

Clause 13.05-1S (Noise abatement) seeks to assist the control of noise effects on sensitive land uses. Clause 13.07-1S (Land use compatibility) seeks to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

- The proposal adequately responds to these policies. Childcare centres are considered an acceptable land use in a residential area if amenity impacts are appropriately managed. An acoustic assessment was provided with the application and proposes acoustic fencing to deal with noise impacts to neighbours from children in the outdoor play areas. The hours of operation are also considered reasonable to ensure that offsite amenity impacts from noise are managed and avoided where possible. The residences adjoining the property also have backyards interfacing with the site, all of which creates some separation between the neighbouring residential uses.

Clause 15.01-1S (Urban design) seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. Clause 15.01-2S (Building design) seeks to achieve building design outcomes that contribute positively to the local context and enhance the public realm. Clause 15.01-5S (Neighbourhood character) seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place.

- The proposal appropriately responds to these policies. The design is considered to be an appropriate size and scale for the residential area. The built form is single storey and generous front, side and rear setbacks have been provided.

Clauses 17.01-1S (Diversified economy) and 21.04-1 (Employment) seeks to strengthen and diversify the economy, supporting local economies to grow and diversity by facilitating growth in a range of employment sectors, including education, based on the emerging and existing strengths of each region.

- The proposal adequately responds to these policies. The proposal provides for an opportunity for centrally located, local employment within a growth area which is supported by both State and Local policy.

Clauses 18.02-4S (Roads) and 21.05-3 (Local roads) seek to facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

- The proposal is considered an appropriate interface with Savage Street and have appropriate access to the local road network. The proposal was supported by Council's Traffic Engineer and also supported by the Head, Department of Transport (under Clause 66.02-11) as the site is considered to appropriately respond to these policies.

Clauses 19.02-2S (Education facilities) and 21.05-6 (Community services and facilities) seek to assist the integration of education and early childhood facilities with local and regional communities.

- The proposal is considered to adequately respond to these policies as it has considered the demographic trends (including the existing and future needs) for childcare in the Pakenham area, and provides for a well located and accessible childcare centre within a growing suburb.

Based on the above assessment, the proposal is considered to adequately respond to both Planning Policy Framework and Local policies and should be supported.

General Residential Zone (Schedule 1)

The relevant purpose of the General Residential Zone for this application is to implement the MPS and PPF, to ensure that development respects the neighbourhood character of the area and allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations. A permit is triggered for both the use and development of the land for a Childcare Centre in the GRZ1 under the following provisions:

- Pursuant to Clause 32.08-2 (GRZ1) a planning permit is required to use the land for a Section 2 Use (Childcare Centre).
- Pursuant to Clause 32.08-9 (GRZ1) a planning permit is required to construct a building or construct or carry out works associated with a Section 2 Use (Childcare Centre).

The decision guidelines of this zone cover several matters, such as the purpose of the zone and the objectives, standards and decision guidelines for non-residential use and development. The specific decision guidelines are:

General

- *The Municipal Planning Strategy and the Planning Policy Framework.*

As discussed above, the proposal is considered to adequately address planning policy.

- *The purpose of this zone.*

The proposal is considered consistent with the purpose of the General Residential Zone which allows education centres (includes Childcare centres) to be located within residential areas where they are well located. The site is considered to achieve this. It is within a centralised residential location and is adjacent to the Pakenham Town Centre and two significant municipal roads (McGregor Road & Main Street). The site is also in close proximity to Pakenham Train Station.

- *The objectives set out in the schedule to this zone.*

There are no applicable objectives set out in Schedule 1 of the Zone.

- *Any other decision guidelines specified in a schedule to this zone.*

Addressed below.

- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*

There are no existing rooftop solar energy systems on dwellings on adjoining lots.

Non-Residential Use and Development

- *Whether the use or development is compatible with residential use.*

As discussed above and as recognised by both Planning Policy Framework and Local planning policy, childcare centres can be appropriate land uses within residential areas when appropriately located. The location of the proposed childcare centre centrally located within a residential area, adjoining Pakenham Activity Centre and easily accessible by Pakenham Train Station and two significant municipal roads (McGregor Road & Main Street) ensuring that the non-residential use is appropriately located.

- *Whether the use generally serves local community needs.*

Childcare centres are considered by their nature to serve a local community need. Pakenham is a growing area where a number of young families live, and therefore, the addition of this well-located Childcare Centre to help service the growing community should be supported.

- *The scale and intensity of the use and development.*

Being single storey in design and well setback from adjoining boundaries, the proposed scale of the building is appropriate for the predominately single storey, residential character of the area. The intensity of the use is also considered reasonable in this context, as the 76 place childcare centre can provide for all its required car parking on-site and as the site easily accessible from two significant municipal roads (McGregor Road & Main Street), the road infrastructure can also cope with an intensification of use on the site.

An Acoustic Report, prepared by Waveform Acoustics, has been submitted in support of this application which concludes that noise generated from the proposed use is

acceptable in this residential context subject to the installation of appropriate acoustic fencing and screening of plant equipment. This will be conditioned on any permit issued.

- *The design, height, setback and appearance of the proposed buildings and works.*

As discussed above, the single storey design of the building is considered in keeping with the predominately single storey character of the area. The height of the building is also considered in keeping with this character. As discussed above the setbacks proposed as also in keeping with the character of the area and maintain a sense of spaciousness between built form. The design of the building, whilst contemporary, is considered modest and is not considered to detrimentally impact the character of the area. From an urban design perspective, the development promotes street activation and passive surveillance which is an enhancement on existing conditions.

- *The proposed landscaping.*

The landscaping proposed is considered adequate for the development. Landscaping is proposed within all open areas of the site, including along the frontage, and within the play areas. The landscaping proposed includes a mixture of ground covers, shrubs and canopy trees. Some existing, good quality vegetation in the road reservation have been retained.

- *The provision of car and bicycle parking and associated accessways.*

The development has been provided a total of seventeen (17) car parking spaces, which complies with the statutory requirement under Clause 52.06 (Car Parking). The accessways are appropriately designed and comply with the accessway design standards of Clause 52.06. Childcare centres are not required by Clause 52.34 (Bicycle Facilities) to provide bicycle spaces, therefore, no spaces have been provided.

- *Any proposed loading and refuse collection facilities.*

The proposed waste collection area is easily accessible from the car parking area for collection by a private waste collector from the internal car parking area. The waste storage area is appropriately screened from the car parking area, the road and the neighbouring properties, which is considered acceptable. The submitted Waste Management Plan will form part of the endorsed documents.

- *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*

The site is accessible from two significant municipal roads (McGregor Road & Main Street) via Henty Street which is capable of accepting and safely and efficiently managing the additional traffic that will be generated by the proposal. Given that this is a larger local road, there is not expected to be any negative amenity effects cause by traffic on the wider area. For this reason, the application was supported by Council's Traffic Engineer (refer to Clause 52.06 assessment for more detail).

Based on the above assessment, the proposal is considered to be an acceptable and well-located proposal within a General Residential Zone and should be supported.

Development Contributions Plan Overlay – Schedule 1

The purpose of this provision is to identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

In accordance with the Pakenham Township Development Contributions Plan, September 1997 Section 1.10, a contribution is required:

On the basis of nexus residential development in the identified DCP-PAK area is liable for development contributions for the infrastructure described in the DCP. There are no exemptions. More detail is given under each individual infrastructure item below.

The proposal is not for residential development within the area covered by the Pakenham Township Development Contributions Plan, September 1997, and therefore in accordance with Section 4.0 of Schedule 1 to the DPO, this land is excluded from the requirement and no contribution is required.

Clause 52.06 Car Parking

Pursuant to Clause 52.06-5 the number of car parking spaces required under Table 1, is 0.22 spaces per child. The proposed childcare centre is to accommodate 76 children; therefore, the use generates a requirement for 16 car parking spaces. A total of 17 car parking spaces are proposed on site which meet the relevant standards. The dimensions of each car parking space and aisle width are compliant with Clause 52.06-9 with all vehicles able to exit the site in a forward direction.

Whilst it's acknowledged that the proposed non-residential use will generate additional traffic along Savage Street, the subject site is 2 allotments south of a collector road (Henty Street) with efficient access onto Henty Street. It is further noted that the increase in traffic movement is only during peak periods Monday to Friday (drop off and pick up times). As the statutory car parking rate is met, there is no dependency on on-street parking during peak times. Having regard to the sites' location, it can also be expected that many families will walk to and from the subject site. Public transport options can also be utilised by employees/families which will minimise impacts to the road network.

The application was referred to Council's Traffic Department who have reviewed the application documents (including a Traffic Impact Assessment prepared by ML Traffic Engineers) and have not raised concerns with the proposal.

Having regard to the above assessment, the objectives of this provision are met.

Clause 52.34 Bicycle Parking

In accordance with the Table to Clause 52.34- 4 (Bicycle facilities) no bicycle spaces, showers or change facilities are required to be provided for a Childcare centre.

Clause 65 Decision Guidelines

The application has been assessed against the Clause 65 – Decision Guidelines. It is considered that the application, as discussed above complies with the relevant state and local policies and the purpose of the zone and overlays that apply to the site. On balance, the proposal will provide a high net community benefit without unreasonably compromising amenity in the surrounding residential area.

As such it is considered that the application has appropriate regard to the decision guidelines and should be supported.

Conclusion

The proposed use and development are considered consistent with the relevant Planning Policy Framework, the purpose of the General Residential Zone – Schedule 1 and relevant Particular Provisions. It is therefore recommended that a Notice of Decision to Grant a Planning Permit be issued for the 'Use and Development of a Child Care Centre', subject to conditions outlined below.

Conditions

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale and be generally in accordance with the plans prepared by Melvic Homes, Revision G, dated 21/03/22 submitted with the application but modified to show:
 - a. All site plans to show acoustic fencing along the side and rear property boundaries in accordance with Section 5.0 (Recommendations for Noise Mitigation) of the Acoustic Assessment prepared by Waveform Acoustics, dated 23/03/22.
 - b. A separate plan to show the construction method and materials of the acoustic fencing and screening for plant equipment in accordance with the recommendations of the Acoustic Report prepared by Section 5.0 (Recommendations for Noise Mitigation) of the Acoustic Assessment prepared by Waveform Acoustics, dated 23/03/22.
 - c. Sightline triangles in accordance with Design Standard 1 (Accessways) of Clause 52.06-9
2. Before the development starts, drainage plans must be submitted to and approved by the Responsible Authority. The plans must show the provision of a stormwater detention system. The stormwater detention system will become the responsibility of the property owner or body corporate to maintain to the satisfaction of the Responsible Authority.
3. The development as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
4. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
5. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.

Use:

6. The use as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
7. No more than seventy-six (76) children may be cared for on the premises at any time without the prior written consent of the Responsible Authority.
8. Except with the written consent of the Responsible Authority, the childcare centre may only have staff present on the site Monday to Friday between 6.30am and 6.30pm.
9. Except with the written consent of the Responsible Authority, the use may only operate:
 - a. Monday to Friday between 6.30am and 6.30pm.
10. Except with the written consent of the Responsible Authority, children shall be permitted within the outdoor play areas only during the hours of:
 - a. Monday to Friday between 7:30am to 6.00pm.

Tree protection:

11. Before works start, a fence must be erected around trees shown for retention on the endorsed plan. This fence will protect the trees by demarcating the tree protection zone and must be erected at a radius of $12 \times$ the diameter of the trunk at a height of 1.3 metres above ground level, to a maximum of 15 metres but no less than 2 metres from

the base of the trunk of the trees (excepting the approved area of encroachment for construction as shown on endorsed plans) to the satisfaction of the Responsible Authority. The protection fence must be constructed of star pickets and flagging tape/chain mesh or similar to the satisfaction of the Responsible Authority. The protection fence must remain in place until all works are completed to the satisfaction of the Responsible Authority. Except with the written consent of the Responsible Authority, within the tree protection zone, the following are prohibited:

- a. vehicular access.
- b. trenching or soil excavation.
- c. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.
- d. entry and exit pits for underground services.
- e. any other actions or activities that may result in adverse impacts to retained native vegetation.

Amenity (during construction):

12. The works associated with the construction of the development must not detrimentally affect the amenity of the area, through the:
 - a. Transport of materials, goods or commodities to or from the land;
 - b. Inappropriate storage of any works or construction materials;
 - c. Hours of construction activity;
 - d. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil;
 - e. Presence of vermin; or
 - f. In any other way.

To the satisfaction of the Responsible Authority.

Amenity (ongoing):

13. Noise emissions from the land shall comply with EPA Publication 1826 – Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues (or as amended) at all times.
14. The acoustic fencing must be constructed and maintained in accordance with the recommendations of the Acoustic Assessment prepared by Section 5.0 (Recommendations for Noise Mitigation) of the Acoustic Assessment prepared by Waveform Acoustics, dated 23/03/22 as shown on the endorsed plans to the satisfaction of the Responsible Authority.
15. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. Transport of materials, goods or commodities to or from the land;
 - b. Appearance of any building, works or materials;
 - c. Emission of noise, artificial light, vibration, smell, flumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - d. Presence of vermin; or
 - e. In any other way.

To the satisfaction of the Responsible Authority.

16. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcements, broadcasts, playing of music or similar purposes.
17. External lighting of the areas set aside for car parking, access lanes and driveways must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
18. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level at all times satisfactory to the Responsible Authority.
19. All pipes, fixtures, fittings and vents servicing any building on the subject land must be concealed in service ducts or otherwise hidden from view at all times to the satisfaction of the Responsible Authority.
20. The site including all buildings and works must be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance to the satisfaction of the Responsible Authority.
21. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the development must be of a non-reflective nature in accordance with the endorsed plans.

Waste Management:

22. Expect with the prior written consent of the Responsible Authority, waste may only be collected from the site:
 - a. Monday to Saturday between 7.00am and 6.00pm.
23. All waste generated by the use of the land must at all times be managed in accordance with the Waste Management Plan for the land prepared by Low Impact Development Consulting (LID), dated 25/03/2022 and approved by the Responsible Authority.
24. Provision must be made on the subject land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.
25. All waste must be stored effectively to prevent odours from affecting neighbouring properties.

Earthworks:

26. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
27. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.

Stormwater Management:

28. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority.
29. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.

Prior to Occupation:

30. Prior to occupation:
 - a. All proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard

surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.

- b. All redundant existing vehicle crossing(s) must be removed and the nature strip and kerb and channel reinstated at the cost of the owner and to the satisfaction of the Responsible Authority.
- c. Commercial standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
- d. The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- e. The acoustic fencing as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.
- f. A bin storage area must be provided as shown on the endorsed plans and screened so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
- g. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level satisfactory to the Responsible Authority.

Expiry:

31. A permit for the development and use of land expires if-
- e. the development does not start within two (2) years after the issue of the permit; or
 - f. the development is not completed within four (4) years after the issue of the permit; or
 - g. the use does not start within two (2) years after the completion of the development; or
 - h. the use is discontinued for a period of two (2) years.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Notes:

- Council recommends that prior to activating this permit, a registered building surveyor be contacted to ensure the development complies with the Building Act and Building Regulations.
- Prior to commencement of the proposed use a Building Permit must be obtained for any retaining wall exceeding 1.0 metres in height.
- A 'Vehicle Crossing Permit' must be obtained from the relevant authority prior to the commencement of any works associated with the proposed vehicle crossing.
- As the development has an impervious ratio greater than 35%, the developer shall engage the services of a suitably experienced Engineer to design a stormwater detention system that will reduce the intensity of the storm water discharge entering Council's drainage system, i.e.: a detention system. The storm water detention system shall provide for the same five (5) year ARI peak discharge as that for a standard house lot with no storm water detention. A standard house lot is assumed to have a fraction impervious area of 35%. Calculations and a plan shall be submitted to Council for approval prior to construction. The storm water detention system must be constructed prior to the occupation of the proposed development.

Resolution

Moved Cr Ryan, seconded Cr Ross

That Planning Permit Application T210968 for the 'Use and Development of Land for a Childcare Centre at 1-3 Savage Street, Pakenham, VIC 3810 , be refused and a Refusal to Grant a Permit be issued on the following grounds:

- The proposed use is inconsistent with the purpose of the General Residential Zone – Schedule 1 in that it seeks to accommodate a non-residential use in an inappropriate location and is a use that is considered incompatible with existing residential uses surrounding the subject site.
- The proposed use will have a detrimental impact on the local road network and supply of on-street parking within the surrounding area.
- The proposed use will result in unreasonable off-site amenity impacts to neighbouring and nearby properties that are used for residential purposes (noise and safety).

The motion is carried.

Cr Ross called for a division.

For: Crs Ryan, Moore, Owen, Radford, Ross and Cameron

Against: Crs Davies, Kowarzik and Springfield

6.2 General Reports

6.2.1 Annual Report 2021/22

Responsible GM: Jenny Scicluna
Author: Scott Moore

Recommendation(s)

That Council:

1. Endorses the Annual Report 2021/22.
2. Notes that the Annual Report 2021/22 fairly represents Council's operations, financial position and Council's performance for the 2021/22 financial year.
3. Notes that the Annual Report 2021/22 meets the requirements of the *Local Government Act 2020*.

Attachments

1. 2021-22 Annual Report [6.2.1.1 - 161 pages]

Executive Summary

Council has prepared an Annual Report for the financial year 1 July 2021 to 30 June 2022 to meet its obligations under Section 98 of the *Local Government Act 2020*.

The Annual Report 2021/22 is the first progress report against our Council Plan 2021-25. It comprises three sections: Report of operations; Performance statement; and Financial statements.

On 26 September 2022, Council approved in principle the Financial and Performance statements. These statements were also considered by Council's Audit and Risk Committee at a meeting on 26 August 2022.

As required by the *Act*, Council must hold an open meeting to consider the report by 31 October.

Background

Under Section 98 of the *Local Government Act 2020* (the *Act*) and *Local Government Planning and Reporting Regulations 2020*, councils are required to prepare an Annual Report in respect of each financial year consisting of three parts:

- Report of operations: Information about the operations of the Council including service performance indicator results, achievement of major initiatives and a governance and management checklist.
- Performance statement: Audited results achieved against the prescribed performance indicators and measures.
- Financial statements: Audited financial statements prepared in accordance with the Australian Accounting Standards.

- On 26 September 2022, Council approved in principle the Financial and Performance statements for the year ended 30 June 2022 (s99). These statements were also considered by Council's Audit Committee at a meeting on 26 August 2022.
 - Section 100 of the *Act* also requires Council to hold an open meeting to consider the report by 31 October.

Policy Implications

Nil.

Relevance to Council Plan

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.

Climate Emergency Consideration

Nil.

Consultation/Communication

Senior management has contributed to the details contained in the report of operations and highlighting Council's major achievements for the financial year.

Public notification that the Annual report is available for inspection at the Shire offices and online has been given.

Financial and Resource Implications

The Annual Report provides the opportunity for Cardinia Shire to communicate to the community its achievements and challenges of the past financial year. The structure of the Annual Report is aligned to the Council Plan 2021-25.

All legislative requirements have been met, with the financial statements prepared as required by the *Act*, the *Local Government (Planning and Reporting) Regulations 2020*, Australian Accounting Standards and other mandatory professional reporting requirements.

The financial position of Council remains sound, with the financial statements considered by the Audit Committee on 27 August 2022 and Council on 26 September 2022. The Victorian Auditor General's Office undertook an independent audit of the financial and performance statements for the financial year 2021/22.

The Annual Report 2021/22 presents fairly, in all material respects, the financial position of Council as at 30 June 2022 and its financial performance, cashflows and operations for the financial year 2021/22.

The preparation of Council's Annual Report 2021/22 meets all requirements of the *Act*.

Conclusion

The Shire of Cardinia's Annual Report for the 2021/22 financial year is presented to Council.

Council's financial position remains sound, with the Victorian Auditor General's Office providing an unqualified audit opinion on the financial and performance statements. The Annual Report fairly represents Council's operations, financial position and Council's performance for the 2021/22 financial year.

Preparation of Council's Annual Report 2021/22 meets all requirements of the *Act*.

Prior to the Council resolution, the Mayor presented the implementation of the Council Plan.

Resolution

Moved Cr Jack Kowarzik, seconded Cr Collin Ross.

That Council:

1. Endorses the Annual Report 2021/22.
2. Notes that the Annual Report 2021/22 fairly represents Council's operations, financial position and Council's performance for the 2021/22 financial year.
3. Notes that the Annual Report 2021/22 meets the requirements of the *Local Government Act 2020*.

Carried

6.3 Policy Reports

6.4 Financial Reports

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 advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
EXAMPLE TOOLS	<ul style="list-style-type: none"> • Fact sheets • Websites • Open houses 	<ul style="list-style-type: none"> • Public comment • Focus groups • Surveys • Public meetings 	<ul style="list-style-type: none"> • Workshops • Deliberate polling 	<ul style="list-style-type: none"> • Citizen Advisory committees • Consensus building • Participatory • Decision-making 	<ul style="list-style-type: none"> • Citizen juries • Ballots • Delegated • Decisions

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 end September to mid November 2022			
Project	Project description	Proposed consultation date/s	Responsible Business Unit
ROADS: Better Local Roads - Sealing the Hills	Package #22 Hillside-Dorchester Catchment (Hillside Rd, Edmunds Rd, Haven Crt, Haylock Av, George St, Dorchester Rd, Salisbury Av, Laneway Access)	Drop-in session at 5-6:30 pm 28 September 2022 at Cockatoo Community Hall - 79 Pakenham Road, Cockatoo.	Community Infrastructure Delivery (IE)
ROADS: Mulcahy Road, Pakenham	This project relates to the proposed formal closure of the western end of Mulcahy Road between Thewlis Rd and Moritz Street to motor traffic. Mulcahy Road, Pakenham is located on Department of Environment, Land, Water and Planning (DELWP) land. It runs from Thewlis Road, east past Purton Road. Council must resolve to do so in accordance with clause 9 schedule 11 of the Local Government Act, 1989, (the Act).	Engagement during Oct-November. Letters to landowners/occupiers within general radius of up to 500m of the intersections of Mulcahy, Thewlis and Kenneth Roads advising of public notice period and opportunity to make written submissions. Creating Cardinia page to seek feedback on the proposal. Drop-in information session (at Civic Centre) on 26 October 5 -6pm.	Community Infrastructure Delivery (IE)
PLANNING: Planning Scheme Amendment - proposed subdivision	Amendment C268 applies to the land at 49 Garfield Road, Garfield. It is a combined planning scheme amendment and planning permit application under section 96A of the Planning and Environment Act 1987. At its meeting on 21 February 2022 Council resolved to place this amendment on public exhibition, in accordance with the Planning and Environment Act 1987.	The public exhibition period will commence on Thursday 13 October 2022 and close on Monday 14 November 2022. Engagement opportunities to include letters to potentially impacted residents in line with legislation to provide opportunity for written submissions.	Planning and Design (LC)
RESERVES: Bonette Reserve (Beaconsfield Structure Plan implementation)	The Beaconsfield Structure Plan sets out strategies to improve the area around the War memorial on the corner of Woods Street and Princes Highway. Community engagement is being undertaken to refine the concept plan for a landscape upgrade.	On site 'pop up' sessions: - Sunday 13/11/22 at 11:00AM-1:00PM - Wednesday 16/11/22 at 3:30PM-5:30PM Creating Cardinia page to replicate pop up engagement online.	Planning and Design (LC)

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 Brett Owen, seconded Cr Collin Ross.

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

Carried

6.5.2 Quarterly Resolutions Report July - September 2022

Responsible GM: Debbie Tyson
Author: Doug Evans

Recommendation(s)

That Council note the report detailing implementation of Council resolutions for the period July to September 2022.

Attachments

1. Council Resolutions [6.5.2.1 - 23 pages]

Executive Summary

The attached report details all resolutions made for the period July 2022 to September 2022, noting one matter still in progress from the meeting held in October last year.

It includes the actions taken to implement the decisions; the report does not include matters listed for noting.

Background

The Chief Executive Officer is responsible for ensuring that Council decisions are implemented without undue delay and when requested, to report to Council in respect of the implementation of these decisions.

The attached report informs the Council about the implementation of these decisions, in addition provides transparency to our community.

Policy Implications

This regular report is in keeping with the Governance Rules.

Relevance to Council Plan

5.1 We practise responsible leadership

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

Climate Emergency Consideration

There are no Climate Emergency considerations in regard to this report.

Consultation/Communication

All relevant staff have been consulted in regard to this report.

Financial and Resource Implications

There are no financial considerations associated with this matter.

Conclusion

This report is provided for the information of Councillors to ensure transparency regarding the implementation of Council decisions and provide confidence to the Council that the decisions are implemented without undue delay.

Resolution

Moved Cr Jack Kowarzik, seconded Cr Tammy Radford.

That Council note the report detailing implementation of Council resolutions for the period July to September 2022.

Carried

6.5.3 Major Projects Report

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

Recommendation(s)

That Council note this report

Attachments

1. Major projects report - October 2022 [6.5.3.1 - 22 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 and are current as at end of September 2022.

Background

Projects and updates are included in the attached report

Conclusion

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

Resolution

Moved Cr Stephanie Davies, seconded Cr Graeme Moore.

That Council note this report

Carried

- Advised of her attendance at the Kabbadi games

Cr Springfield:

- Advised of the launch of the Thompson's Road advocacy material
- Advised of his attendance at the Gembrook Community centre AGM
- Advised of his attendance at the Cardinia Community Leadership event held at the Sikh Temple in Officer
- Advised of his attendance at the recent tour undertaken of local businesses

9 Presentation Of Petitions

Nil.

10 Notices Of Motion

Nil.

11 Community Questions

Nil.

12 Urgent Business

There was no urgent business.

13 Councillor Questions

Nil.

14 Meeting Closure

Prior to closing the meeting the Mayor thanked all councillors for their support and assistance during his term as Mayor.

Meeting closed at 8:42.

Minutes confirmed
Chairman