

Ordinary Council Meeting

Minutes

Monday 20 March 2023

Commenced at 7:00 PM

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

Members:	Cr Tammy Radford	Mayor
	Cr Jack Kowarzik	Deputy Mayor
	Cr Kaye Cameron	
	Cr Stephanie Davies	
	Cr Jeff Springfield	
	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
	Andrew Pomeroy	Acting General Manager Governance, Facilities and Economy
	Debbie Tyson	Acting General Manager Customer, People and Performance
	Doug Evans	Manager Governance
	Jack Coogan	Governance Officer

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1 Opening And Reflection/Prayer

Meeting opened at 7:00pm.

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

2 Acknowledgements

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

3 Apologies

Nil.

4 Adoption And Confirmation Of Minutes

Moved Cr Graeme Moore, seconded Cr Jack Kowarzik

That minutes of the following meetings be confirmed:

- General Council meeting 20 March 2023
- Town Planning Committee 6 March 2023

Carried

5 Declaration Of Interests

Nil.

6 Ordinary Business

6.1 Town Planning Reports

6.1.1 Cardinia Planning Scheme Amendment C278card - New Environmentally Sustainable Development (ESD) Local Policy (Clause 22.11) and associated changes to the Municipal Strategic Statement (MSS)

Responsible GM: Lili Rosic
Author: Lorna Lablache

Recommendation(s)

That Council:

1. Resolve to seek the authorisation of the Minister for Planning under Section 8A(2) of the *Planning and Environment Act 1987* to prepare Amendment C278card to the Cardinia Planning Scheme to:
 - Insert a new Clause 22.11 (Environmentally Sustainable Development) into the Local Planning Policy Framework of the Cardinia Planning Scheme.
 - Amend clauses in the Municipal Strategic Statement (MSS) to reflect the introduction of Clause 22.11 (Environmentally Sustainable Development) generally in accordance with Attachments 1 to 5.
2. Authorise Council officers to make minor changes to the amendment as required, that do not change the overall intent of the amendment.
3. Subject to receiving the authorisation of the Minister for Planning, gives notice of Amendment C278card under section 19 of the *Planning and Environment Act 1987*.

Attachments

1. Environmentally Sustainable Development (ESD) Background Document [6.1.1.1 - 116 pages]
2. Cardinia C278 Card Explanatory Report Authorisation [6.1.1.2 - 8 pages]
3. Cardinia C278 Card Clause 22.11 ESD New Clause Authorisation [6.1.1.3 - 3 pages]
4. Cardinia C278 Card Clause 21 Combined Tracked Changes Authorisation [6.1.1.4 - 62 pages]
5. Cardinia C278 Card Instruction Sheet Authorisation [6.1.1.5 - 2 pages]

Executive Summary

Amendment C278card proposes to introduce an Environmentally Sustainable Development (ESD) Local Planning Policy into the Cardinia Planning Scheme. The policy will ensure specified developments achieve best practice in environmental sustainability from design stage through to construction and operation. It is also proposed to make changes to the Municipal Strategic Statement (MSS) to support the new local policy.

The proposed Local ESD Policy will apply to new residential and non-residential developments within predetermined thresholds and strengthens Council's position to consider principles of environmentally sustainable development through the statutory planning process. The policy does not trigger additional planning permits and will only apply in instances where a planning permit is already required elsewhere under the Cardinia planning scheme. The policy does not apply to single dwellings, outbuildings or subdivision.

Background

Council has a duty of care in exercising its functions to manage foreseeable risks and this is embedded in legislation such as the *Planning and Environment Act (1987)*, the *Climate Change Act (2017)* and section 9(2) of the *Local Government Act (2020)*.

On 16 September 2019, Council supported a Declaration of a climate emergency. Council has committed to prioritising policy and actions that will provide for both mitigation and adaptation in response to accelerating global warming and climate change.

In addition to this, 'tackling climate change and its impact on our environment, economy and people' is identified as one of our most significant challenges and opportunities in the *Council Plan 2021-25 and Community Vision 2040 (June 2021)*.

Council Plan 2021-2025 also identifies that the development of an Environmentally Sustainable Design (ESD) Policy is a Council priority (Year 1 2021 -22) and it requires that the ESD Policy be incorporated in the Cardinia Planning Scheme (Year 2 2022 - 23).

A series of Council adopted documents, all of which have been informed by community consultation envision a sustainable built environment in Cardinia. This also includes specific local policy clauses, incorporated documents and reference documents within the Cardinia Planning Scheme that also direct planning applications to consider and address ESD principles.

In 2021 Cardinia Shire Council became a member of the Council Alliance for a Sustainable Built Environment (CASBE). CASBE is an alliance of councils committed to enabling change to bring about healthy, resilient and liveable urban places. The South East Council's Climate Change Alliance (SECCCA) also supports CASBE's advocacy for environmentally sustainable design.

As a member of CASBE, Council proposes to follow the lead of 24 other Councils by implementing an ESD local policy utilising the CASBE Sustainable Design Assessment in the Planning Process (SDAPP) Framework. The SDAPP framework provides a streamlined and consistent methodology for requesting, receiving and assessing built environment sustainability outcomes through the planning process.

The ESD philosophy is 'meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

Why should we amend the planning scheme?

When sustainable building practices are required at the local Council planning level, not only does it improve cost effectiveness in terms of the planning and building process (through the early integration of sustainability principles), but it also tackles larger economic issues such as climate change and the security of water and energy supplies. The benefits to our municipality will be far reaching not only in terms of economic or environmental benefits, but also regarding health and well-being.

The overarching objective of this amendment is that new developments achieve best practice ESD outcomes from the design phase through to construction and operation. Overtime, early intervention to ensure best practice in development across our municipality will help our community to be more resilient to the future effects of climate change such as flooding, drought and extreme heat.

Twenty-four other Victorian Councils have implemented an ESD local policy into their Planning Scheme utilising the Sustainable Design Assessment in the Planning Process (SDAPP) Framework developed by CASBE (Council Alliance for a Sustainable Built Environment).

What is the Sustainable Design Assessment in the Planning Process (SDAPP) Framework?

The SDAPP Framework comprises policy objectives, planning application requirements (the scale of a project will ultimately influence the level of information and the types of sustainability initiatives that must accompany an application) and best practice standards (which outline the minimum expectations to meet the policy objectives). The SDAPP Framework, also enables each local government to determine the threshold (the 'planning triggers') that is relevant to their local development profile.

Only applications for residential and non-residential developments that meet specific size thresholds will be required to meet the objectives of the policy. Cardinia's proposed ESD policy does not apply for applications for single dwellings, outbuildings or subdivision permits.

The ESD Policy requires applications to be accompanied by appropriate supporting information, dependant on the proposed scale of development, A Sustainable Design Assessment (SDA) is required for medium-scale developments, while a Sustainability Management Plan (SMP) is required for larger-scale developments.

Cardinia local context - planning permit thresholds

In developing the policy and determining the appropriate planning triggers, a number of factors were considered, including:

- Cardinia's current development profile
- potential environmental benefits
- internal staff capacity and
- the need to remain consistent with ESD policies that have already been introduced by other Councils.

A detailed discussion on these matters, along with corresponding data, is included in the *Environmental Sustainable Development (ESD) Local Policy for Cardinia Shire Council, Background Report, 20 March 2023* (Background Report) which is provided as Attachment 1. This information has informed the drafting of the Cardinia Shire local ESD policy.

The Background Report also provides the:

- strategic justification for a Local ESD Planning Policy and draws on outcomes of targeted consultation of key Council policy and strategies that focus on actions to adopt and implement a local ESD planning policy
- background and context regarding: CASBE, ESD local policy, the SDAPP Framework and previous Advisory Committee and planning panels decisions
- assessment of the likely impact of the policy / threshold on Council, including resource implications for the Shire (based on an analysis of planning permit application data for the financial years of 2019 – 2020 (Year 1) and 2020 – 2021 (Year 2)).

Table 1: Proposed SDAPP Framework thresholds for Cardinia Planning Scheme (extract from the Background Report Attachment A).

Residential		Non-residential	
SDA	SMP	SDA	SMP
2 - 9 dwellings, or A building used for accommodation other than dwellings with a gross floor area between 100 square metres to 999 square metres.	10 or more dwellings, or A building used for accommodation other than dwellings with a gross floor area of more than or equal to 1000 square metres.	A building with a gross floor area between 300 square metres to 999 square metres (excluding outbuildings), or An extension to an existing non-residential building creating between 300 square metres to 999 square metres of additional gross floor area (excluding outbuildings)..	A building with a gross floor area of more than or equal to 1000 square metres (excluding outbuildings), or An extension to an existing non-residential building creating more than or equal to 1000 square metres of additional gross floor area (excluding outbuildings).
No. of applications*: 45	No. of applications*: 9	No. of applications*: 23	No. of applications*: 44
* = the average of the type of planning applications received over 2019 – 2020 and 2020 – 2021 (FY)			

Planning Scheme Amendment C278card

Amendment C278card proposes to introduce a Local Planning Policy into the Cardinia Planning Scheme to ensure that development achieves best practice in environmental sustainability, for development to achieve best practice in environmental sustainability from its design stage through to construction and operation.

Specifically, the proposed Amendment will:

- Introduce a new Clause 22.11 Environmentally Sustainable Development (ESD) into the Local Planning Policy Framework of the Cardinia Planning Scheme.
- Make minor changes to the Municipal Strategic Statement.

The amendment applies to all land in the Shire of Cardinia, where a planning permit is required for the development in accordance with the thresholds in the proposed local policy.

The full suite of the amendment documentation is provided Attachment 2 to Attachment 5.

Policy Implications

A series of Council adopted documents, all of which have been informed by community consultation envision a sustainable built environment in Cardinia.

Council Plan 2021–25 and Community Vision 2040

Council's Vision 2021 – 25 is identified as 'the unique identity of our urban, hills and rural areas is strengthened. We meet the challenges we face together as a community. How we respond balances the needs of our people, businesses, our productive land and natural environments'. The Council Plan identifies that tackling climate change and its impact on our

environment, economy, and people as one of our most significant challenges and opportunities.

Strategic Direction 3 – Thriving environments, requires the development of an Environmentally Sustainable Design Policy has been identified in Year 1 (2021-22) and the incorporation of the Environmentally Sustainable Design Policy into the planning scheme has been identified in Year 2 (2022-23).

Clause 21 Municipal Strategic Statement (MSS)

The strategic vision for the municipality is '*Cardinia Shire will be developed in a planned manner to enable present and future generations to live healthy and productive lives and to enjoy the richness of the diverse and distinctive characteristics of the Shire.*'

The proposed amendment responds to the vision, objectives and strategies of several sections throughout the MSS. Clause 21.02-8 Resource conservation identifies that the community needs to respond to climate change through strategies to reduce greenhouse gas emissions and the implementation of adaptation strategies to reduce vulnerability to projected future impacts of climate change. Three key areas for reducing the impact on the environment within the municipality are air, water and general waste.

Cardinia Shire Council Liveability Plan 2017-29 (Reviewed November 2021)

The Liveability Plan identifies that the natural environment, and managing the adverse impacts of climate change, is regarded as an underlying determinant of healthy and liveable neighbourhoods. All liveability domains are impacted by the adverse effect of climate change, which often exacerbates underlying community vulnerability. impacted by the adverse effect of climate change, which often exacerbates underlying community vulnerability.

Sustainable Environment Policy 2018-2028 (SEP) (June 2018)

(SEP) sets the direction for Council to create a more environmentally sustainable community and is the roadmap for the future direction of Council's environmental and sustainability strategies, plans and activities. The amendment supports SEPs position that the interactions between environmental issues of biodiversity, climate change, waste and water impact, and are impacted by all facets of Council plans, policies and actions.

- Other strategies and plans that were also reviewed include:
- Aspirational Energy Transition Plan 2014-24 (October 2014)
- Climate Change Adaptation Strategy 2022 – 33 (August 2022) .
- Enhanced Standard – Sustainable Buildings 2020-26 (April 2020)

Relevance to Council Plan

2.1 We support the creation of liveable spaces and places

2.1.3 Plan for housing diversity that meets community need, is affordable and delivers environmental sustainability, safety and healthy living outcomes.

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

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

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

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.

5.1 We practise responsible leadership

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

Climate Emergency Consideration

The development of a local ESD Policy and the incorporation of the ESD Policy into the Cardinia Planning Scheme will assist Council in responding to and addressing its legislative, state policy and local policy responsibility regarding climate change.

The ESD policy is a planning tool that will help strengthen the resilience and safety of communities by adopting a best practice environmentally sustainable development to help prepare for and respond to the impacts of climate change.

Consultation/Communication

The Background Report has been prepared in collaboration with several teams across Council.

A series of Council adopted documents, across several departments, all of which have been informed by community consultation envision a sustainable built environment in Cardinia. This also includes specific local policy clauses, incorporated documents and reference documents within the Cardinia Planning Scheme that also direct planning applications to consider and address ESD principles.

Once authorisation has been received from the Minister for Planning, the Amendment C278card documents will be exhibited to the public for a period one month. Exhibition will include a notice in the Government Gazette, Pakenham Gazette, and letters will be sent to the relevant authorities and adjoining Councils.

Individual letters will not sent to residents as this would have required a letter to be sent to every owner and occupier within the Shire and would have been a significant cost and resource burden to Council. It is also important to note, that the Minister for Planning has stated that 'there is now a broad degree of community acceptance of the need for ESD considerations, and the nature of those considerations, as well as acceptance of the benefits which flow from ESD design and construction techniques' ('Reasons for decision to exercise power of Intervention' (dated 8 October 2018) for GC110).

Financial and Resource Implications

Incorporating an ESD policy into the planning scheme does not trigger any additional planning permits and only applies to planning applications already required under other parts of the scheme. However, the proposed ESD policy will place additional workload regarding the assessment of planning applications. As part of Council 2023-2024 budget process, resourcing for an ESD Officer will be considered.

- Resourcing and any additional costs associated with the planning scheme amendment process are
- provided for by the current and proposed Planning Strategy budget.

Conclusion

There are currently 24 Victorian Councils have already gone through the process of incorporating a local ESD planning policy into the planning scheme, with 3 other Victorian Councils with active planning scheme amendments. On this basis, it is considered that the Victorian development community are aware of the policy.

A series of Council adopted documents, all of which have been informed by community consultation envision a sustainable built environment in Cardinia. This also includes specific local policy clauses, incorporated documents and reference documents within the Cardinia Planning Scheme that also direct planning applications to consider and address ESD principles.

In addition to this, 'tackling climate change and its impact on our environment, economy and people' is identified as one of our most significant challenges and opportunities in the *Council Plan 2021-25 and Community Vision 2040*. The Council plan identifies the development of an Environmentally Sustainable Design Policy (ESD Policy) as a Council priority (Year 1 2021 -22) and it requires that the ESD Policy be incorporated in the Cardinia Planning Scheme (Year 2 2022 - 23).

It is recommended that Council submit an application to the Minister for Planning seeking authorisation to prepare and exhibit Amendment C278card generally in accordance with the attachments to this report.

Resolution

Moved Cr Stephanie Davies, seconded Cr Jack Kowarzik.

That Council:

1. Resolve to seek the authorisation of the Minister for Planning under Section 8A(2) of the *Planning and Environment Act 1987* to prepare Amendment C278card to the Cardinia Planning Scheme to:
 - Insert a new Clause 22.11 (Environmentally Sustainable Development) into the Local Planning Policy Framework of the Cardinia Planning Scheme.
 - Amend clauses in the Municipal Strategic Statement (MSS) to reflect the introduction of Clause 22.11 (Environmentally Sustainable Development) generally in accordance with Attachments 1 to 5.
2. Authorise Council officers to make minor changes to the amendment as required, that do not change the overall intent of the amendment.
3. Subject to receiving the authorisation of the Minister for Planning, gives notice of Amendment C278card under section 19 of the *Planning and Environment Act 1987*.

Carried

6.2 General Reports

6.2.1 Appointment of Committee Members to Modella Hall Community Asset Committee

Responsible GM: Lili Rosic
Author: Helena Moloney

Recommendation(s)

That Council

Make the following appointments to the Modella Hall Community Asset Committee under Section 65 of the Local Government Act (2020):

- | | |
|--------------------|---------------------|
| • Matthew Osborne | President |
| • Kelvin Vistarini | Vice President |
| • Red Curtis | Secretary/Treasurer |
| • Lyn Pitman | General committee |
| • Michael Martin | General committee |
| • Greg Osborne | General committee |
| • Bev Barrett | General committee |
| • Don Barrett | General committee |
| • Roger Cromwell | General committee |
| • Isobel Campbell | General committee |
| • Joy Jenner | General committee |
| • Sophie Osborne | General committee |

Attachments

Nil

Executive Summary

This report seeks a Council resolution to appoint membership to the Modella Hall Community Asset Committee following a public meeting conducted by the Westernport 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 Tuesday 7 February 2023, the members detailed above were elected to be appointed by Council to the Modella 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 a 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 Modella Hall Community Asset Committee.

Resolution

Moved Cr Cr Kaye Cameron, seconded Cr Graeme Moore.

That Council

Make the following appointments to the Modella Hall Community Asset Committee under Section 65 of the Local Government Act (2020):

- Matthew Osborne President
- Kelvin Vistarini Vice President
- Red Curtis Secretary/Treasurer
- Lyn Pitman General committee
- Michael Martin General committee
- Greg Osborne General committee
- Bev Barrett General committee
- Don Barrett General committee
- Roger Cromwell General committee
- Isobel Campbell General committee
- Joy Jenner General committee
- Sophie Osborne General committee

Carried

6.2.2 Waste and Resource Recovery Strategy Action Plan and Future of Waste Update

Responsible GM: Peter Benazic
Author: Kerrie Lamble

Recommendation(s)

That Council:

- Note the significant achievements and completion of the initial Waste and Resource Recovery Strategy Action Plan (2017-21);
- Note the newly endorsed Waste and Resource Recovery Strategy Action Plan (2022-26);
- Note that planning for new service directions has commenced and will be further considered by Council through future reports;
- Note the Advanced Waste Processing project has now progressed to the tender phase, and
- Resolve that the Mayor will keep the community informed of key steps in the Advanced Waste processing project during future stages.

Attachments

1. 2022 End of Period Review [6.2.2.1 - 13 pages]
2. Waste and Resource Recovery Strategy Action Plan 2022-26 [6.2.2.2 - 7 pages]
3. Waste and Resource Recovery Strategy (2017-2026) - Adopted 2017-12-04 [6.2.2.3 - 72 pages]

Executive Summary

The Waste and Resource Recovery Strategy 2017-26 (WRRS) was adopted by Council on 11 December 2017 and provides a ten-year roadmap for the future direction of Council's waste and resource recovery services, waste related education and advocacy activities. It identifies the key issues facing the municipality, reflects community needs, and sets out a plan for how we can keep waste services efficient and effective, minimise waste to landfill and other impacts on the environment.

The associated Action Plans are designed to turn the strategic direction into achievable actions, identifying cross department collaboration opportunities, timelines and resources required to achieve each action.

The initial action plan, covering the first five years of the WRRS 2017-21 and its 39 actions is now complete. A new action plan, supporting the final years of the Council endorsed WRRS 2022-26 has been developed and endorsed on 5 October 2022. It comprises of 38 actions, builds on the successes of the first action plan and also considers how to plan and adapt to recent industry changes and State Government policies, particularly 'Recycling Victoria: A New Economy'.

The State Government policy 'Recycling Victoria: A New Economy' (RV) aims to address the urgent challenges that have caused disruptions to Victoria's recycling industry in recent years and makes fundamental changes to improve waste and recycling in Victoria. A number of actions relate to the state government and, industry, and some relate to the work of Councils.

RV integrates a number of reforms, including the Kerbside Reform which mandates requirements for a more standardised approach to household waste management, including a four-stream waste and recycling system, standard bin lid colours, standard acceptable items and diversion from landfill targets, all of which have been incorporated into this new Action Plan (2022-26).

Through this strategy, Council is continuing to work with other Councils, the State Government and industry to facilitate new infrastructure solutions and services to contribute to a more stable and resilient sector. Examples include the Advanced Waste Processing Project, that Council has been part of for many years, and Strategic Procurement of Recycling Processing Services.

Background

Initial Action Plan (2017-21)

Review of the 2017-21 action plan shows that all of the 39 actions have been implemented. Of these 17 are fully completed and 22 are completed with ongoing elements such as continuing programs or expanded services.

Some of the top achievements of this action plan include:

- Increasing the waste rebate program for compost bins and worm farms to \$50.
- Expanding the waste rebate program to include garden mulchers, reusable nappies and sanitary products, resulting in over 300 rebates processed in the 2021-22 financial year.
- Successful trial and introduction of regular green waste drop-off events, resulting in over 380 tonnes of green waste material recovered in the 2021-22 financial year.
- Expanding the existing garden waste bin service to include food waste, resulting in over 10,100 tonnes of material recovered in the 2021-22 financial year.
- Progressing the collaborative Advanced Waste Processing project to tender phase – which seeks to procure alternatives to landfill, and divert waste to landfill.
- Improving management of illegally dumped rubbish with the introduction of additional resources including investigation tape, postcards and flyers, web and social content, and successful inclusion of a Litter Prevention Officer, within the 2022/23 budget.
- Providing education and information on emerging or hot issues, including the State Governments e-waste to landfill ban and single use plastic bag ban.
- Investigation, development, tendering and contracting ultimately leading to the introduction of a bookable hard waste service, resulting in over 29,200 bookings in the 2021-22 financial year.

New Action Plan (2022-26)

The new action plan replaces the initial and now completed 2017-21 action plan, and covers the remaining years, 2022 to 2026, of the WRRS.

This new action plan comprises of 38 actions, listed under the broad categories of Recycling Victoria, Reducing waste, Green waste, Waste related education, Advocacy and leading the way, Compliance litter and Illegal dumping, Contracts and policy, Landfill rehabilitation, and Review. Many of the actions are to be delivered using existing resources within the Garbage Charge budget, however others will require resource considerations, particularly those related to Recycling Victoria's mandates and directions. Actions that include new service options will initially deliver a comprehensive plan. Full consideration of how Council will move forward with these, including community consultation, will be considered through these plans as separate

future reports. Where known, details of the financial and resource implications of each action are set out in the attached action plan.

The action plan reflects the ambitions and strategic direction of the WRRS, builds on the success of the initial action plan, but also considers more recent industry changes, incorporating a range of actions and requirements as outlined by the Victorian Governments Kerbside Reform, details below. This action plan brings both existing WRRS goals and new Victorian Government goals and requirements together into one practical document.

The future of waste

Council is working on a number of initiatives that will help facilitate better environmental outcomes and resilience within the waste and resource recovery sector. Some of these are set or led by State or Federal Government policy, and some are within Councils own WRRS.

Kerbside Reform

In 2018 China introduced the National Sword policy, which placed strict limits on the level of contamination China would accept in recovered materials. This caused widespread disruption to the global recycling market, with global prices plummeting and markets drying up.

China National Sword shone a spotlight on the fact that Victoria's major material recovery facilities lacked the capacity and capability required to process recovered materials to a standard that means they can be re-used locally or exported for re-use overseas. There were limited local markets for products, and therefore heavy reliance on overseas markets, where clear oversight was not transparent. The market crash saw many Victorian Councils, including Cardinia Shire Council, left with no option but to divert kerbside recycling to landfill for many months.

In response, the Victorian Government developed, 'Recycling Victoria: A New Economy', a policy and plan to address the urgent challenges within the industry and make fundamental change to prevent these issues from recurring. The policy integrates a number of reforms, including the Kerbside Reform, and outlines a vision for how materials and resources can be better used and managed.

The Kerbside Reform mandates requirements for a more standardised approach to household waste management within Victoria, including requirements for a four-stream waste and recycling service accessible to all Victorian households:

- combined food and garden organics,
- separate glass,
- combined paper, plastic, and metals; and
- residual waste.

Other requirements outlined in the reform include standardising bin lid colours and items accepted in each waste stream as well as establishing specific waste to landfill reduction targets, all of which have been incorporated into the WRRS Action Plan 2022-26.

The Victorian Government has provided initial funding to support councils in this transition allowing Council to employ a Waste Strategy Project Officer (WSPO) for 12-15 months. This role commenced in July 2022, with the first priority to develop this Action Plan (2022-26), which considers the existing WRRS and State Government led reforms and how these will pave the way for Cardinia's strategic direction over the coming years.

Over the next few years, Council will develop a detailed implementation plan, including conducting considerable benchmarking, seeking and collating expert industry advice, a cost benefit analysis, and community engagement. These initial tasks will help inform and further refine the details of the Kerbside Reform requirements, indicative costs, and corresponding

actions required by Council. Council will ensure the outcomes of this Kerbside Reform best suit the needs of our community, help to improve environmental impacts, while also ensuring consistency with state-wide service standards and associated education program.

Proposed draft kerbside reform timeline:

1. Council is anticipating that the completion of the red lid rubbish bin roll-out will occur in the 2023–24 Financial Year (item 2 in the action plan), meeting the reform requirement of standard bin lid colours. This is a priority action to improve and simplify communication and waste education messaging before larger, more complex changes are implemented.
2. Council has not yet set a date for the introduction of a universal Food and Garden waste service due to the current industry capacity issues but aims to have a comprehensive plan, including community consultation results in the coming years (item 3 in the action plan). The State Government has allowed until 2030 for this service to be provided. This is likely to align with the introduction of a separate glass service, allowing for efficiencies and savings during the tendering process and helping simplify communications with the community.
3. In the meantime, Council will promote and aim to increase the current opt-in service for food and garden waste, while continuing to support home composting solutions (item 12 & 13 of the action plan).
4. Council has not yet set a date for the introduction of a separate glass service but will have a comprehensive plan in the coming years (item 4 in the Action Plan). The State Government has allowed until 2027 for this service to be provided.
5. It is recommended to wait until the Container Deposit Scheme is introduced (by 2023) to understand how this may impact glass recycling (item 5 in the action plan), as well as waiting for State Government to finalise and publish the new Service Standard which includes performance standards for council waste services and acceptable items for each stream, expected mid-late 2023.

Advanced waste processing

Council's adopted Waste and Resource Recovery Strategy 2017-2026 included an action for Council to work with the State Government (formerly Metropolitan Waste and Resource Recovery Group) to procure alternatives to landfill beyond 2021. This work has been a priority for many years, driven by the impending closure of the only remaining landfill in the south east metropolitan area, and a desire for better environmental and social outcome than long haul transporting and landfilling for the future. Advanced waste processing technologies are utilised extensively in advanced regions in Europe, the US, and Asia, as a safe, trusted and reliable infrastructure solution to complement other Resource recovery systems, achieving good diversion from landfill outcomes.

This collaborative procurement project, involving 8 Councils, and supported by the Victorian Government has now hit a key milestone, with a tender process underway. Following a comprehensive expression of interest evaluation process in 2020, three respondents were shortlisted and the project team has been working closely with them to develop detailed solutions that meet the objectives of the project.

The shortlisted respondents are all highly experienced with delivery and management of these facilities internationally. A contract is planned to be awarded by late 2024.

Advocacy

Council holds an advocacy role to ensure to specific needs of Cardinia Shires community are represented, to the State and Federal Governments, Industry, Municipal Association Victoria and other Councils. Council actively works in networks and collaborative groups that discuss

and advocate on topics such as Dumped and Litter Management support, Container Deposit implementation, support for Waste Infrastructure (particularly Recycling Processing), and Circular Economy opportunities. This strategy will support Council continuing to explore opportunities for circular economy practices within its own operations- recent examples include the use of recycled content materials within road bases and other infrastructure projects.

Policy Implications

The Action Plan (2022-26) plays a high-level role to guide the direction and resource allocation for Councils Waste Management Services team over the coming years. It is a key document in a suite of strategic documents and articulates the implementation of strategy and policy that has been determined by Council.

Formalising this Action Plan will ensure Cardinia Shire continues to meet the needs and expectations of our community, fulfilling the commitments made within the WRRS as well as the Council Plan priorities (2.1, 3.2 & 5.4). The Action Plan will also ensure we are meeting the requirements outlined in the Victorian Governments, 'Recycling Victoria: A New Economy', policy and plan.

This new Action Plan (2022-26) also delivers on the Council Plan (2021- 25) initiative; "Develop the next five-year action plan for the Waste and Resource Recovery Strategy".

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.

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.

5.1 We practise responsible leadership

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

Climate Emergency Consideration

At the September 2019 Council meeting, Council resolved to declare a climate emergency. In addition to this, the Recycling Victoria transition to a more circular economy, outlines the need to reduce our reliance on landfill, while also effectively managing our waste and minimising our impact on the natural environment.

With a growing population and the increased waste produced as a result, Council will engage and communicate upcoming service changes to the community while also continuing educating on the importance of reducing and correctly disposing of waste to gain maximum recovery and minimise littering and dumped rubbish in the environment. As such, this action plan is essential in managing these changes and enable us to meet waste reduction targets set by the Recycling Victoria.

The Victorian Governments Kerbside Reform will substantially improve the value of materials recycled in Victoria. For example, Recycling Victoria in their 10-year strategic policy and plan has estimated that separating glass from other materials could increase the value of recycled

glass, plastic, paper and cardboard by up to \$210 million annually. It is also estimated that by providing all Victorian households with access to a combined food and garden waste service we could divert a significant amount of organic waste from landfill each year and significantly reduce greenhouse gas emissions associated with disposing of organic waste in landfill.

Advanced Waste technologies in place of current Landfill services will also contribute to climate change action by reducing greenhouse emission from landfill, and potentially generating electricity.

Consultation/Communication

Initial consultation

As part of the WRRS development in 2017, Council engaged a contractor to undertake an initial survey of 700 residents to gain an insight into their thoughts and priorities in relation to waste

management issues and future options. This survey was undertaken in July 2016 and helped shape the WRRS.

Internal Council teams were also consulted at the time of the WRRS development, to open conversations and identify collaboration opportunities. Relevant neighbouring Councils were engaged, as well as service providers. Consultants also met with the Local Government Forum Representative to discuss key issues and concerns.

The findings from this engagement were used along with the data, identified trends and issues, learnings and opportunities from industry, legislative requirements and other feedback to develop the WRRS and the initial Action Plan (2017-21).

Current consultation

Many actions within this plan are a continuation of the previous action plan and align with the WRRS intent and direction. However, the waste industry has undergone significant change in the last five years and this action plan will help to realign Council objectives, incorporating new actions required by the Victorian Government's 'Recycling Victoria: A New Economy', policy and plan, categorised in the action plan as Recycling Victoria.

Internal Council teams identified in this action plan including Communications and Engagement, Active and Connected Communities, Festivals and Events, Compliance Services and Learning and Organisational Development, have been consulted throughout August and September 2022.

Future consultation

Future community consultation is planned for a number of actions included in this plan, particularly related to service changes, level of engagement pending the final publication of RV's Service Standards. Actions as they appear in the action plan are consistent with the requirements for the Victorian Government's 'Recycling Victoria: A New Economy' policy and plan. Many of these are mandated service changes. Specific details in how these will be implemented, the costs, and processes will be determined as we work through the actions. The planning and implementation will be guided by data, expert industry advice and best practice. Community communication and engagement will be key in understanding our particular communities concerns, level of support required and to achieving community buy in for any proposed changes and options.

Financial and Resource Implications

Details of the financial and resource implications for each individual actions are set out in the Action Plan (2022-26). Many of the ongoing actions are already covered by the Garbage charge, so will have minimal additional costs.

Some actions, particularly those related to Recycling Victoria's kerbside reform, will have significant resource implications, which will be more understood as we identify and plan out

the new services. Some of these services will require new bin infrastructure, ongoing enhanced (and more expensive) service costs, once off implementation costs, increased communication and engagement and likely project management costs to manage these changes. These will be unknown until the planning occurs and would be considered by Council as part of individual reports and/or budget processes.

Conclusion

This report seeks to inform Council on the recent completion of the initial WRRS Action Plan (2017-21), the scope of the new WRRS Action Plan (2022-26) and future strategic direction and upcoming priorities for the waste services area.

Resolution

Moved Cr Jack Kowarzik, seconded Cr Stephanie Davies.

That Council:

- Note the significant achievements and completion of the initial Waste and Resource Recovery Strategy Action Plan (2017-21);
- Note the newly endorsed Waste and Resource Recovery Strategy Action Plan (2022-26);
- Note that planning for new service directions has commenced and will be further considered by Council through future reports;
- Note the Advanced Waste Processing project has now progressed to the tender phase, and
- Resolve that the Mayor will keep the community informed of key steps in the Advanced Waste processing project during future stages.

Carried

6.2.3 Finalization of Special Charge Scheme – Princess-Crichton Catchment

Responsible GM: Peter Benazic
Author: Nicole Alvares

Recommendation(s)

That Council having declared a special charge on 19 July 2021, for the purposes of partially recovering the expenses incurred by Council in relation to the survey, design, and construction of Princess Avenue and Crichton Road, Emerald, including a sealed road pavement, kerb and channel and associated drainage and ancillary works:

1. Adopt a final scheme cost of \$890,329.30, which is 8% less than the estimated scheme cost \$972,900 on which the scheme was declared.
2. Note that a fixed charge of \$7,000 per benefit unit was declared on all included properties within the scheme area in accordance with attachments 2 and 3 to this report.

Attachments

1. Scheme Process Chart [6.2.3.1 - 1 page]
2. Plan of Scheme Area [6.2.3.2 - 1 page]
3. CONFIDENTIAL - Updated Apportionment Table [6.2.3.3 - 1 page]

Executive Summary

Council declared a special charge to fund portion of the cost of constructing Princess Avenue and Crichton Road, Emerald on 19 July 2021.

The estimated cost of the works at the time of declaration was \$972,900 with \$70,000 property owner contribution based on \$7,000 per benefit unit and \$902,900 Council contribution, to be funded from the Australian Government grant.

The actual cost of the works following construction plus 15% to cover survey, design and administration costs totalled \$890,329.30. The amount recovered from property owners, based on the fixed amount of \$7,000 per benefit unit remains at \$70,000, therefore Council's contribution decreases to \$820,329.30.

Background

The Princess-Crichton catchment that includes Princess Avenue and Crichton Road, Emerald was 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 12), 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.

Following the survey of the property owners, where 90% of the responses received indicated support for the scheme, Council resolved to issue a notice of decision to declare a special charge on the included properties at its' Council meeting on 17 May 2021. The scheme was subsequently declared by Council, following the required advertising and 28-day submission period at the Council meeting on Monday, 19 July 2021.

The scheme construction works are now complete, with practical completion being issued on Tuesday, 26 July 2022.

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 the previous *notice of decision* report presented to Council on 17 May 2021. 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

Extensive consultation was undertaken with the affected property owners, including a formal questionnaire that revealed majority property owner support for the scheme, prior to Council determining to proceed with the special charge scheme legislative process as outlined in Section 163 of the *Local Government Act 1989*.

Council resolved to issue a notice of decision to declare the scheme at its Council meeting 17 May 2021. Property owners were then sent a letter and advertisements outlining the proposal placed in the Pakenham Gazette and Hills Trader, providing owners with the opportunity to make a submission or objection within the prescribed 28-day period. Council declared the scheme at its meeting on 19 July 2021.

A satisfaction survey was undertaken to all property owners after works complete, revealing overall high satisfaction to special charges scheme information provided during the entire process.

Financial and Resource Implications

The scheme funding arrangements are as outlined in Table 1.

Table 1. Preliminary estimated cost of project

Original estimated cost of scheme	\$972,900.00
Actual cost of the project	\$890,329.30
Adjusted Council contribution	\$820,329.30
Benefiting property owner contribution	\$70,000.00

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

The Australian Government \$41M grant (reduced from \$150M in Jan 2023) 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

That Council note:

1. The actual cost of the scheme works is \$890,329.30, which is 8% less than was originally estimated. This means that Council's contribution to the scheme decreases by \$82,570.70.
2. The property owner contribution to the scheme remained fixed at \$70,000 based on the capped contribution amount of \$7,000 per benefit unit, as outlined in attachment 3 to this report.

Resolution

Moved Cr Jeff Springfield, seconded Cr Collin Ross.

That Council having declared a special charge on 19 July 2021, for the purposes of partially recovering the expenses incurred by Council in relation to the survey, design, and construction of Princess Avenue and Crichton Road, Emerald, including a sealed road pavement, kerb and channel and associated drainage and ancillary works:

1. Adopt a final scheme cost of \$890,329.30, which is 8% less than the estimated scheme cost \$972,900 on which the scheme was declared.
2. Note that a fixed charge of \$7,000 per benefit unit was declared on all included properties within the scheme area in accordance with attachments 2 and 3 to this report.

Carried

6.2.4 Extension of the Construction of Urban and Rural Roads Panel

Responsible GM: Peter Benazic
Author: Peter Quigley

Recommendation(s)

That Council:

1. That Council approve the extension of CT20-10 Construction or Urban and Rural Roads for three (3) years, expiring 14 April 2026.
2. Extend current delegated authority to the CEO to accept tenders for contracts associated with relevant capital works delivered under this panel.

Attachments

Nil

Executive Summary

The establishment of the Construction of Urban and Rural Roads Panel has enabled the procurement process for construction to be streamlined and thus enabling continuity of works and the ability of contractors to take advantage of quick response to tie down supply prices.

This process is proving to be very effective in the Capital Works area.

Background

Expressions of Interest were sought for the establishment of a panel of Construction Contractors for the federally funded 'Sealing of Unsealed Roads in the Dandenong Ranges and Surrounds', Council's Strategic Roads Program, Intersection Construction and Councils Capital Works programs to:

- streamline procurement across the Community Infrastructure Delivery team,
- ensure Cardinia has access to competitively priced construction contracts throughout the life of the Better Local Roads and other capital works programs, and
- ensure compliance with councils Procurement Policy relating to the public tender of works for procurement of services.

The contract focused on the establishment of a panel of contractors for construction of works as part of these programs.

That report of 14 April 2020 provided consideration for the establishment of a panel of Contractors to undertake road construction works required under these three programs and Councils capital works program for a period of three (3) years with extension options of three (3) years and four (4) years.

The contractors in this panel are invited to tender for selected works based upon ability, experience and availability to satisfactorily complete projects on behalf of the community.

Previous work under this contract has included the following delivered projects:

1. Construction of Main Drain Rd
2. Construction of Boundary Drain Rd
3. Construction of McGregor/Soldiers/Hobsons Rds
4. Construction of LL & Armytage Rds
5. Construction of Beaconsfield Emerald Rd widening
6. Construction of Princes & Chrichton Ave
7. Construction of Station St/Anzac Ave/Heros Ave
9. Construction of Beenak East Rd
10. Construction of Armstrong Rd
11. Upgrade of Princes Hwy/Glismann Road intersection
12. Upgrade of Princes Hwy/O'Neil Road intersection

Current projects under this contract:

1. Construction of Andrews Crt and Christians Ave
2. Construction of Gembrook Rd Service Rd/Redwood Rd/ Blackwood Lane
3. Construction of Caroline Ave/Boronia Cres
4. Construction of Naughton Ave/Carawa Ave
5. Upgrade of Timbertop Blvd/Pink Hill Blvd intersection

Policy Implications

The establishment of the Contractors panel has ensured compliance with councils' procurement policy.

Relevance to Council Plan

5.1 We practise responsible leadership

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

The establishment of the contractors panel is greatly assisting Council's capacity to deliver new infrastructure projects in relation to the construction programs in accordance with Councils policies and guidelines.

Climate Emergency Consideration

The Contractors Panel has established a mechanism to enable Council Officers to engage with Contractors to deliver cost effective projects with consideration to the use of recycled materials.

Consultation/Communication

Internal assessments are undertaken to identify the ability, experience and availability of contractors required to satisfactorily complete projects on behalf of the community.

Financial and Resource Implications

The selection of contractors to submit tenders for any particular project is based on capacity, capability and availability of the contractor, as well as price, and subject to relevant program budgets.

It is recommended that Council extend the current delegated authority to the CEO to

authorise contracts and works associated under this panel.

Conclusion

It is recommended that CT20/10 - Construction of Urban and Rural Roads Panel be extended for a period of three (3) years with a final optional extension of four (4) years and all relevant delegations be extended for this period.

Resolution

Moved Cr Davies, seconded Cr Moore.

That Council defer this item for consideration to the April Council Meeting.

Lost

Cr Springfield Foreshadowed the Officer's recommendation.

Moved Cr Springfield, seconded Cr Kowarzik.

That Council:

1. That Council approve the extension of CT20-10 Construction or Urban and Rural Roads for three (3) years, expiring 14 April 2026.
2. Extend current delegated authority to the CEO to accept tenders for contracts associated with relevant capital works delivered under this panel.

Carried

6.2.5 Sealing the Hills Advocacy Update

Responsible GM: Peter Benazic
Debbie Tyson
Author: Shae Hansen

Recommendation(s)

That Council:

- Formally acknowledge the advocacy efforts of the Cardinia Shire community
- support the Sealing the Hills petition number EN4785 that closes March 8
- publicly note the petition numbers

Attachments

Nil

Executive Summary

Formally acknowledging the advocacy efforts of our community will support our councillors to be informed when discussing the matter within the community and display a united front when having conversation with members of both state and federal government.

Background

In 2019 Council received \$150 million from the Australian Government to seal 109km of unsealed roads in our hill's communities.

The project received bipartisan support with commitments made by both the Labor and Liberal parties.

In July 2022, Council wrote to The Hon. Catherine King formally requesting confirmation that the project would continue under the newly elected Government. We did not receive a reply. Council identified that the 'Sealing the Hills' project was not detailed in the Australian Government's revised budget in October 2022.

Immediate clarification was sought about the future of funding status, and a letter was written to the Prime Minister in November 2022.

Our Mayor, councillor Tammy Radford, and David Fice, Manager of Community Infrastructure Delivery, travelled to Canberra on Monday, November 28, 2022, to meet with The Hon. Catherine Kings, Chief of Staff, to discuss the progress of this project. Councillor Jim Childs, the Mayor of Yarra Ranges, also attended this meeting.

In partnership with Yarra Rangers Council, we have made a submission to the Australian Government budget process. The Budget will be handed down in May.

In early 2023 both councils received official confirmation of the funding cuts. We have written a letter of reply to the Hon. Catherine King urging her to reconsider this decision (Attachment A) and have continued to advocate to the Australia Government to have the funding reinstated in its entirety.

The community have relied together to petition the Australian Governments, this petition will be tabled in the Australian Parliament and is asking the house to urgently reconsider any decision made by the Albanese Labor Government to discontinue funding for these imperative initiatives.

The petition can be found on the Australian Parliament website <https://www.aph.gov.au/e-petitions/petition/EN4785>

Policy Implications

Nil.

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.

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

Climate Emergency Consideration

Leaving the unsealed road network in its current condition will continue to create drainage, dust and other environmental concerns.

Consultation/Communication

The 'hills' communities have been heavily consulted regarding the 'Sealing the Hills Program' and it has received overwhelming support

Financial and Resource Implications

The loss of the funds previously promised has serious financial impacts and the Councils budget

Conclusion

It is respectfully requested that our Councillors consider acknowledging the hard work of our community members who are advocating strongly to the Australia Government to have the decision to discontinue funding from the Sealing the Hills initiative reversed and they note the petition and its final numbers.

Resolution

Moved Cr Brett Owen, seconded Cr Jeff Springfield.

That Council:

- Formally acknowledge the advocacy efforts of the Cardinia Shire community
- support the Sealing the Hills petition number EN4785 that closes March 8
- publicly note the petition numbers

Carried

6.2.6 Pakenham District Basketball Association - Transition Plan

Responsible GM: Lili Rosic
Author: Michael Casey

Recommendation(s)

That Council support transitioning the domestic basketball competition at Cardinia Life to the Pakenham District Basketball Association (PDBA) from April 2023.

Attachments

Nil

Executive Summary

The domestic basketball competition at Cardinia Life has been managed by Council through the major facilities contract.

The Pakenham District Basketball Association (PDBA) was required to meet a list of criteria and develop several plans and policies explaining how the PDBA would manage all facets of the domestic basketball competition prior to transition from Council. The PDBA were required to develop the following:

- Strategic plan
- Transition Plan
- Business Plan
- Cash Handling Policies
- Financial Management Policy
- Gender Equality and Child Safe Standards Polices
- Debit Card Purchasing Policy
- Referee Payment Policy

The PDBA have been proactive, and worked cooperatively with Council, with the goal of transitioning the domestic basketball competition at the start of the winter season (April 2023).

As of October 2022, the PDBA's conduct has been commendable, and they have completed and submitted all required documentation.

Background

At a Council Briefing on 3 May 2021, officers presented the history of management of the domestic basketball competition at Cardinia Life.

Since that time, the PDBA have established a board, recruiting board members with a wide-ranging skills and experience, and have been proactive working with Council to position themselves to assume management of the domestic basketball competition.

Officers have liaised with Aligned Leisure and consulted regularly with the PDBA and Basketball Victoria regarding the proposed transition, and officers believe the PDBA are ready and able to accept management of the domestic basketball competition.

To reach this point the PDBA were required to meet a list of criteria as supported by Councillors at the briefing session in May 2021. The criteria required the PDBA to:

- Provide a business plan to effectively manage the competition and operate a referee program, including referee development, rostering, and payment.
- Implement a cashless payment system.
- Develop and implement a safe cash handling procedure.
- Deliver the 'Aussie Hoops' program.
- Develop and implement a gender equality policy.
- Provide a strategic plan including policy direction on multi-cultural inclusion, female inclusion, and access/inclusion for all ages and abilities.
- Develop a transition plan.

Working with Council, other basketball associations and Basketball Victoria, the PDBA have developed strategic and business plans, implemented cashless payment systems, and provided Council with a range of policies guiding their operation.

Management of the domestic basketball competition (junior and senior basketball) include referee development, rostering, and payment. The PDBA have been undertaking these referee responsibilities for the past season.

The PDBA already do, and will continue, to manage all elements of the representative basketball program.

Council will continue to support the PDBA throughout the transition period.

Following the establishment of a Board the PDBA have worked cooperatively with Council to put themselves in the position to transition the domestic basketball competition. Performance indicators have been established. The PDBA have been open to feedback and have looked to partner with Council on potential projects and future planning.

Pending Council support, the final step of this process will be to execute a primary tenants lease with the PDBA. It will outline responsibilities for the management of the competition/hiring facilities, performance reporting, fees & charges, scheduling, conflict resolution and governance requirements.

Policy Implications

N/A

Relevance to Council Plan

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

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

5.1 We practise responsible leadership

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

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

Climate Emergency Consideration

N/A

Consultation/Communication

Consultation has been ongoing between Council, PDBA, Aligned Leisure and Basketball Victoria for the past 6 years.

Risk Assessment

N/A

Financial and Resource Implications

The cost of transitioning the domestic basketball competition from Council to the PDBA has been built into the budget for the major facilities contract as part of the contract extension.

Conclusion

The domestic basketball competition at Cardinia Life is managed by Council, via the major facilities contract.

The PDBA were required to meet criteria set by Council before considering any transition. Those criteria have now been met. The PDBA have established a Board with new members, and they have worked proactively with Council.

It is proposed that the management of the domestic basketball competition at Cardinia Life transition to the PDBA from the commencement of the 2023 winter season (April 2023).

Resolution

The report has been deferred by Officer's until the April Council Meeting.

6.2.7 Koo Wee Rup Region Feasibility Study Outcomes

Responsible GM: Lili Rosic
Author: Caroline Gillies

Recommendation(s)

That Council:

- Notes the Koo Wee Rup Feasibility Study, and infrastructure required in the region to facilitate access to 3- and 4-year-old kindergarten in accordance with the State Government's Best Start Best Life reforms.
- Advocates to the State Government to fully fund and deliver a two-room kindergarten facility at Koo Wee Rup Primary School by the commencement of the 2024 school year.
- Delegates authority to the CEO, and her delegate, to negotiate the terms of the Heads of Agreement associated with the new facility on the school site.

Attachments

Nil

Executive Summary

Council is supporting early years kindergarten service providers operating from Council's facilities to implement the state government's 3-year-old kindergarten reform of 15 hours of free kindergarten per week for all 3-year-old children by 2029. In 2022, the State Government introduced further reforms, Best Start Best Life reforms, which includes free 3- and 4-year-old kindergarten from 2023, and the introduction of "Pre Prep" as 30 hours per week for 4 year old kindergarten to commence in Cardinia from 2032.

A Kindergarten Infrastructure and Services Plan was completed in 2021, which identified the need to increase service capacity in the Southern Region of the municipality. A feasibility study for the Koo Wee Rup Region (incorporating the townships of Koo Wee Rup, Lang Lang and Bayles) was completed late-2022, to assist Council to identify the current and future kindergarten infrastructure needed to service the region.

The feasibility study identified that in the KWR region, a new kindergarten facility will be required by 2024, and upgrades to Council's existing kindergarten facilities will be required in subsequent years to implement the Best Start Best Life reforms and policy and enable all 3- and 4-year-old children to attend kindergarten. Significant funding will be required to facilitate the delivery of the infrastructure.

Council officers have commenced conversations with the Department of Education and Training to design and deliver a modular-constructed Kindergarten on School Site (KOSS) at Koo Wee Rup Primary School to meet demand in 2024. The DET has advised officers that to proceed with the delivery of this modular unit, a Heads of Agreement detailing Council's commitment to lease and oversee operations of the facility must be signed. The Heads of Agreement stipulates that Council contributes to the loose item fit-out of the facility, manages central enrolment/registrations and oversees responsibility of maintenance of the facility for the life of the lease. It is proposed that the CEO, or her delegate, negotiates the terms of the

Agreement. It is intended that council's responsibility is limited to including the new facility in its central enrolment/kindergarten bookings program and that the state government fully funds the modular facility including the maintenance and fit out.

A further report on the significant capital upgrades that will be required across the Shire and the financing and funding that will be required from the state government to deliver the kindergarten Best Government Best Start Best Life reforms will be presented to Council at a future meeting. Council officers estimate that approximately \$64M will be required to deliver the 3-year-old kindergarten reform. The cost to deliver the 4-year-old kindergarten reform is still being determined and expected to be a similar cost.

Background

In 2018, the State Government announced the introduction of 3 year old kinder reform, commencing with a minimum of 5 hours per week in 2021 and increasing to 15 hours per week by 2029. In order to plan for the rollout of 3 year old kinder, each Council has a Kindergarten Infrastructure and Service Plan (KISP), which was prepared in partnership with Council and the Department of Education and Training. In 2022, the State Government introduced further reforms through the Best Start Best Life reforms, which includes free 3- and 4-year-old kindergarten from 2023 and the introduction of "Pre Prep" as 30 hours per week for 4-year-old kindergarten.

Cardinia's KISP identified the need to increase service capacity in the Southern Region of the municipality, namely around Koo Wee Rup, Lang Lang and Bayles which currently consists of three separate kindergarten facilities.

Enrolment trends over the past few years have demonstrated that service demand is increasing faster than anticipated by the KISP. The latest Best Start Best Life reforms are and will continue to impact service demand in the Koo Wee Rup Region.

A Feasibility Study of the Koo Wee Rup Region (incorporating the townships of Koo Wee Rup, Lang Lang and Bayles) was completed in late-2022, to assist Council to understand the current and future kindergarten facility requirements in the region to deliver the Best Start Best Life state government policy. The study also included a condition assessment of the existing kindergarten facilities.

This KWR region has three Council owned Kindergarten facilities and two private, for-profit childcare centres. To the north of the Koo Wee Rup Region there are a further three Council Kindergartens and two private for-profit childcare centres located in the rural townships of Bunyip, Garfield and Nar Nar Goon.

There are currently an equivalent of 2.8 Council kindergarten rooms (Koo Wee Rup, Lang Lang and Bayles) across the region which is based on 30 licenced places per room. The feasibility study identified the following increased capacity is required to meet demand:

- A total of 4.3 kindergarten rooms are required by 2024 to meet current demand based on an offering of 15 hours of funded kindergarten for both 3 and 4 year olds. This is projected to grow to a total of 5.1 kindergarten rooms by 2029 when the 3 year old reform is required to be fully implemented.
- With the roll out of the 30 hours of 4 year old kindergarten reform required to be implemented by 2032, a total of 8.2 total rooms will be required across the region.
- The peak in 3 and 4 year old population is not expected to be reached until 2040 where an equivalent of 9.2 rooms will be required. It will be extremely difficult to meet this demand without significant funding from the state government. How the private

sector will respond to this increased demand is unknown at this time. Families not requiring lengthy days of child care may prefer to attend a free sessional kindergarten service rather than pay child care fees.

The feasibility study recommends the following sequencing of works to meet capacity demand for the region as part of the reform:

1. Urgent and immediate delivery of a new modular-construction kindergarten in Koo Wee Rup township to meet local needs
2. Delivery of additional kindergarten room in the Lang Lang township, with the most appropriate, cost effective option determined as a new 2 room kindergarten facility at an existing Council owned site by 2025/26.
3. Redevelopment of the existing Koo Wee Rup kindergarten and MCH facility into a 2-3 room integrated facility by 2026/27
4. Delivery of minor improvements at the Bayles kindergarten facility to address building accessibility, compliance and condition/maintenance issues by 2027/28.

These works are not committed and significant funding will be required to build this infrastructure.

A modular dual room Kindergarten on School Site (KOSS) delivered on the Koo Wee Rup Primary School site by 2024 is considered the preferred option to address the immediate capacity shortfall, noting Koo Wee Rup is experiencing the greatest demand within the region.

The feasibility study also found that the three existing kindergartens in the KWR region will require significant upgrades to meet contemporary building regulations, kindergarten regulations and child safe standards. Additionally, significant early years infrastructure redevelopment will need to occur in both Koo Wee Rup and Lang Lang before the completed roll-out of the state government's Pre-Prep reforms, enabling all 4-year-old children to attend 30 hours of funded kindergarten by 2032.

It is proposed that council advocate to the Department of Education and Training (DET) to fully fund and deliver a modular-constructed two-room facility by 2024. Council officers have commenced conversations with the DET to investigate the feasibility of a modular Kindergarten on School Site (KOSS) at Koo Wee Rup Primary School. Initial siting and planning investigations are underway to assess vegetation, drainage and site level issues. At this stage, this site remains the most viable option to deliver a long-term solution for kindergarten in Koo Wee Rup.

Council officers have been advised that where the DET provides a modular kindergarten facility on a school site, Council is required to contribute funding to the fit-out of the facility, as well as ongoing operations and maintenance for the life of the lease. It is proposed that the CEO, or her delegate, negotiates the Heads of Agreement and that council's contribution is limited to including the new facility in its central enrolment program.

The delivery of the modular kindergarten will enable the immediate shortfall in kindergarten places within the region to be alleviated and facilitate 3- and 4-year-old children within the region to access kindergarten in 2024, in accordance with the Best Start Best Life reforms.

Policy Implications

This work aligns the following Cardinia Shire Council documents:

- Child Youth and Family Strategy 2017-2021
- Liveability Plan 2017-2029
- Asset Management Policy 2018

- Kindergarten Central Registrations Policy and Procedures 2022

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.

Climate Emergency Consideration

Any capital works projects will consider sustainable design options.

Consultation/Communication

In developing the KWR feasibility study, workshops were conducted with external stakeholders to gain a better understanding of specific issues and social trends at a local level that impacts on demand for early years services.

Stakeholders engaged included the following:

- Bestchance – Early Years Manager for the three existing kindergartens, where consultation included management staff and educators
- Westernport Childcare – Private Long Day Care Provider in Koo Wee Rup and Lang Lang
- Koo Wee Rup Regional Health Service
- Local primary schools
- Parents and carers of children registered for kindergarten in the Koo Wee Rup Region (current and future enrolments, identified through Cardinia Shire's Central Registration and Enrolment Scheme)

Financial and Resource Implications

Delivery of the Best Start Best Life reforms will require significant capital investment. An immediate infrastructure solution is required to meet demand for kindergarten in the KWR region. While the Department of Education are willing to fund the \$2.5m - \$3m for the design and construction of the facility, there is an expectation that Council contributes to the fit-out of a facility, as well as the ongoing operation and maintenance of the facility. This is estimated at a minimum \$170,000-\$200,000 for fit-out, and approximately \$6,500 - \$7,000 per annum for operations and maintenance, some of which can be recuperated.

Furthermore, additional kindergarten infrastructure (new and upgrades) will be required within the Koo Wee Rup region and across the Shire to accommodate future demand, and to meet contemporary building regulations, kindergarten regulations and child safe standards.

In a rate capped environment, to fully fund the additional financial resources required to transform Council's aged kindergarten buildings into contemporary facilities, able to support implementation of the State Government's Kindergarten Expansion Reform is beyond Council's financial capacity. Funding will be sought from the State Government to deliver these reforms.

Conclusion

The Koo Wee Rup Region Feasibility Study outlines the current and projected shortfalls in kindergarten places across the region over the next 20 years

Advocacy to the State Government to fully fund and deliver a two-room kindergarten facility at Koo Wee Rup Primary School by the commencement of the 2024 school year is

recommended. It is proposed that the new facility is included in Council's Central Enrolment Program to facilitate families to access 3- and 4-year-old kindergarten.

Resolution

Moved Cr Kaye Cameron, seconded Cr Collin Ross.

That Council:

- Notes the Koo Wee Rup Feasibility Study, and infrastructure required in the region to facilitate access to 3- and 4-year-old kindergarten in accordance with the State Government's Best Start Best Life reforms.
- Advocates to the State Government to fully fund and deliver a two-room kindergarten facility at Koo Wee Rup Primary School by the commencement of the 2024 school year.
- Delegates authority to the CEO, and her delegate, to negotiate the terms of the Heads of Agreement associated with the new facility on the school site.

Carried

6.2.8 Motions for ALGA National General Assembly and MAV State Council Meeting

Responsible GM: Debbie Tyson
Author: Doug Evans

Recommendation(s)

That the following motions be submitted to the forthcoming Australian Local Government Association National General Assembly to be held on 13 – 16 June

- The National General Assembly calls on the Australian Government to advocate on behalf of candidates and Councillors for additional resources and powers, inclusive of increased penalties, for the eSafety Commissioner and other relevant bodies to address online bullying, harassment and trolling of candidates and Councillors on social media platforms, including but not limited to:*
 - Expanding the authority of the eSafety Commissioner to remove online abuse on online service provider platforms which would either fall under the current threshold of content with the 'intent of causing serious harm' or under a new threshold of 'unintentionally causing serious harm';*
 - Work with local governments to develop specific support and social media management programs available for candidates and Councillors through the eSafetywomen program in the lead up to the next elections across Australia*
- This National General Assembly calls on the Australian Government to conduct a review into the funding mechanism that addresses financial vulnerability and wellbeing nationally and establish a dedicated fund that councils can access to address the financial vulnerability and wellbeing within communities.*

That the following motions be submitted for consideration at the Municipal Association of Victoria State Council meeting being held on Friday 19 May, and it be noted that due to the deadline for lodgement of such motions that they have already been submitted to the MAV.

- That the MAV advocate to the Minister for Local Government to amend the Local Government (Planning and Reporting) Regulations to not require reimbursements of childcare costs or expenses incurred by a Councillor who is a carer in a carer relationship as a reported expense item in the Annual Report or elsewhere published."*
- That the MAV advocate on behalf of candidates and Councillors for additional resources for the eSafety commissioner, local government inspectorate and other relevant bodies to address online bullying, harassment and trolling of candidates and Councillors on social media platforms, including but not limited to:*
 - Expanding the authority of the eSafety Commissioner to remove online abuse on online service provider platforms which would either fall under the current threshold of content with the 'intent of causing serious harm' or under a new threshold of 'unintentionally causing serious harm';*
 - Work with local governments to develop specific support and social media management programs available for candidates and Councillors through the eSafetywomen program in the lead up to the 2024 elections.*

3. *That the Municipal Association of Victoria calls on the Federal Australian Government on behalf of Victoria to conduct a review into the funding mechanism that addresses financial vulnerability and wellbeing nationally and establish a dedicated fund that councils can access to address the financial vulnerability and wellbeing within communities*

Attachments

1. Proposed Motions ALGA and MAV Kingston [6.2.8.1 - 4 pages]

Executive Summary

This report provides details of the lodgement of motions for both the Australian Local Government Association National General Assembly and Municipal Association of Victoria State Council meeting.

Background

The motions regarding online bullying, harassment and trolling of candidates and Councillors on social media platforms and the requested amendment to the Local Government (Planning and Reporting) Regulations are being led by Kingston City Council who are seeking the support of other Councils to also submit the same motions to indicate support for the proposals. Attached is a detailed explanation of the proposed motions.

The motion regarding financial vulnerability is suggested by Cr Kowarzik, the intent of the motion is to have the Federal Government review the current funding model which sees the majority of funding being directed to services in Dandenong.

The deadline for lodgement of motions for the MAV State Council Meeting is Monday 20 March, these motions have been lodged and a Council resolution giving retrospective approval for the lodgement is sought.

Policy Implications

There are no policy implications associated with these motions

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.

1.1.4 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.

5.1 We practise responsible leadership

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

Consultation/Communication

Correspondence seeking support for these motions has been received from Kingston City Council.

Financial and Resource Implications

There are no financial considerations to the Council associated with these motions.

Conclusion

It is respectfully requested that Council support the two motions, in retrospect, to the MAV and to provide support for the lodgement of the two motions to the National General Assembly, as detailed in this report.

Resolution

Moved Cr Jack Kowarzik, seconded Cr Stephanie Davies.

That the following motions be submitted to the forthcoming Australian Local Government Association National General Assembly to be held on 13 – 16 June

- 1. The National General Assembly calls on the Australian Government to advocate on behalf of candidates and Councillors for additional resources and powers, inclusive of increased penalties, for the eSafety Commissioner and other relevant bodies to address online bullying, harassment and trolling of candidates and Councillors on social media platforms, including but not limited to:*
 - Expanding the authority of the eSafety Commissioner to remove online abuse on online service provider platforms which would either fall under the current threshold of content with the 'intent of causing serious harm' or under a new threshold of 'unintentionally causing serious harm';*
 - Work with local governments to develop specific support and social media management programs available for candidates and Councillors through the eSafetywomen program in the lead up to the next elections across Australia*
- 2. This National General Assembly calls on the Australian Government to conduct a review into the funding mechanism that addresses financial vulnerability and wellbeing nationally and establish a dedicated fund that councils can access to address the financial vulnerability and wellbeing within communities.*

That the following motions be submitted for consideration at the Municipal Association of Victoria State Council meeting being held on Friday 19 May, and it be noted that due to the deadline for lodgement of such motions that they have already been submitted to the MAV.

- 1. That the MAV advocate to the Minister for Local Government to amend the Local Government (Planning and Reporting) Regulations to not require reimbursements of childcare costs or expenses incurred by a Councillor who is a carer in a carer relationship as a reported expense item in the Annual Report or elsewhere published."*
- 2. That the MAV advocate on behalf of candidates and Councillors for additional resources for the eSafety commissioner, local government inspectorate and other relevant bodies to address online bullying, harassment and trolling of candidates and Councillors on social media platforms, including but not limited to:*
 - Expanding the authority of the eSafety Commissioner to remove online abuse on online service provider platforms which would either fall under the current threshold of content with the 'intent of causing serious harm' or under a new threshold of 'unintentionally causing serious harm';*
 - Work with local governments to develop specific support and social media management programs available for candidates and Councillors through the eSafetywomen program in the lead up to the 2024 elections.*
- 3. That the Municipal Association of Victoria calls on the Federal Australian Government on behalf of Victoria to conduct a review into the funding mechanism that addresses financial vulnerability and wellbeing nationally and establish a dedicated fund that councils can access to address the financial vulnerability and wellbeing within communities*

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"> • 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 March/April 2023			
Project	Project description	Proposed consultation date/s and details	Responsible Business Unit
Open Space Strategy	Round 2 engagement on draft Open Space Strategy further to earlier community engagement in late 2019. The strategy will shape Cardinia Shire's open spaces for the next 10 years.	<p>Survey on Creating Cardinia between 6 March – 2 April, 2023</p> <p>Community pop ups:</p> <ul style="list-style-type: none"> • Tuesday 14 March 9:00am- 10:30am PB Ronald Reserve, Pakenham • Friday 17 March 3:00pm – 4:30pm Kath Roberts Reserve, Beaconsfield • Saturday 18 March 9am- 10:30am Puffing Billy Park, Emerald • Monday 20 March 10am – 11:30am Dick Jones Park, Lang Lang • Friday 24 March 2:30pm – 4pm Koolangarra Bunyip <p>QR code posters directing people to the survey displayed in key locations. Emails to key stakeholders.</p>	Active & Connected Communities
Alma Treloar public toilet – round 2	Round 2 engagement to select historical image for the new public toilet façade further to initial engagement to select the design for the external façade.	<p>Survey on Creating Cardinia to vote on historical image to apply to the façade 17 – 31 March, 2023.</p> <p>Emails to key stakeholders. QR code posters directing people to the survey displayed in key locations.</p>	Buildings & Facilities
Garfield Skate Park reserve	Community engagement to seek feedback on improvements to access and overall amenity surrounding the skatepark.	<p>Survey on Creating Cardinia between 3 - 23 April, 2023.</p> <p>Community pop up at reserve Monday 10 April 3:15-4:15pm.</p> <p>QR codes posters directing people to the survey displayed in key locations.</p>	Active & Connected Communities

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 Stephanie Davies, seconded Cr Collin Ross.

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 - March 2023 [6.5.2.1 - 19 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 Collin Ross, seconded Cr Graeme Moore.

That Council note this report

Carried

8 Reports By Delegates

Cr Kowarzik advised that he had:

- Attended the Pakenham Show
- Represented the Mayor at multiple events including the sod turning at Creekwood Park and Pakenham Puma's Baseball Final
- Attended Parks Week activities
- Attended International Women's Day
- Attended Pakenham CBD Safety meeting
- Attended International Mother Language Day
- Attended opening of Toomuc Reserve pavilions
- Attended Cardinia Embroidery Event
- Attended Clean Up Australia Day event

Cr Ryan advised that she had attended:

- 20th Anniversary of the Cardinia Cultural Centre
- Official opening of Toomuc Reserve pavilions
- Site visit to Pakenham Station works
- Coffee with a Cop
- Parks week event at Don Jackson Reserve
- International Women's Day
- Pakenham U3A
- Breakfast with Tony Pierce who advocates for Mental Health for Emergency Services
- Ageing Well network meeting

Cr Cameron advised that she had attended the West Gippsland Rail-Towns Food festival at Garfield

Cr Springfield advised that he had a Creative Network Night at the Hills Hub

Cr Owen advised that he had attended:

- The Pakenham Show and congratulated the Waste and Emergency Management Teams for their participation
- Upper Beaconsfield Festival Committee meeting
- A meeting of the Beaconsfield Progress Association regarding the Beaconsfield Railway House

Cr Ross advised that he had attended the:

- Anniversary of the CCC
- Pakenham Park Run Group
- Events in the Parks
- Cardinia Embroidery celebration
- Clean Up Australia Day event
- International Women's Change the game event at Cardinia Beaconhills Golf Club
- Food and Wine Festival at Garfield
- Belleview Orchards farm gate
- Events in the parks
- Jenny Scicluna farewell
- Prism Arts Event at the Hills Hib
- VLGA International Women's day event
- Citizenship Ceremony

Cr Moore advised that he had attended the Beaconsfield Progress Association Meeting regarding the railway house and advised of the forthcoming Bunyip Show, Harewood Heritage Festival and Yakkerboo Festival

Crs Ryan and Owen mentioned the recent passing of Mr Alby Mann and passed on Council's condolences to his family and friends

9 Presentation Of Petitions

Nil.

10 Notices Of Motion

Nil.

11 Community Questions

The Mayor advised that Council had received 6 questions from John Palatsides.

Question 1

Has the Cardinia council signed up to the smart city agenda?

If so, will there be a pilot, where in Cardinia municipality?

What is the plan?

Answer provided by the Acting General Manager Governance, Facilities and Economy

Thank you for your enquiry regarding Cardinia Shire Council's plans for smart cities. Cardinia Shire Council is committed to fostering a culture of innovation, and we are currently exploring the best ways to leverage technology to benefit our community.

We are in the process of developing a policy framework that will guide our decision-making when it comes to investing in smart city infrastructure. This framework will ensure that we prioritise value for money and value to the community, so that any investments we make in this area will have a positive impact on the people of Cardinia.

At this stage, we are still in the early stages of this process, our plan is to develop a comprehensive and effective policy framework will enable Council to make informed decisions that will have a positive lasting impact on our community.

Thank you for your interest in Cardinia Shire Council's plans for smart cities. We look forward to sharing more information with the community as our work in this area progresses.

Question 2

With the roll out of the 4G/5G small cell towers, there are many passing the buck of accountability.

Council say it's a state roll out, the state say its federal, and federal point to local council.

Has there been any studies on the health impact to residents and environment?

Since there is no long-term impact known for these, who is liable, Council, State government or Federal government.

Answer provided by the General Manager Liveable Communities

Telecommunication companies such as Telstra, Optus and Vodafone do not require local council or any government approval for the installation of a low-impact facility, such as small cell towers, specified in the Telecommunications (Low-impact Facilities) Determination 2018 (Cth).

This is different to the requirement for the larger high impact 'macro cell' mobile phone towers where a planning permit is required.

The Australian Communications and Media Authority (ACMA) an arm of the Federal Government is responsible for monitoring these small cell towers. The providers are required to strictly follow the Mobile Phone Base Station Deployment Code.

Every mobile phone base station, including small cells and 5G base stations, must meet Australian standards designed to protect against electromagnetic energy exposure (EME).

Based on current research there are no established health effects that can be attributed to low electromagnetic energy exposure.

EME limits are set by the Australian Radiation Protection and Nuclear Safety Agency again an arm of the Federal Government which is based on scientific research. A

Question 3

With the government identified that the Chinese cameras put privacy at risk.

Are there any cameras in the Cardinia municipality that are the same model/provider?

Are they getting removed?

Is there an audit on cameras installed (especially at traffic lights and high density populous area?)

Answer provided by the Acting General Manager Governance, Facilities and Economy

Thank you for your question, the majority of cameras located with in Cardinia Shire are the types of cameras which have been identified as the Chinese brands suspected of having security vulnerabilities.

The cameras installed by the Council are predominantly for building security such as the cameras in and around the Civic centre. Most pavilions at Recreation Reserves and other localities where the building is not occupied particular overnight have some form of CCTV cameras installed both as a deterrent to persons attempting to enter or vandalise the building and as a means of capturing footage of the incidents to assist with identifying the culprits. There are no immediate plans to remove these cameras.

Council does not install CCTV cameras at traffic lights or high-density populous areas

Question 4

Cross radiations

Telstra 4G-5G Small Cells will be adding 2.6GHz to the Electro Magnetic Field (EMF) pollution already existing to levels caused by Smart meters, Solar Inverters, Routers, Computers, Mobile phones, wireless phones, fridges, microwaves + power lines outside + the big 4G-5G towers already installed in the neighbourhood. ALL Small 4G-5G cells will be installed OVERLAPPING 400m radiuses & implanted next to existing power-lines which are also producing EMF radiations. 4G-5G EMF Smart electric lighting and EMF radiation can adversely affect humans and wildlife (eg. disturbs migratory patterns of birds). These lights are so concentrated and have high blue fluorescent content, it can cause severe glare damaging the retina and cause problems seeing clearly for safe driving or walking.

How are you going to monitor those cross and overlapping effects on human health and Wildlife?

Answer provided by the General Manager Liveable Communities

As advised in the response to your previous question regarding 4G and 5G cell towers the Australian Communications and Media Authority (ACMA) an arm of the Federal Government is responsible for monitoring these small cell towers. The telecommunications providers are required to strictly follow the Mobile Phone Base Station Deployment Code, mobile phone base station, including small cells and 5G base stations, must meet Australian standards designed to ensure telcos stay within safe limits of electromagnetic energy (EME).

EME limits are set by the Australian Radiation Protection and Nuclear Safety Agency again an arm of the Federal Government which is based on scientific research.

Regarding the effect that lighting has on wildlife Council has partnered with eastern councils, the Department of Transport, and the University of Melbourne's Urban Light Lab to develop a resource guide for wildlife sensitive lighting which includes guidance, case studies and provides existing off-the-shelf wildlife-sensitive lighting solutions. The Australian Environment Department has released a draft Light Pollution Guidelines that provides the latest science on the effect artificial lighting is having on both animals and humans. Council is now trialing wildlife sensitive lighting (these appear more a yellow than white/blue light) in four locations in Pakenham. These sites include trailing in areas not previously lit for example McGregor Road south of the Pakenham bypass.

Question 5

Under the Commonwealth Constitution all city councils have an irrevocable DUTY of CARE towards the Health and Wellbeing of their constituents. Under the Information Act 1982 related to Freedom of information rate-payers are legally entitled to a copy of the Insurance covering public equipment which lets us know the level of risks effectively covered by this equipment which will be installed very close to our houses and also full disclosure of the cost of these installations to the rate payers.

Can you going to provide us these documents?

Answer provided by the Acting General Manager Governance, Facilities and Economy

Thank you for the further information you provided today regarding this question.

We have contacted Council's insurers and asked whether public liability claims resulting from 4-5G radiation are included in and covered by Council's policy, The advice we have received is that if the claim arises from 5G tower located on a council building, which is very unlikely to occur, the claim may be denied due to the 'pollution' exclusion included in the policy. However this would depend on the specific claim if one was lodged, which as I previously mentioned is highly unlikely.

Question 6

Based on USA studies the value of the houses next to 4-5G small cells have dropped down by 45%, our houses values will drop, how is Cardinia Council going to compensate effectively and appropriately the financial damage impacting many properties and reduce Council Rates accordingly?

Answer provided by the Acting General Manager Governance, Facilities and Economy

Council is not aware and therefore is not able to comment on the impact of the 4-5G small cells on house values in Australia or Cardinia Shire Council.

Council rates are based on the value of individual properties, if the value of the property does reduce then Council rates are reduced commensurately.

The Mayor advised that Council had received 1 question from Ron Pushman.

Question 1

Is there any plan to repair, upgrade or rebuild the Rotunda located within William Bruce Ronald Reserve, Heritage Springs Estate?

Answer provided by the Acting General Manager Governance, Facilities and Economy

The Rotunda at William Bruce Ronald Reserve is regularly inspected, and maintenance is undertaken as and when required. There are no plans at this stage to either upgrade or rebuild the Rotunda. There are plans to upgrade the playground next financial year, however this does not include works on the Rotunda.

12 Urgent Business

There was no urgent business.

13 Councillor Questions

Nil.

14 Meeting Closure

Meeting closed at 8:59pm.

Minutes confirmed
Chairman