

# **Ordinary Council Meeting**

## **Minutes**

**Monday 19 February 2024**

**Commenced at 7:00 PM**

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

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

**Officers:** Carol Jeffs Chief Executive Officer  
Peter Benazic General Manager Infrastructure and Environment  
Lili Rosic General Manager Liveable Communities  
Debbie Tyson General Manager Governance, Facilities and Economy  
Wayne Mack General Manager Customer, People and Performance  
Peter Harris Manager Governance, Safety & Property

## Order of Business

<b>1</b>	<b>Opening And Reflection/Prayer.....</b>	<b>5</b>
<b>2</b>	<b>Acknowledgements.....</b>	<b>5</b>
<b>3</b>	<b>Apologies.....</b>	<b>5</b>
<b>4</b>	<b>Adoption And Confirmation Of Minutes.....</b>	<b>5</b>
<b>5</b>	<b>Declaration Of Interests.....</b>	<b>5</b>
<b>6</b>	<b>Ordinary Business.....</b>	<b>6</b>
6.1	Town Planning Reports.....	6
6.2	General Reports.....	6
6.2.1	Officer’S Major Activity Centre Urban Design Framework.....	6
6.2.2	Expression Of Interest - Management Of Seniors Housing.....	11
6.2.3	Quinn Road, Gembrook - Petition Response.....	16
6.2.4	Multiple Sports Field Lighting Package Tender.....	20
6.2.5	Right Hand Turns Within The Brunt And Rix Road Corridor - DOCID- 235899278-15069.....	23
6.3	Policy Reports.....	27
6.3.1	Proposed Community Local Law 2024.....	27
6.4	Financial Reports.....	37
6.4.1	Quarterly Financial Report 2023/24 - Q2 December 2023.....	37
6.5	Activity Reports.....	41
6.5.1	Environment Council Plan Initiatives Quarterly Report.....	41
6.5.2	Performance And Growth Reports - Q2 2023-24.....	42
6.5.3	Community Engagement Update.....	42
6.5.4	Quarterly Resolutions Report October To December 2023.....	47
6.5.5	Major Projects Report.....	49
<b>7</b>	<b>Reports Or Minutes Of Committees.....</b>	<b>50</b>

8 Reports By Delegates .....	50
9 Presentation Of Petitions.....	50
10 Notices Of Motion .....	51
11 Community Questions.....	51
12 Urgent Business .....	54
13 Councillor Questions.....	54
14 Confidential Business.....	55

## 1 Opening And Reflection/Prayer

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

## 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

Cr Davies temporarily left the Chamber at 7:21pm (during item 6.2.3) and returned to the Chamber at 7:32 (during item 6.2.4)

## 4 Adoption And Confirmation Of Minutes

Moved Cr Stephanie Davies, seconded Cr Graeme Moore

That minutes of the following meetings be confirmed:

- General Council meeting 11 December 2023
- Town Planning Committee 5 February 2024

Carried

## 5 Declaration Of Interests

## 6 Ordinary Business

### 6.1 Town Planning Reports

### 6.2 General Reports

## 6.2.1 Officer's Major Activity Centre Urban Design Framework

**Responsible GM:** Lili Rosic  
**Author:** Livia Baranyay

### Recommendation(s)

That Council approve and endorse Officer's Major Activity Centre Urban Design Framework.

### Attachments

1. Officer UDF - Feb 2024 [6.2.1.1 - 43 pages]
2. Appendix A Survey Results and Urban Design Responses (1) [6.2.1.2 - 16 pages]
3. Appendix B\_ Key Changes from Exhibition [6.2.1.3 - 12 pages]

### Executive Summary

A finalised Officer Major Activity Centre Urban Design Framework (UDF) has been prepared to guide subdivision, land use and development within Officer's Town Centre. The updated UDF aligns actions within the PSP, Cardinia's Planning Scheme as well as feedback received through community consultation and stakeholder engagement.

This report seeks support from Councillors to endorse a finalised UDF, allowing Council officers to advocate for the outcomes set within the document.

### Background

Officer's Town Centre is designated as a Major Activity Centre (MAC) in Plan Melbourne 2017-2050: Metropolitan Planning Strategy, 2017 and is considered the "heart" of the Officer Precinct Structure Plan (the PSP). The boundary of the Town Centre was defined in the Officer PSP and has remained the same for the UDF.

The Officer PSP area is predicted to accommodate approximately 10,900 dwellings and 28,300 residents. It will provide accessible transport and community links that maximise pedestrian permeability and safety to ensure convenient access to shopping, local jobs, open space, and community facilities.

The ambition for the Town Centre is to create a diverse and vibrant town centre that accommodates a variety of uses including a range of retail and commercial uses, community facilities and higher density residential options.

Planning in Cardinia Shire Council is undertaken within the context of a range of state and local policies. These policies have and will continue to inform the planning and development of

the Town Centre and have been embedded into the role and purpose of this UDF (refer to Figure 1).

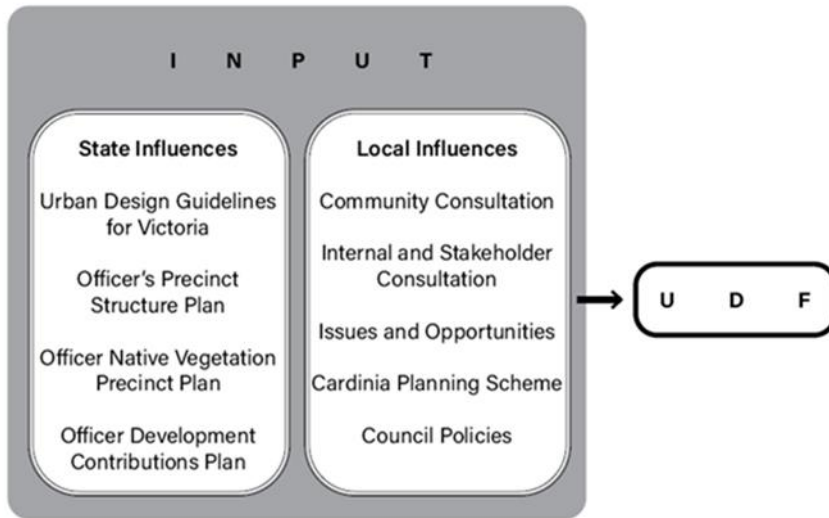


Figure 1: Overarching Data Sets Informing Officer's Urban Design Framework

**UDF Structure**

The structure of this document (refer to Figure 2 below) was crucial in relaying an urban design process that is reflective of its influences and purpose. It derives a Vision and set of Key Drivers from a list of data sets (identified in Figure 1) which is then translated into a set of themes and benchmarking examples.

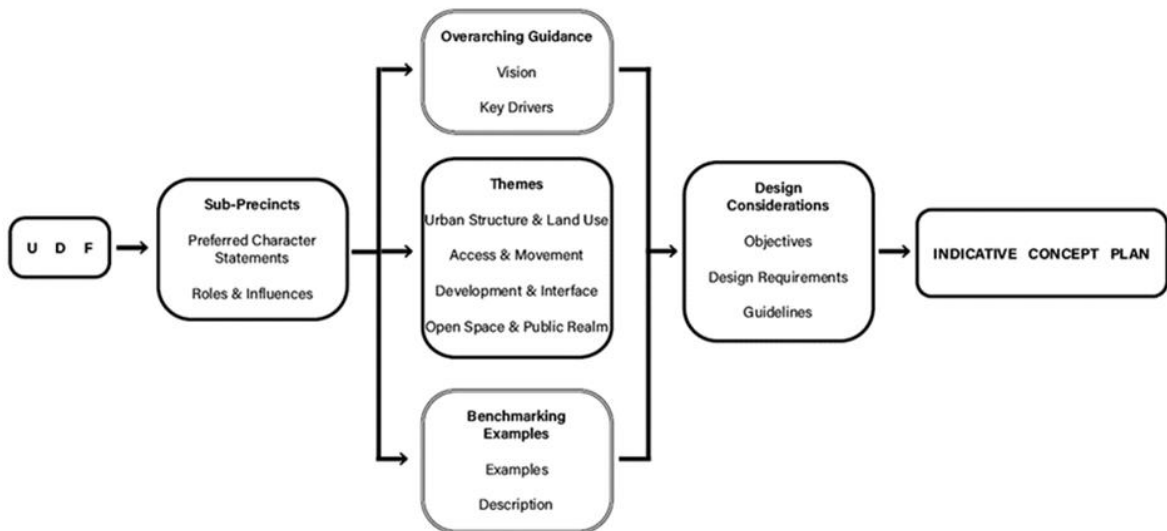


Figure 2: Officer's Urban Design Framework Structure

The suite of Design Considerations is positioned within each theme, written to provide meaningful direction whilst balancing the opportunity for innovation and progressive thinking. The Indicative Concept Plan tests and proves these considerations.

Plans, annotated illustrations, and photographs have been used throughout the document to demonstrate the spatial expression and application of Design Considerations. Benchmarking examples particularly useful in revealing real-life examples of the outcome being sought.

The logical flow of information throughout the UDF validates and supports its position. It is presented in a manner that enhances its relevance and usefulness within a planning permit process.

### ***Purpose***

With over 130 land parcels and approximately 80 landowners in Officer Town Centre, the UDF provides certainty regarding the precinct's future development and will facilitate the delivery of well-integrated urban form. Building and subdivision design is encouraged to respond to adjacent development and features of the Officer Precinct, ensuring a high quality and high amenity outcome.

In this framework, urban design focuses on the design of the public realm, guiding the design of infrastructure and buildings in so far as they affect the function and amenity of the public realm. The Cardinia Planning Scheme has set requirements for building densities and heights through its zoning and therefore this UDF positions itself to complement these requirements.

### ***Statutory Role***

This UDF presents a framework of information for an audience of landowners, developers and Council staff. It embeds a structure that is clear and concise to benefit the planning processes it informs.

The Urban Growth Zone (Schedule 4) in Cardinia's Planning Scheme places a statutory role on this UDF, requiring an application for either subdivision, use or development within Officer's Town Centre to be consistent with this UDF.

### ***Consultation/Communication***

A community consultation period was held presenting a draft Officer UDF between February and March 2023. Engagement included in person drop-in sessions at council offices, an in-person workshop with Officer Specialist School Students and an online survey. Engagement was successful with several participants attending in person and using online channels to communicate their ambitions and concerns. This feedback has informed the finalised UDF where suitable (refer to Appendix A).

### ***Survey Results***

The online survey provided the highest level of engagement with 71 responses and prompted the prioritisation of Key Drivers as well as feedback on the look and feel of our sub-precinct areas.

Key drivers are pivotal in shaping design considerations within the UDF. They are derived from the vision statement and direct the overall objectives for each design requirement and guideline. Following the consultation period, Key drivers were updated to reflect the community's response, relevant planning legislation and Council's policies. Urban design comments responding to the feedback received has been attached to this report (refer to Appendix A).

This process also acknowledges an existing mechanism where the urban design team is referred planning applications for comment. Whilst it is a whole of council obligation to seek outcomes that generally comply with this UDF, the urban design team will endeavour to act on behalf of the community to seek outcomes that are consistent with this document.

### ***Changes made to the Draft UDF***

To respond to feedback received both internally and externally, revisions have been made to the UDF. These include:

- design requirements and guidelines condensed within each theme;



- greater level of clarity and articulation throughout;
- corrections to maps and text;
- updates to sections and key directions (refer to Appendix B); and
- pages deleted because of the above.

Council officers have worked closely with the Victorian Planning Authority (VPA) to ensure relevant State legislation is considered. Revisions made at the request of VPA include the following:

- “Main Street” section updated to include additional tree canopy and a standing area for pedestrians between traffic lanes.
- Section 4 and 6 updated to include a pedestrian path width between 1.5-2m.
- Section 9 deleted. This section is in the PSP and doesn't require repetition in the UDF.
- An additional guideline included in Table 8 requesting that 30% of tree canopy be achieved within urban squares, local parks and streetscapes. This change is prompted by new guidelines from VPA, introducing increased standards for greening and cooling communities.

### **Policy Implications**

The UDF has been prepared in alignment with State and Local policies and is prepared as a requirement of the Officer PSP and Schedule 4 to the Urban Growth Zone within Cardinia's Planning Scheme.

### **Relevance to Council Plan**

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

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

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

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

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

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

### **Climate Emergency Consideration**

Officer's UDF supports environmentally sustainable design and water sensitive urban design outcomes in line with the Officer PSP and Cardinia Planning Scheme.

### **Financial and Resource Implications**

Implementation of the UDF is dependent on private sector development. Developers will fund all initiatives identified within the UDF, unless these are funded by the Officer Development Contributions Plan (DCP). Council will continue to work with key stakeholders to ensure that development occurs in line with the visions and objectives of the UDF.

Sections belonging to Officer South Rd and Station St have been altered from Officer's PSP to align with updated regulations and guidelines as well as feedback received. These changes

will be sought through planning applications and will require incorporation into the future capital works program.

### **Conclusion**

The Officer Town Centre UDF (attached) has been prepared to guide the land use and development of Officer Town Centre. It sets out Visions, Key Directions and a suite of Design Considerations to facilitate development, subdivision and use in line with the Officer PSP.

Support is sought from Councillors to endorse the finalised UDF.

*The Mayor noted that correspondence was received on the morning of the Council Meeting from Josh Maitland, Associate Director – Planning at Ethos Urban. This correspondence has come in via the ‘Ask a question at a Council Meeting’ portal. The contents of this letter have been passed onto Councillors for their consideration prior to the meeting and will be formally responded to by officers after the Council Meeting. Council Officers have presented the report we are about to debate following consideration of Officer Holdings original submission as well as the other 70 submissions.*

### **Resolution**

Moved Cr Tammy Radford, seconded Cr Stephanie Davies.

That Council approve and endorse Officer’s Major Activity Centre Urban Design Framework.

Carried

## 6.2.2 Expression of Interest - Management of Seniors Housing

**Responsible GM:** Lili Rosic  
**Author:** Pieta Bucello

### Recommendation(s)

That Council support officers to:

- commence an Expression of Interest campaign that identifies suitable registered community housing providers who are interested in providing management and wrap around services for seniors housing within Cardinia Shire.
- prepare a report recommending a preferred provider to Council for endorsement following the Expression of Interest campaign.

### Attachments

1. Example Letter To Residents [6.2.2.1 - 2 pages]

### Executive Summary

Council currently provides the tenancy management and maintenance for 10 seniors housing units across two sites located within Pakenham and Cockatoo. Residents of these units are local older adults who are unable to find affordable accommodation through the commercial rental market.

While Council has provided this service for several years, it is not a core function of local government and can be better managed by a community housing provider who has the expertise to provide a higher quality service and wrap around support to the tenants.

Council is seeking to consider expressions of interest from registered housing providers, with expertise in seniors housing, who can take over the management of the two sites, and in the case of the Pakenham site, purchase and/or re-develop the site to provide additional affordable housing accommodation for the community.

### Background

Two seniors housing sites were developed within Cardinia Shire in the 1980s that Council continue to manage and maintain. Since this time, the Community Housing Sector has become well established in Melbourne and many registered providers operate within the region who have greater expertise than Council to provide this service.

Community housing providers are not-for-profit, mission driven organisations. They own, develop, and maintain rental housing for people on very low, low, and moderate incomes who require social and affordable homes. In addition to housing services, they often facilitate wrap around support through complimentary service provision such as case management or care co-ordination.

Given the recent investments by the state and federal governments into social and affordable housing, it is timely to explore options for a registered provider to take over the management of these sites. Considering the increasing demand for affordable housing, the funding available for housing providers to develop new affordable housing, and the proximity of the site

to public transport and services, there is an opportunity to increase the supply of affordable housing through redevelopment of the Pakenham site.

The below table provides an overview of each site and the expression of interest:

	<b>Cockatoo Cottages, 5 McBride Street Cockatoo</b>	<b>Thomas Lodge, 1 Flower Street, Pakenham</b>
<b>Overview</b>	Crown land with a temporary reservation for 'Homes for Aged.' Council developed 5 units for seniors' accommodation in the 1980s with the assistance of Tasmanian state government funding, as a donation following Ash Wednesday bushfires. Council has managed and maintained these units since that time for seniors affordable housing with a Gazetted Eligibility Criteria.	Council-owned land with 5 units for seniors' accommodation, developed by Council in the 1980s with the assistance of state government funding. Council has managed and maintained these units since that time for seniors affordable housing with a Gazetted Eligibility Criteria.
<b>EOI</b>	Council is seeking to lease this site to a Registered Housing Agency to manage the site for Seniors Affordable Housing and provide ongoing support services.	Council is seeking to either sell or lease the Pakenham site to a Registered Housing Agency to re-develop the Pakenham Site for Affordable Housing with a greater density than the current development and to manage the occupation and provide ongoing support services.  The Pakenham site, if re-developed, has the potential to also provide some office or consulting space for a service provider/s to operate from.

Cardinia Shire's *Social and Affordable Housing Strategy 2018-25* (the Strategy) outlines the demand for affordable housing within the shire and highlights the priority demographics in need of housing. People receiving an aged pension (including DVA) were the largest cohort receiving Commonwealth assistance in 2016, at more than 8,000 residents. ABS data from the 2021 Census showed that more than 1,900 households within Cardinia Shire needed affordable housing, 24% of households in need of affordable housing were lone person households, followed by 14% being families.

A recent report to Council (Monday 11<sup>th</sup> December) provided a progress update of the Strategy, which can be found here: [Social and Affordable Housing in Cardinia Shire - Cardinia Shire Council](#)

Over the past several years council have investigated alternative opportunities for management of the Cockatoo seniors housing, including supporting the formation of a Community Committee. However, this model was not deemed feasible for the following reasons:

- As Council is the appointed Committee of Management by DEECA for this site, any community committee would need to be established as a Community Asset Committee and comply with governance requirements of the *Local Government Act 2020*, along

with other relevant tenancy legislation. Under such a model Council would retain liability of the site and liability of actions taken by the Asset Committee.

- Under such a model Council would need to continue allocating resources to oversee governance and maintenance of the site.
- There is no guarantee that a volunteer committee would remain in place for the long term and there is a risk that a committee would seek to hand the management of the site back to Council at short notice.
- Volunteers may not have qualifications and expertise to provide direct support to residents or connect them with appropriate supports in the community to meet their needs. This may risk residents' wellbeing and expose Council to litigation if improper care is given. Registered housing providers have the expertise and correct governance in place to mitigate these risks and provide a high level of care.

The principal objectives of Council in securing a Registered Housing Agency to manage the seniors housing sites are to:

- Provide a fair tenancy selection process where those most in need are given priority access.
- Provide a high-quality service to the residents with access to wrap around supports.
- Increase the supply of affordable housing for residents who are vulnerable to homelessness.
- Re-allocate the resources involved in managing these two sites to providing other social support services to the whole community (e.g., attracting other in-demand homelessness support services into the shire).

### Expression of Interest process

The expression of interest (EOI) process will be undertaken via a procurement process commencing on 26 February and closing on 17 May 2024. During that time officers will engage with registered housing providers to make them aware of this opportunity.

Council is seeking a proponent with:

- experience in providing Affordable Housing and support services
- experience in undertaking construction of Affordable Housing
- experience in managing Affordable Housing
- experience in managing temporary re-location of residents, in particular seniors.
- strong connections with local support services
- the ability to develop the accommodation in a timely manner; and
- the ability to maximise the financial return to Council

### Policy Implications

It is a key principle of the *Local Government Act 2020* that council gives priority to achieving the best outcomes for the municipal community, including for future generations and that innovation and continuous improvement be pursued.

Cardinia Shire's Liveability Plan 2017-29 identifies 'Housing' as a key liveability domain, with the following strategic indicator:

- Increased access to appropriate and affordable housing.

*Cardinia Shire's Social and Affordable Housing Strategy 2018-25* identifies the following actions relevant to this report:

- Action 6.4.2. Work with DHHS (Department of Health and Human Services) to identify underutilised or ageing public housing stock that may be suitable for re-development or increased density.
- Action 6.4.4 Undertake a land audit to identify potential Council owned land that council be sold or leased for social and affordable housing purposes.

- Action 6.4.8. Facilitate the delivery of social and affordable housing by not-for-profit housing agencies.

The Expression of Interest process will be conducted in line with Council's Procurement Policy and the lease of property will be managed in accordance with the Council Lease and Licence Policy adopted on the 21 February 2022. Any sale of land will be in accordance with the Local Government Best Practice Guidelines for the Sale, Exchange, and Transfer of Land June 2009.

## 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.

### 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.

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

### 5.1 We practise responsible leadership

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

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

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

## Climate Emergency Consideration

N/A

## Consultation/Communication

Internal consultation for this report has occurred with the following teams:

- Health and Social Planning
- Access, Ageing and Community Support
- Property
- Procurement
- Governance
- Communications and Engagement
- Buildings and Facilities

Current residents and key stakeholders have been informed of Council's intent to consider commencing an EOI process for the two seniors housing sites. Residents received phone calls, a home visit, and a letter (attached) with information about Council's intent for the EOI and the process timelines two weeks ahead of this Council Meeting.

Residents and key stakeholders will be further engaged throughout the EOI process in line with Council's Community Engagement Policy.

## Financial and Resource Implications

The current resources allocated to managing the seniors housing sites include a 0.2 EFT Community Support Facilitator within the Access, Ageing and Community Support Team and an annual maintenance budget of approximately \$86K. Council has recently invested in the

upgrade and refurbishment of the Cockatoo Cottages to improve accessibility and overall building conditions for tenants.

### **Conclusion**

Council is seeking to consider expressions of interest from registered housing providers, with expertise in seniors housing, with the intention of providing improved service to residents and enhance the stock of affordable housing. Council will follow the procurement and engagement processes to ensure good governance and support is provided for current tenants. Residents have been informed of the EOI process and timelines. Following the EOI evaluation process, a report will be presented to Council with the recommended provider.

### **Resolution**

Moved Cr Carol Ryan, seconded Cr Jeff Springfield.

That Council support officers to:

- commence an Expression of Interest campaign that identifies suitable registered community housing providers who are interested in providing management and wrap around services for seniors housing within Cardinia Shire.
- prepare a report recommending a preferred provider to Council for endorsement following the Expression of Interest campaign.

Carried

## 6.2.3 Quinn Road, Gembrook - petition response

**Responsible GM:** Peter Benazic  
**Author:** David Fice

### Recommendation(s)

That Council:

- Note the actions already undertaken to address safety issues along Quinn Road
- Advise petitioner of road safety actions already undertaken by Council and that a Special Charge Scheme would need to be supported by residents and considered by Council in any future Council annual budget process for the road to be sealed.

### Attachments

1. CONFIDENTIAL PETITION CIRCULATED TO COUNCILLORS ONLY - Quinn Road, Gembrook - copy of petition [6.2.3.1 - 4 pages]

### Executive Summary

Council has received a petition from residents of Quinn Road on 15 November 2023 requesting that Council:

1. Increase the width of Quinn Road to improve road safety and sight clearance safety standards.
2. Install speed calming devices to slow speeding drivers so that Quinn Road is no longer a viable high speed short cut.
3. Upgrade Quinn Road drainage to allow efficient and effective drainage of storm water to a safe and lawful point of discharge.

Tree removal has already been undertaken, and concealed driveway signage has been installed, drainage maintenance has been scheduled along with a traffic count (which will also record vehicle speed).

Sealing of Quinn Road would need to be done via a Special Charge Scheme, which would require contributions from abutting owners. For Council to consider placing this road on a future works program there would need to be demonstrated support from property owners.

### Background

Quinn Road is an unsealed local access road on the fringe of Gembrook township with a default speed limit of 50 km/h. It is in hilly terrain with a potential to be utilised as a short alternate route by road users. The road has an approximate length of 500m with a carriageway width of 4m and is currently unsealed.

Given the function and hierarchy of the road, the current default 50 km/h speed limit in Quinn Road is appropriate and in accordance with the Victorian State Speed Zoning Guidelines.

An initial customer enquiry regarding visibility when exiting No.27 Quinn Road, was received from the property owner (the principal petitioner), in September 2023. Council traffic engineers undertook a site inspection to investigate the residents' concerns.

The initial site inspection identified the following:

- There was vegetation along the road that was causing sight line issues from the driveway of No. 27 Quinn Road



- The speed of vehicles travelling along the road was observed to be within the default speed limit of 50km/hr.

A further site meeting was scheduled with Council's arborist, the resident and traffic team. Following this meeting Council's arborists have removed eight trees (in December 2023) - 3 to the north and 5 to the south of No. 27. This has improved the sight lines when exiting the driveway of No. 27, as shown in Figure 1 and 2.

**Figure 1. Before and after photos of tree removal to the north**



**Figure 2. Before and after photos of tree removal to the south**



Council's arborist team have advised that further tree removal would be extremely costly and traffic engineers would need to consider if the removal of additional trees would further improve the road safety significantly.

A 'concealed driveway' warning sign has also been installed on each approach to the driveway crossings along Quinn Road. These signs are intended to warn motorists of the presence of driveways which maybe hidden by trees and other geographical features, allowing them to modify their driver behaviour if appropriate.

To address the issue of speed, a traffic count will be undertaken during school term 1 in 2024 to establish traffic volume on the roadway as well as vehicle speed.

The resident was also advised that a convex mirror could be installed on the opposite side of the driveway of No.27 Quinn Road to improve visibility. As per Council's position, the resident is fully liable for both the initial installation cost and any ongoing maintenance of the mirror. The resident did not agree to proceed with installation.

A drainage inspection was undertaken in November 2023, with maintenance work scheduled for Quinn Road in May 2024.

#### Sealing of Quinn Road

Most of the petition requests have been addressed above, however for the road to be sealed, it would need to be considered under Council's Special Charge Scheme (SCS) policy and would require property owners and Council to contribute towards the scheme.

16 properties abut Quinn Road, and the scope of works could include widening of the road to 5.5m with a sealed pavement, traffic calming devices and open drains.

Total project cost is estimated to be in the order of \$510,000 to \$1.1M depending on scope, and the type of seal used on the road. However, confirmation of this cost would be subject to any future design and specialist investigations needed.

The landowner contributions are estimated to be approximately \$25,000 to \$55,000, however these figures are subject to calculating SCS apportionments for individual properties. It has also been assumed that Council would need to contribute 20% to the overall cost of the road based on the estimates above; this would be subject to Council's annual budget process and would need to be assessed against Council's priorities for its annual capital works program.

Given the low density and usage of Quinn Road, it has not been identified in the past as a priority road for sealing. For a scheme to be successful, the majority of property owners would need to agree to the scheme and a provision in future capital works budget made for Council's contribution.

### **Policy Implications**

The principal petitioner is concerned about safety. However, the petition covers wider liveability and amenity issues and as such, these issues were considered under the following policies, plans and strategies:

- • The Liveability Plan 2017-2029
- • Road Safety Strategy
- • Tree Removal Policy
- • Council Plan 2021-2025
- • Special Charge Scheme Policy
- • Local Traffic Management (LTM) Policy

### **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 petition concerns do not fall under climate emergency consideration

### **Consultation/Communication**

Council officers have met with the resident of No.27 Quinn Road, twice to discuss their concerns about site lines and other road safety issues. As outlined above a number of these concerns have been addressed.

No correspondence has been provided to residents regarding a special charge scheme.

### Financial and Resource Implications

- A high-level estimate for the overall capital cost for the widening and sealing of Quinn Road, including the project management and design works is in the order of \$550,000 to \$1.1M - subject to any future design and specialist investigations.
- As part of a Special Charge Scheme, Council would expect residents to co-contribute to this scheme, co-contribution of residents in this location would be approximately \$25k to \$55k, but this figure could be changed depending on the size of the frontage.
- For a SCS to proceed, Council would need to contribute to this scheme with 20% of the overall cost; this would be subject to any future Council annual budget process which assesses Council's priorities for its annual capital works program.

### Conclusion

Council acknowledges the concerns raised by the residents of Quinn Road, Gembrook about traffic and road safety, with Council having now completed vegetation removal to improve access sightlines, as well as installing a 'concealed driveway' sign to warn motorists of the presence of driveways which maybe hidden by trees and other geographical features.

Traffic counts will be undertaken during school term 1 in 2024 to establish traffic volume on the roadway as well as vehicle speeds.

Considering the estimated high capital cost associated with the request to seal and widen Quinn Road, further engagement would be required to determine if a future Special Charge Scheme proposal would be supported by the residents of Quinn Road.

If future support was to be provided, Council would then need to consider this as part of the Council annual budget process as the road would be then need to be assessed against Council's priorities for its annual capital works program.

It is recommended a response be provided to the principal petitioner advising of the actions taken, noting the only way for Quinn Road to be sealed is through a Special Charge Scheme, which would require contributions from abutting owners. For Council to consider placing this road on a future works program there would need to be demonstrated support from property owners.

### Resolution

Moved Cr Jeff Springfield, seconded Cr Graeme Moore.

That Council:

- Note the actions already undertaken to address safety issues along Quinn Road
- Advise petitioner of road safety actions already undertaken by Council and that a Special Charge Scheme would need to be supported by residents and considered by Council in any future Council annual budget process for the road to be sealed.

Carried

Cr Davies left the Chamber at 7:21pm and did not return for the vote on this item.

## 6.2.4 Multiple Sports Field Lighting Package Tender

**Responsible GM:** Peter Benazic  
**Author:** Tristan Brigham

### Recommendation(s)

That Council accept the Tender submitted by Commlec Services for RFT000030 Sports Field Lighting Package for the total amount of \$1,050,638.00 excluding GST. The contract completion date is 1 June 2025.

### Attachments

1. CONFIDENTIAL REPORT CIRCULATED TO COUNCILLORS ONLY - RFT 000030 Multiple Sports Filed Lighting - Tender Evaluation Report - signed [6.2.4.1 - 11 pages]
2. 2324 Multiple Sports Field Lighting Package Site Overviews [6.2.4.2 - 5 pages]

### Executive Summary

This report seeks approval to award the tender for RFT000030 Sports Field Lighting Package to Commlec Services. The tender is to upgrade sports lighting at five recreation reserves to meet Australian Standards and Cardinia Sport Facility Standards Policy.

The tender evaluation was conducted against weighted and non-weighted criteria followed by clarifications, best and final offer, reference checks and a scorecard financial assessment of the preferred tenderer. The tender submitted by Commlec Services Pty Ltd complies with all the tender conditions, demonstrated a clear understanding of the contract deliverables, while providing best value.

### Background

During 2022 condition audits were undertaken for sports lighting infrastructure within the shire by Coulthard Shim engineers on behalf of the Webb Lighting Group. The audits identified and ranked priority works across the recreation reserves and sports facilities. Where assets were determined to be a risk, they were made safe, and a cyclic program of design and replacement has been established and will continue into the 2024-25 financial year.

In February 2023 Webb Australia were engaged to provide full lighting and civil design to replace all identified sportsfield lighting with current generation LED, poles, wiring and supporting infrastructure.

To take advantage of bulk supply savings as a combined delivery, five sites have been prioritised for works under a single contract:

- Toomuc Reserve, Senior Oval.
- Upper Beaconsfield Recreation Reserve, Oval.
- Mountain Road Recreation Reserve, Oval.
- Perc Allison Reserve, Oval.
- Dick Jones Park, Tennis (Courts 1 and 2).

A public tender was called on 13 November 2023. During the open period three questions were asked and no addendums created. The tender closed on 12 December 2023, with six submissions received. Five submissions were found to be conforming with the top three shortlisted and given the the opportunity to provide a best and final offer.

## Policy Implications

The delivery of this project aligns with the Cardinia Sports Facility Standards Policy.

## Relevance to Council Plan

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

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

## Climate Emergency Consideration

The lighting design incorporates the use of gen 3.5 LED lighting, replacing obsolete metal halide luminaires. New LED lighting units will provide an increase and uniformity of Lux levels on the playing fields at up to 70% less electrical usage. Gen 3.5 LED will have a useful lifespan of 50,000 hours.

## Consultation/Communication

The lighting designs were developed in consultation with the relevant sports clubs and reserve committees, and their input ensures the designs accommodate for the future needs of the facilities.

## Financial and Resource Implications

The overall budget available for this project is \$1,607,487. including Victorian Government funding of the works at Beaconsfield Reserve.

**Table 1. Funding sources for sports field lighting program**

Organisation	Amount
Victorian Government (DEECA) – fully funding works at Beaconsfield Reserve	\$231,938
Council	\$1,342,549
Pakenham Football Club (up to an agreed maximum of \$33,000) – Toomuc Reserve project	\$33,000
<b>Total</b>	<b>\$1,607,487</b>

The final tender price falls well within Council's budget allocation for the project and will allow for a 10% contingency within the project budget. Contract completion date is 1 June 2025 to allow for phasing of works to minimise impact on stakeholders.

## Conclusion

It is recommended that council endorses the recommendation to award RFT000030 Multiple Sports Field Lighting Package to Commlec services for \$1,050,638.00 excluding GST

Prior to the Officer Recommendation being put, the Mayor noted the timing for provision of the lighting committed to by the successful contractor.

**Resolution**

Moved Cr Brett Owen, seconded Cr Collin Ross.

That Council accept the Tender submitted by Commlec Services for RFT000030 Sports Field Lighting Package for the total amount of \$1,050,638.00 excluding GST. The contract completion date is 1 June 2025.

Carried

Cr Davies returned to the Chamber at 7:32pm

## 6.2.5 Right hand turns within the Brunt and Rix Road corridor

**Responsible GM:** Peter Benazic  
**Author:** Dan Hammond

### Recommendation(s)

That Council

- For the road safety and operational reasons described in this report and in the attached traffic impact assessment it is recommended that a centre median opening not be provided at the entrance to the Blue Gum Lifestyle Village, or within the wider Brunt-Rix Road corridor, in line with the requirements of the Officer PSP.
- Council Officers further engage with the Blue Gum Lifestyle Village regarding the access arrangements and future works required in the Officer PSP in the local area.

### Attachments

1. Blue Gum Lifestyle Village Beaconsfield - Traffic Assessment Report [6.2.5.1 - 24 pages]

### Executive Summary

Works have recently been completed on Brunt Road in Officer to bring a section of this road in line with the standards required by the Officer Precinct Structure Plan. This has resulted in access arrangements at the Blue Gum Lifestyle Village being restricted to left in and left out only and leading to a notice of motion being raised by Council to investigate the implications of providing centre median openings along the Brunt-Rix corridor to facilitate right turn movements.

A traffic impact assessment has now been completed and has found that providing centre median openings along the Brunt-Rix Road corridor: is not in line with the intended or required standard for a Connector Street Boulevard road corridor within the Officer PSP, will adversely impact the safety and operation of Brunt Road at the location required for the entrance at Blue Gum Lifestyle Village, and create a precedent for other roads with a similar PSP cross section.

### Background

Both Brunt Road and Rix Roads in Officer are classified as Local Arterial Road (4A) in the Cardinia Shire Council Road register. As part of the Officer Precinct Structure Plan (PSP) they are designated to become Connector Street Boulevard classified roads to cater for traffic generated by the development of the areas of Officer south of the Princes Highway. This road corridor connects the Princes Highway to Officer South Road and the Monash Freeway and will provide one of only two remaining rail crossings in Officer following the planned closure of the Station St level crossing closure prior to 2025.

The Officer PSP, along with all the PSPs within the Cardinia Shire growth area, have been established to inform development and map out land use and infrastructure requirements for the area as the population increases. As a result, conditions abutting developments, main thoroughfares, and community spaces can change significantly from what was existing pre-development. These changes are necessary to cater for the infrastructure demands of a growing and changing community, however, unfortunately can cause concern among longer

term and new residents who may not understand the changing environment associated with living in a growth area.

Significant traffic volumes are expected along this route and are likely to exceed to estimated volumes modelled for the PSP (being 14,500 vehicles per day). This is due to the continued surrounding development, the Station St level crossing closure, and local travel to and from the future Whiteside Neighbourhood Activity Centre (located on the northwest corner of the Whiteside Road/Brunt Road/Princes Highway intersection).

Following the construction works to upgrade a section of Brunt Road to the ultimate PSP standard (including the construction of a roundabout at Pioneer Way), complaints were received from the Blue Gum Lifestyle Village regarding the removal of the right-hand turn facilities in to and out of the village. With this facility removed, residents of the village are required to U-turn at the new roundabout instead of right turning in, and loop back through the adjacent residential estate to head south.

Similar issues are being faced by residents on Rix Road as development occurs and right turn in/out access is removed by implementation for the PSP road cross section.

The Brunt Road/Pioneer Way roundabout now provides the ultimate U-turn facility south of Blue Gum Lifestyle Village as stipulated in the PSP.

A notice of motion was raised at the December 2023 general Council meeting to:

*Prioritises carrying out an independent traffic assessment to assess the safety considerations associated with providing right turns out of facilities located Brunt Road / Rix Road in Officer. This is with a view to understand how a safe and low-risk roadside environment can be provided for motorists, whilst balancing this with the amenity and convenience for residents accessing local facilities. The findings of which is to be reported back at the Council meeting on 19th February 2024.*

This assessment has now been completed and is attached. The key findings of the report are as follows:

*Provision of regular median breaks is not in line with the intention of a connector street boulevard cross section planned for Brunt Road and Rix Road.*

*With continued development of land within the Officer PSP area, the planned connector street boulevard cross section will be required along both Brunt Road and Rix Road to provide the necessary traffic capacity to facilitate the future volumes.*

*The provision of a break in the centre median under the ultimate scenario is anticipated to adversely impact the safety and operation of Brunt Road at a critical location and is not consistent with the intention of the PSP.*

*The provision of a median break will set a precedent for other intersections along Brunt and Rix Road.*

Two alternatives to the median break were provided for consideration specifically at the Blue Gum Lifestyle Village entrance, these were:

- Provide a U-turn facility at the northern end of the newly separated road section.
- Permit exit/entry from the northern access point to the village that is currently adjunct to the existing non divided road that allows right turn movements.



Investigations into the first option have shown that allowing a U-turn at this location cannot be achieved spatially due to a lack of room within the current road pavement and is against road rules due to the current line marking. Alterations to the current line marking to allow this will expose Council to undue risk. Please note that a U-turn facility is not achievable within the future Princes Highway/Brunt Road/Whiteside Road intersection design.

Blue Gum Lifestyle Village currently intend to permanently close their northern access and have a permit to construct additional dwellings here, making the second option not viable.

### **Policy Implications**

N/A

### **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**

N/A

### **Consultation/Communication**

As part of the Brunt Rd/Pioneer Way project, the project team held a community drop in event where project staff were available to discuss the project. This was advertised locally and included a social media campaign. Plans were available on the night for viewing and have been available upon request throughout the project. Subsequently, and prior to works commencing, a letter drop occurred, giving contact details, and directed residents to the project website for updates. As the plans have been prepared in accordance with the Officer PSP, they have remained consistent throughout, and the access arrangements at Blue Gum Lifestyle Village have not altered since the project began.

An accelerated works program for this project was implemented due to the commencement of the level crossing removal project and programmed opening of the State School off Pioneer Way, and although community engagement occurred and plans were made available, it is acknowledged that improvements can always be made to how council communicates with residents effected by projects, and learnings will be applied for future projects.

If the recommendations of this report are accepted by Council, engagement with Blue Gum Lifestyle Village will need to occur to inform them of the decision regarding the centre median opening and why it was made. Additionally, they can be informed/educated about the Officer Precinct Structure Plan and interim/ultimate traffic arrangements surrounding the village including the Princes Highway/Brunt Road intersection upgrade.

### **Financial and Resource Implications**

To construct a centre median opening at Blue Gum Lifestyle Village the approximate costs for this is in the order of \$40,000 as this is not included as part of the current works. This will also risk setting a precedent for this corridor and may result in pressure to provide additional centre median openings along Brunt and Rix Roads requiring further funds.

## Conclusion

Brunt Road and Rix Road form an important high traffic volume road corridor with the Officer township south of the Princes Highway, linking key transport routes and providing access to various facilities for local residents.

Works have recently been completed on Brunt Road in Officer to bring a section of this road in line with the standards required by the Officer Precinct Structure Plan. This has resulted in access arrangements at the Blue Gum Lifestyle Village being restricted to left in and left out only and leading to a notice of motion being raised by Council to investigate the implications of providing centre median openings along the Brunt-Rix corridor to facilitate right turn movements.

A traffic impact assessment has now been completed and has found that providing centre median openings along the Brunt-Rix Road corridor: is not in line with the intended or required standard for a Connector Street Boulevard road corridor within the Officer PSP, will adversely impact the safety and operation of Brunt Road at the location required for the entrance at Blue Gum Lifestyle Village, and create a precedent for other roads with a similar PSP cross section.

For the road safety and operational reasons described in the traffic impact assessment it is recommended that centre median openings not be provided at the entrance to the Blue Gum Lifestyle Village, or within the Brunt-Rix Road corridor, in line with the requirements of the Officer PSP.

## Resolution

Moved Cr Kaye Cameron, seconded Cr Stephanie Davies.

That Council

- For the road safety and operational reasons described in this report and in the attached traffic impact assessment it is recommended that a centre median opening not be provided at the entrance to the Blue Gum Lifestyle Village, or within the wider Brunt-Rix Road corridor, in line with the requirements of the Officer PSP.
- Council Officers further engage with the Blue Gum Lifestyle Village regarding the access arrangements and future works required in the Officer PSP in the local area.

Carried

## 6.3 Policy Reports

### 6.3.1 Proposed Community Local Law 2024

**Responsible GM:** Debbie Tyson  
**Author:** Owen Hardidge

#### Recommendation(s)

That Council resolve, in accordance with Part 3 – Division 3 of the Local Government Act 2020,

- A) to propose to make a Local Law, known as the Cardinia Shire Council Community Local Law 2024, and
- B) to commence community engagement regarding the proposed Local Law in accordance with the Cardinia Shire Council Community Engagement Policy,
- C) And to further consider the proposed Local Law at a future Ordinary Council meeting.

#### Attachments

1. Community Local Law 2024 Clause comparison table - table of changes for consultation [6.3.1.1 - 11 pages]
2. Cardinia Shire Council Community Local Law 2024 Community Impact Statement [6.3.1.2 - 14 pages]
3. PROPOSED Cardinia Shire Council Community Local Law 2024 version 1 [6.3.1.3 - 72 pages]

#### Executive Summary

Council has a broad power to make Local Laws in respect of any act, matter or thing in respect of which Council has a power or function (Section 71 Local Government Act). The power and process for making such a law are set out in Part 3 – Division 3 of the Act.

Local Laws can only be made for 10 years, and Cardinia Shire Council Local Law 17 – Environment, Amenity and Asset Protection Local Law will cease to operate on 14<sup>th</sup> June 2025, if not re-enacted sooner.

Cardinia Shire Council Community Local Law 2024 is proposed to replace existing Local Law. The proposed Community Local Law 2024 substantially re-enacts the contents and subject matter of the current Local Law 17, with changes that reflect:

- A) emerging issues of community concern,
- B) amendments to improve the efficacy and effectiveness of the Local Law to achieve its purposes, and
- C) Miscellaneous amendments to improve clarity, meaning and administration.

The most significant changes are and discussed in this report, and all changes are identified and elaborated on in the Attachments to this report (Table of changes and Community Impact Statement).

The proposed Community Local Law 2024 is broadly consistent with the scope and policies of other Councils, and complies with all requirements of the Local Government Act. The drafting of the proposed Local Law, and the process to consider and make the Local Law, will comply with the Minister for Local Governments “Guidelines for Local Laws Manual”, 2010.

Following a resolution to propose a Local Law, there will be an extensive community engagement process, conducted in accordance with the Community Engagement Policy. This will include targeted engagement of business cohorts that are particularly impacted by the proposed changes.

The proposed Local Law will not be enacted unless and until Council makes a further resolution, informed by the community engagement process. Council officers are aiming for the Community Local Law to be debated by Council approximately in the mid-2024.

## Overview of the proposed Community Local Law 2024

### Proposed Local Law mostly reflects the current Local Law

The proposed Community Local Law 2024 proposes to re-enact the majority of the current Local Law 17 in its current form. Where clauses are proposed to be changed, this is highlighted in the attached "Clause comparison table - table of changes". The Community Impact Statement includes commentary on the significant changes and the new clauses, including the reasoning for the proposed change, and the objectives that are sought to be achieved.

The Local Law covers a range of topics that address local issues and concerns that are not addressed in other legislation. The topics covered in Council Local Laws are very similar across Councils, and because they need to be reviewed and remade every decade, they remain relatively consistent. Councils do adopt different laws or policies, and the laws can be expressed quite differently, but the broad scope of the laws is quite consistent.

The Objectives of the proposed Local Law (Clause 2) are the same as the current Local Law 17, namely:

1. provide for the peace order and good government of the Cardinia Shire Council, and
2. promote a physical and social environment free from hazards to health, in which the residents of the *municipal district* can enjoy a quality of life that meets the general expectations of the community, and
3. prevent and suppress nuisances which may adversely affect the enjoyment of life or the health, safety and welfare of persons, and
4. prohibit, regulate and control activities which may be dangerous or unsafe or detrimental to the quality of life and the environment, and
5. prohibit, regulate and control access to and behaviour in *Municipal Places*, and
6. prohibit, regulate and control the use of *Municipal Recreation Centres*, *Municipal Buildings*, and *Municipal Reserves*, and
7. protect public assets vested in Council from damage, accelerated deterioration or abuse during the building process or at other times, and
8. provide a physical environment which aims to minimize hazards to health and safety of persons attending building sites and those adjacent, opposite or passing building sites, and
9. prohibit, regulate and control the presence of and disposal of *builders' refuse*, rubbish and soil on and from building sites within the *municipal district*, particularly litter and stormwater pollution to protect receiving waterways and bays, and
10. define the standards to which persons engaged in *building work* should adhere, and
11. educate and induce persons involved in *building work* to act responsibly to reduce the extent and cost of infrastructure damage for the benefit of the wider community, and
12. provide for the consistent application and enforcement of this Local Law.

The structure, subject matter and topics in the Proposed Local Law are the same as the current Local Law 17. In the 9 years since Local Law 17 came into effect, it has been enforced by various teams of Council officers, and is generally regarded as easy to enforce, broadly consistent with community expectations, and practical. For that reason, Council officers recommend the majority of the law be re-enacted, subject to the amendments outlined in the Table of Proposed Changes.

Some of the clauses in the current Local Law are proposed to be removed from the text of the Local Law, and recreated in resolutions made pursuant to the *Domestic Animals Act*.

***Increase in the infringement penalties for building site amenity and asset protection offences***

Because of the consistency and patterns of development in Cardinia, Council has maintained a strong enforcement focus to ensure that building sites are appropriately managed so that waste, amenity and materials do not pollute the environment or cause amenity issues for nearby residents., Council requires permits and bonds during the construction process, to ensure that public infrastructure (such as footpaths, curbs, naturestrips etc) are not damaged during this process.

Since December 2005, the infringement penalty for such offences has been fixed at 2 penalty units, with a value of \$200. Over time, it has become apparent that this penalty value is no longer sufficient to deter builders from such conduct. It has also not kept pace with community expectations, which is particularly apparent by comparison with other Eastern Suburbs Councils as shown in the below table:

<b>Municipality Local Law</b>	<b>Building Site infringement penalties (Penalty Units)</b>	<b>Asset Protection infringement penalties (Penalty Units)</b>
<b>Current</b> – Cardinia Shire Local Law 17	2	2
<b>Proposed</b> – Cardinia Shire Community Local Law 2024	5	8
<b>Comparison table – current infringement penalties across Eastern Metro Councils</b>		
Knox City Council Amenity Local Law 2020	10	10
Casey Community Local Law 2018 Asset Protection Local Law 2016	3	10 (Failure to apply) 5 (Fail to comply)
Maroondah Community Local Law 2023	3-5	10
Monash City Council Local Law 3 (2017)	2	2
Manningham Community Local Law 2023	4	4
Whitehorse City Council Community Local Law 2014	9	9
Cith of Greater Dandenong Local Law No 2 (General Local Law) (2021)	5	5

Kingston City Council Community Local Law [Consolidated] (2022)	10	5
Stonnington General Local Law 2018	10	10
Frankston City Council Community Local Law 2020	5	5
Yarra Ranges Neighbourhood Amenity Local Law	5	5

As such, the proposed Local Law includes an increase to the infringement penalties for building site offences to 5 Penalty Units (approx \$960) and asset protection offences to 8 Penalty Units (approx \$1540). It is submitted that this increase is consistent with the practices of other Councils, and sufficient to deter wrongdoers from disregarding (or absorbing) infringements of a lesser value. In particular, the penalty for failing to apply for an asset protection permits takes into account the typical asset protection permit and bond costs.

The proposed Local Law also introduces a prohibition on building work that aligns with the existing EPA Construction Noise Code of Practice.

#### **Asset protection permit requirements**

The proposed Local Law also includes clauses intended to make the asset protection permit system to operate more effectively. This is achieved by introducing a requirement for builders to advise Council sooner when they complete work, which in turn allows Council to more accurately assess and confirm whether any damage is present. This also narrows the period for which builders can be held responsible for the damage, by ensuring that the site is inspected sooner.

The proposed Local Law also introduces a presumption if the builder fails to comply with the reporting requirement. This combination of clauses will incentivise builders to swiftly advise Council when they have completed the work, better protect builders who have not caused damage to assets during their build, and also ensure enforcement against non-complying builders is more efficient.

Builders will be directly engaged during the consultation phase.

#### ***Proposed reduction in the use of real estate pointer boards***

Real estate pointer boards are frequently used by real estate agents as a form of inexpensive signage to draw attention to sales inspections, auctions and rental inspections. They are typically light-weight signs (often corflute), spiked into the ground along roadsides. Under the current Local Law, such signs may only be placed in public places if the agent has a permit, and are subject to conditions.

From time to time it is apparent that such signs are placed far more widely than is necessary to provide direction to an event. Some agents complain that pointer board signs are used for the purpose of increasing brand recognition in target localities, rather than genuinely being used to help customers find properties. This accusation is typically made at Pakenham and Officer agencies, where the patterns of erecting signs on major thoroughfares is common. According to those that complain about this behaviour, this means that non-compliant agents obtain an unfair advertising advantage, and encourages an “arms race” in order to create name- or agency- recognition.

The effect of the proposed Local Law would allow real estate agents to use pointer boards without a permit, but in much-reduced circumstances as is currently allowed. Real estate agents would only be allowed to place boards immediately in front of the event, or at the nearest intersection, and for no more than 60 minutes before and after the end. They will not require a permit to do this, and Council will not issue a permit for any other use of the boards.

The above approach is recommended, as it will substantially reduce the prevalence of the signs for long periods of time, reduce the entitlement to place signs on major thoroughfare, and stop the practice of leaving signs out for very long periods of time. It will, however, reduce the administrative burden on agents, and still allow them to highlight their events to persons who are driving to find them.

The proposed Local Law also makes it easier to detect and enforce breaches of the law. Prohibiting or reducing the use of pointer boards has been adopted in other Melbourne municipalities.

A dedicated engagement and consultation strategy with real estate agents will be undertaken to ensure that the views of real estate agents are understood, including the perspectives of agents that service different parts of the municipality.

#### ***Dilapidated buildings***

The current Local Law includes provisions that require land owners to maintain their properties in a condition that is not “unsightly”. The proposed Local Law clarifies and expands this definition, to ensure that buildings do not become dilapidated. This will allow for the more effective enforcement where dilapidated buildings adversely impact on the amenity of the area, or promote the more rapid decline of the building. Enforcement action in this respect will be moderated by considerations of the personal circumstances that may be contributing to the issue.

In this respect, owners of property who do not perceive a need to maintain their buildings (for example, where a house has been left vacant pending development etc) may be effectively deterred where the state of their building adversely impacts the amenity of others.

The penalty clause in respect of “unsightly buildings” will be amended so that owners who persistently fail to remedy breaches may also be liable for up to 2 penalty units (approx \$380) for each day that the breach continues after a finding of guilt.

#### ***Introduction of offences relating to the use of waste services***

The proposed Local Law has largely re-written the clauses relating to the use of waste services, which have not been substantially amended since 2005. The change to hard waste services to a “bookable service” (rather than a scheduled service) has required an amendment to ensure that hard waste is only placed out in accordance with the requirements of the new service.

The proposed Local Law also uses language to describe different domestic waste streams, and requires that a person using the waste service must “only place permitted items in the approved” bins (see cl 31.1.2, 31.2.2 and 31.3.2). While it is unlikely to be used very often, this clause is proposed to allow clearer enforcement, particularly where dangerous or prohibited items create hazards (including truck fires) that are ultimately borne by residents.

Council officers will continue to educate the community as to the benefits and methods of recycling and separating waste streams. However, it is the experience of Council officers that some residents will repeatedly place waste in the wrong bins, despite repeated educational contacts. Such behaviour reduces the effectiveness of recycling for all residents.

The infringement penalty for such an offence is proposed to be low (0.5 penalty units = approx \$96) but increases (to 2 penalty units = approx \$382) for second or subsequent offences.

***Offence to conduct a hoon event, or congregate in close proximity to a hoon event***

Victoria Police have previously requested for Councils to introduce provisions to assist in the suppression and disruption of vehicle hoon behaviour. “Hoon driving” itself constitutes a hazard, and is addressed by the *Road Safety Road Rules*. However, the practice of groups of onlookers congregating in proximity to the events is directly targeted by the Local Law clause, and provides for a simple mechanism by which police may deter such events from occurring.

***Other introduced clauses***

The following clauses are included in the proposed Local Law, and are cover subject matter that is not currently included in Local Law 17:

- A requirement for the owner of a shopping trolley to collect it within 24 hours, if directed by a Council officer
- A requirement for commercial businesses to use an adequate waste service, and to maintain their bins in a way that does not create amenity issues
- A requirement for an owner of a noisy alarm system to ensure that it does not create a noise nuisance.
- An expanded noise nuisance clause to capture excessive vehicle noise and revving while on idling on public roads
- A clarified responsibility to ensure that down pipes on buildings are adequately connected to storm water drains
- Expanded prohibition on washing off dirty commercial vehicles on Council roads, or into Council drains etc.

***Miscellaneous amendments included in the proposed Local Law***

The following clauses relate to subject matter that is already in the current Local Law, but the proposed Local Law amends, expands or clarifies the application of the law:

- Clauses that relate to keeping animals have been made general, and no longer specific to certain animals. For example, animal noise, nuisance, smell, containment etc currently apply to specified species of animal, but have been redrafted to apply more generally to animals kept by residents.
- The power to remove animals that are involved in Local Law offences (for example, a prohibited rooster in a residential area) has been clarified, and also a method of recovering the cost of care and sustenance.
- Removal of gender specific terms, and removal of a reference to use of municipal spaces “designated” for a specific gender (current clause 11.13). This clause is unnecessary and does not conform with current approaches for such spaces (other proposed clauses are considered sufficient to protect and promote the safe and comfortable use of shared public spaces, without recourse to concepts which some find discriminatory).
- Clauses that relate to behaviour in Municipal Places have been clarified. The current Local Law makes it clear that Council can restrict access to Municipal Places, and the circumstances of access. The clauses have been amended to make it clear that Council is not limited to outright “restricting” access, but also may place conditions on entry. This is considered preferable, as it allows for greater flexibility in its application.



### ***Increasing and indexing of penalty unit values***

Prior to the *Local Government Act 2020*, all Local Law penalties were expressed by reference to “penalty units”, which were in turn defined by Section 110 of the *Sentencing Act 1991*. The combined effect of this legislation was that Council by-laws had a “maximum penalty” value of \$2000, and infringements were typically set at multiples of 1 Penalty Unit. Under Local Law 17, infringement values are either 1, 2 or 5 penalty units, and equal to \$100, \$200 and \$500 respectively.

Prior to the Local Government Act 2020, Council Local Law penalty units did not index annually to keep pace with inflation (unlike State Government penalty units).

Local Laws enacted *after* the Local Government Act 2020 will have penalty units calculated in a slightly different way, and are pegged to the same indexation formula that applies to State-issued fines, such as parking, domestic animals, road safety fines, and planning enforcement fines.

Therefore, under the proposed Local Law, the maximum penalty that may be imposed for all offences will be approximately \$3,820 and index annually. Infringement penalties will be calculated according to the following translation table:

Infringement Penalty Unit	Current Local Law 17	Proposed Community Local Law 2024 *	Examples of offences (2024)
0.5 penalty units	N/A	\$96	Use of wrong waste streams (1 <sup>st</sup> infringement)
1 penalty unit	\$100	\$192	Parking offences in Council reserves
2 penalty units	\$200	\$384	<i>Most other offences</i>
5 penalty units	\$500	\$962	Livestock on roads, Building site offences
8 penalty units	N/A	8 penalty units = <b>\$1,538</b>	Asset protect offences
* Values in this column reflect the value of a penalty unit as declared for the 23/24 FY). Following a direction of the State Treasurer, these amounts index from 1 July each year.			

### ***Clauses proposed to be removed from the Local Law***

#### ***Off leash parks***

The current Local Law contains a clause requiring dogs to be kept on-leash when in public. There is also a current order made by Council in relation to off-leash parks, using a power set out in the Domestic Animals Act.

It is proposed to remake all provisions using the power set out in the Domestic Animals Act, and to remove the clause entirely from the Local Law.

It is proposed that Council remake an amended order that consolidates the current requirements for off leash parks, and the requirement for dogs otherwise to be kept on leash.

This will assist in clarity of communication, and ensure that the directions are made by the most appropriate statutory power.

### ***Cats requiring desexing***

Cardinia Shire Council has had long-standing policy that cats must be desexed in order to be registered and kept in the municipality. There are a number of exceptions to this, such as when the owner can satisfy that they are a member of an applicable organisation etc.

This policy is given effect by a Council resolution made pursuant to Section 10A of the Domestic Animals Act. Clause 46 of the current Local Law 17 duplicates this requirement. Technically, this duplication is unnecessary, and it is preferable to remove the clause from the new Local Law.

It should be noted that the current Local Law specifies that cats must be desexed once they are 6 months old. This was because many vets used to recommend that cats not be desexed until this age. However, the RSPCA and peak veterinary bodies now support the practice of desexing cats as early as 3 months, which coincides with the age at which a cat must be registered.

Therefore, it is proposed to remove the unnecessary clause from the Local Law, and for Council to make a new resolution maintaining the policy of requiring cats to be desexed.

### **Policy Implications**

As set out above, the proposed Local Law supports the same objectives as those previously adopted by Council.

Where changes are proposed to the Local Law, they are consistent with previous policy decisions of the Council.

The changes to the Local Law do not fundamentally alter the scope of the Local Law, though in some circumstances the scope is broadened slightly. Where the scope of the proposed Local Law has broadened, it does not result in an unexpected or extraordinary use of the law making power. In most cases, new requirements proposed in the Cardinia Shire Community Local Law 2024 have been modelled on clauses already operating in other municipalities.

### **Relevance to Council Plan**

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

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

#### **5.1 We practise responsible leadership**

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

### **Climate Emergency Consideration**

This Local Law does not raise any climate emergency considerations

### **Consultation/Communication**

The proposed Local Law has been drafted following:

- Informal feedback from real estate agents
- The feedback of enforcing officers since Local Law 17 was adopted, and
- Feedback from other relevant Council business units.

The proposal will be subject to an extensive, public consultation program, primarily using the Creating Cardinia platform, and other communication methods.

Dedicated consultation streams for Builders and Real Estate Agents will be developed and implemented in parallel to the community consultation.

Prior to Council resolving to make the Law, a detailed presentation of community feedback will be prepared for Councillors, and Council will have a thorough opportunity to consider amendments to the law as it is currently proposed.

### **Financial and Resource Implications**

The development of the proposed Local Law, and the engagement activities that support it, are met within existing operational budget.

### **Conclusion**

It is necessary for Council to remake the Local Law, and the proposed Local Law broadly represents a continuation of the current Local Law, with proposed amendments to improve the effectiveness and efficiency of the Local Law.

Where changes are proposed, in most cases they are modelled on clause currently operating in Victorian municipalities and represent a consistent approach to common problems experienced across municipalities.

It is recommended that Council resolve to propose the Cardinia Shire Community Local Law 2024 and commence public engagement. Council will then be best placed to consider whether the proposed law should be made.

### **Resolution**

Moved Cr Jeff Springfield, seconded Cr Graeme Moore.

That Council resolve, in accordance with Part 3 – Division 3 of the Local Government Act 2020,

- A) to propose to make a Local Law, known as the Cardinia Shire Council Community Local Law 2024, and
- B) to commence community engagement regarding the proposed Local Law in accordance with the Cardinia Shire Council Community Engagement Policy,
- C) And to further consider the proposed Local Law at a future Ordinary Council meeting.

Carried

## 6.4 Financial Reports

### 6.4.1 Quarterly Financial Report 2023/24 - Q2 December 2023

**Responsible GM:** Wayne Mack  
**Author:** Allison Southwell

#### Recommendation(s)

That Council:

1. Receives and notes the quarterly financial report for the six months to 31 December 2023, for the purpose of Section 97 of the *Local Government Act 2020*.
2. Approves the budget variation of \$2,738,732 for Officer District Park project.
3. Approves the budget variation of \$1,163,661 for Pioneer Way / Brunt Road, Officer project.
4. Notes that the Chief Executive Officer, as required under Section 97 (3) of the *Local Government Act 2020*, is of the opinion that a revised budget is not required.

#### Attachments

1. Quarterly Financial Report\_-\_ Q 2 December 2023 [6.4.1.1 - 10 pages]

#### Executive Summary

The attached quarterly finance report has been prepared as of 31 December 2023. The report includes financial year-to-date data up to quarter two of the 2023/24 financial year and is compared to the adopted budget for the full year to 30 June 2024.

Also included in this report are two project variations that require Council approval.

#### Background

##### Quarterly Financial Report

The quarterly financial update presents summary financial statements and a series of other progress reports on matters that will inform both Council and the community on the performance of Council for the six months ending 31 December 2023.

##### Comprehensive result (net surplus/deficit)

Year to date comprehensive result of \$76.4m surplus is \$34.1m favourable to the adopted budget.

Revenue is currently tracking higher than budget, mainly due to:

- The difference in expected recognition of capital grant income between budget and actual.
- Lower operating grant revenue is caused by the receipt in full of the 2023/24 financial assistance payment in June 2023 which was budgeted for in this financial year.
- Contributions income is higher mainly due to Officer precinct development growing faster than anticipated.

Expenses are slightly lower than budget due to:

- Materials and services show a favourable variance due to the timing of expenditure in various areas.
- Depreciation is lower than budget as a result of recent asset valuations completed for buildings, roads, pathways, and off-street carparks.
- This is being offset by higher employee costs due to increased contract costs being experienced in the market.

The current full year forecast result of \$104.2m is favourable to adopted budget by \$4.0m, largely due to income from other sources including:

- Higher interest income with increasing interest rates.
- Higher development levies as Officer Precinct Development is growing at a faster rate than anticipated.

Additionally, forecasted savings in depreciation due to recent asset revaluations is also contributing to this favourable result.

This is being partially offset by:

- Lower than budgeted grant income following a recent review of the capital program.
- Higher forecasted expenditure in both employee costs and materials and services.

#### Adjusted underlying result

This is the net result exclusive of capital grants and contributions. It is an indicator of the sustainable operating result required to enable Council to continue to provide core services and meet its objectives.

The year-to-date result of \$20.4m surplus is \$11.3m favourable to the adopted budget. This is mostly related to the timing of expenditure.

The full year forecast is currently showing a small deficit of \$12k, which is favourable to the adopted budget deficit of \$9.7m. This is being influenced by the reduction in capital income, which turns the measure more positive.

#### Balance sheet and cashflow statement

Cash and investment holdings are \$163.7m as of 31 December 2023 representing a positive cash position. The Balance Sheet presents a working capital \$144.0m (total current assets of \$236.4m less total current liabilities of \$92.3m). The full year forecast working capital is expected to be positive at \$105.2m as at June 2024, reflecting Council's ability to meet its obligations as and when they fall due.

#### Capital program

Year to date capital expenditure of \$39.7m is \$26.7m or 40.2% below the year to date adopted budget of \$66.4m. The full year forecast is expected to be \$27.4m below the full year adopted budget.

#### **Project variations**

##### Officer District Park – Project Budget Variation

This project has an approved FY23/24 project budget of \$3,720,386.

Works are progressing significantly ahead of schedule and conditions allow for planned FY24/25 works to be brought forward into FY23/24.

There is provision of \$3,242,278 in the budget for FY24/25. It is recommended to bring \$2,738,732 of this expenditure forward into FY23/24 to enable works to continue.

The project will remain within the overall total budget that has been allocated over multiple years.

Contractors are on site and full delivery is expected by September 2024. If the budget variation is not approved, works will need to pause until 1 July.

The total life budget approved by Council is \$7,697,681 and is entirely funded through DCP and external funding (DCP: \$5,169,841; Federal grant: \$435,000; State grant: \$2,200,000).

#### Pioneer Way / Brunt Road, Officer – Project Budget Variation

This project has an approved FY23/24 of \$1,932,523 and it is recommended that this project budget is increased by \$1,163,661 in FY23/24.

Council's Capital Works Program has three projects relating to Brunt Road in FY23/24. From these three projects, it was planned to complete the works at Pioneer Way / Brunt Road intersection, design the intersection of Brunt Road / Rix Road and design the road connection to Brunt Road / Rix Road intersection.

Delivery on the projects has progressed as intended and the works program has been managed within the overall budget allocation for these three projects.

As the projects are nearing completion, it has been identified that the costs need to be reflected against the appropriate project name and this necessitates a need for to formally vary (increase) the identified budget for the Pioneer Way / Brunt Road intersection.

The expenditure is provided for within the overall program budgets and does not impact any other project or funding, as outlined below.

- DCP - Pioneer Way (scope of works Pioneer/Brunt Rd intersection)
  - **Approved life budget:** \$2,288,921 (DCP funding: \$2,467,269)
  - **Approved FY23/24 expenditure:** \$1,932,523
  - **Forecast FY23/24 expenditure:** \$3,096,183 (bringing total life expenditure to \$3,452,582)
  - **Total overspend:** \$1,163,661, of which \$985,313 is not DCP funded
- DCP - Brunt Rd – Roadworks (scope of works is Brunt/Rix roadworks leading into the intersection)
  - **Approved FY23/24 expenditure:** \$2,479,568 (Estimated DCP funding at time of completion: \$2,254,946)
  - **Forecast FY23/24 expenditure:** \$100,000
- DCP – Brunt Rd - Roundabout (scope of works is Brunt/Rix intersection)
  - **Approved FY23/24 expenditure:** \$2,860,062 (Estimated DCP funding at time of completion: \$725,693)
  - **Forecast FY23/24 expenditure:** \$100,000

## Policy Implications

Nil.

## Relevance to Council Plan

### 5.1 We practise responsible leadership

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

## Climate Emergency Consideration

Nil.

## Consultation/Communication

Finance Business Partners work together with Business Units Managers to inform year to date results and full year forecasts for operating and capital works budgets. Outcomes of these discussions provide input to the financial performance and capital works reports for further review with the relevant General Managers and governance working groups. These reports are subsequently presented to the Senior Leadership Team, the Audit and Risk Committee, and Council.

## Financial and Resource Implications

The attached report outlines the financial performance and position of Council's activities for the 2023/24 financial year up to 31 December 2023. It includes analysis of the differences between the 2023/24 budget adopted in June 2023, as well as forecast of performance for the full year.

## Conclusion

The report provides a summary of the December 2023 position for Cardinia Shire Council. Council is currently tracking ahead of the adopted budget after the first six months, with a full financial year forecast anticipated to be \$4.0m higher than budget. These variances are largely due to higher income expectations, being partially offset by increased operating expenses in relation material and services costs, as outlined in the attached report.

## Resolution

Moved Cr Stephanie Davies, seconded Cr Tammy Radford.

That Council:

1. Receives and notes the quarterly financial report for the six months to 31 December 2023, for the purpose of Section 97 of the *Local Government Act 2020*.
2. Approves the budget variation of \$2,738,732 for Officer District Park project.
3. Approves the budget variation of \$1,163,661 for Pioneer Way / Brunt Road, Officer project.
4. Notes that the Chief Executive Officer, as required under Section 97 (3) of the *Local Government Act 2020*, is of the opinion that a revised budget is not required.

Carried

## 6.5 Activity Reports

### 6.5.1 Environment Council Plan Initiatives Quarterly Report

**Responsible GM:** Peter Benazic

**Authors:** Charlotte Fletcher, Kate Witherby and Arushi Mehta

#### Recommendation(s)

That Council notes the Environmental Council Plan Initiatives quarterly report for the six months to December 2023.

#### Attachments

1. Environment Council Plan initiatives quarterly report - February 2024 [6.5.1.1 - 8 pages]

#### Executive Summary

This quarterly report provides an update on projects, services and actions that are undertaken by Council to deliver on the Council Plan focus area number three: thriving environments and its associated initiatives.

#### Priority: We value our natural assets and support our biodiversity to thrive

We place a high value on our natural assets and biodiversity. We take action to help our natural assets and biodiversity thrive and build their resilience to climate change and natural hazards. We enhance green spaces and habitat links, support our communities to live sustainably, and champion sustainable development and waste management practices.

#### Initiatives

The initiatives have been categorised according to the *Sustainable Environment Policy (SEP) 2018- 28* themes of: Biodiversity, Climate change, Water, Waste and resource recovery.

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

#### Background

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

Council Plan initiatives and how they link to the *Sustainable Environment Policy* themes:

- Biodiversity
  - Implement initiatives in the *Biodiversity Conservation Strategy*
- Climate change
  - Implement initiatives in the *Aspirational Energy Transition Plan*
- Water
  - Implement initiatives in the *Integrated Water Management Plan*
- Waste and resource recovery
  - Implement the action plan for the *Waste and Resource Recovery Strategy*



This report also covers the Council Plan initiative *actively protect key heritage sites within the shire*.

### **Project update**

Projects and updates are included in the attached report

### **Resolution**

Moved Cr Brett Owen, seconded Cr Collin Ross.

That Council notes the Environmental Council Plan Initiatives quarterly report for the six months to December 2023.

Carried

## 6.5.2 Performance and Growth Reports - Q2 2023-24

**Responsible GM:** Wayne Mack

**Author:** Porshia Sidhu

### Recommendation(s)

The Performance and Growth Reports for Quarter 2 2023-24 be received and noted.

### Attachments

1. Attachment 1 - Performance Report 2023-24 Q 2 [6.5.2.1 - 19 pages]
2. Attachment 2 - Council Plan Initiatives - Progress Report 2023-24 Q 2 [6.5.2.2 - 13 pages]
3. Attachment 3 - Growth Report 2023-24 Q 2 [6.5.2.3 - 6 pages]
4. Attachment 4 - GEAP Progress Report 2023-24 Q 2 [6.5.2.4 - 2 pages]

### Executive Summary

The new Council Plan 2021-25 was adopted at the Council Meeting on Monday 21 June 2021. This is the third reporting year for the new Council Plan. The Council Plan is structured around five strategic objectives that underpin the overarching strategic direction for the next three years. Under each strategic objective is a series of strategies, initiatives, and indicators. Council committed to undertake work on 29 Council Plan initiatives during the 2023-24 financial year. All initiatives are currently on track to be completed by their due date.

The share of incoming service requests, across the organisation, which were actioned and closed within service standard, sat at 86% for the quarter, slightly lower than our target of 90%.

The service levels achieved for unsealed road related requests and drainage related requests this quarter were 93% and 92% respectively. Unsealed road service level is close to its highest level in the last three years and is above our 90% target. The ongoing integration project, to connect Council's Customer Relationship Management System (CRMS) and Reflect, Council's inspection and maintenance management system, should help to maintain this result.

Starting from last quarter, we have revised our performance benchmark, shifting from a target of answering 80% of calls within 300 seconds to now aiming for a more ambitious target of 80% of calls to be answered within 90 seconds. This adjustment is intended to enhance our service quality and improve the experience for our customers. Even with our new target, our service level is stable at 81%. The improvement from the last year's result was due to several initiatives that were implemented to improve performance and assist with secondment extensions and unforeseen departures. Providing no other staffing issues occur, we hope to maintain this result.

We have received a total of 54 escalated complaints. 72.7% of these complaints were closed on time.

Councillors' attendance rate at Council meetings was 96.3%. 'Time Taken to Action Food Complaints', 'Animal reclaimed', and 'Time Taken to Action Animal Requests' were improved. Our metric, 'Waste Diverted from Landfill,' remained consistently stable. The 'Missed Bins' metric displayed a significant improvement. Our waste team has worked with our kerbside collections contractor to put a significant focus on missed bins management across our three kerbside collection streams. Maternal and Child Health enrolments and the 4-week Key Ages

and Stages (KAS) participation rates remain high. The percentage of planning application decisions made within the 60-day timeframe has shown improvement, climbing from 30% to 38%, following actions taken to improve service in this area. Planning decisions challenged at VCAT have been upheld at an 80% success rate.

The household growth rate in the Shire has remained stable at four households per calendar day for the current financial year. This quarter, the number of residential subdivision lot applications lodged was 45% lower compared to the same time last year. Conversely, the issuance of statements of compliance for residential lots has witnessed a notable increase of 32% in comparison to Q2 2022-23 same period last year.

## **Government Interaction**

### **Government Advocacy**

Council works with all levels of Government to lobby for action on important local issues and works hard to influence government priorities that will benefit our local communities. Council also works with other groups of Councils, such as the Municipal Association of Victoria, Greater Southeast Melbourne, Interface Councils Groups and National Growth Areas Authority to facilitate investment into the broader region.

The advocacy package prepared detailing Council's priorities for the municipality is used to lobby local members of parliament and bureaucrats to promote Council's priorities for consideration in the development of the State and Federal budgets.

### **Grant applications**

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

To the end of the second quarter of this financial year 13 applications were lodged under various programs seeking a total of \$34,000,000. Of these applications 4 have so far been approved for a total of \$505,972. There are an additional 4 applications from the 22/23 financial year totalling \$203,697 which are pending.

### **Legislative Program**

Council continues to monitor proposed legislation as Bills are introduced into parliament. The IBAC investigation 'Operation Sandon' into the City of Casey was tabled in Parliament in July. The report includes 34 recommendations to promote transparency in planning decisions; enhance donation and lobbying regulation; improve the accountability of ministerial advisers and electorate officers; and strengthen council governance. It is anticipated that this will see changes recommended to Council as a result of this report. As a result of the report, Cardinia Council has implemented a developer contact register for Councillors to record any contacts with developers.

On 17 November Minister for Local Government Melissa Horne announced legislation to be introduced in the first quarter of 2024 to elevate governance and integrity standards in the state's 79 councils. The legislation is proposed to introduce a model Councillor Code of Conduct. Reforms will introduce mandatory training for elected representatives, a uniform councillor code of conduct and strengthened powers for the Minister to address councillor conduct. A model code of conduct for councillors with tougher sanctions for misconduct will

provide a uniform set of standards and reduce the regulatory burden on councils which will no longer need to establish their own codes.

Council lobbies the State Government when and as required when Bills are introduced that would either shift costs onto the Council or increase the Council’s responsibilities without appropriate recognition being detailed in the legislation. Cost shifting by the State onto Local Government continues to be a matter of concern.

**Cardinia Shire Gender Equality Action Plan (GEAP) 2021 – 2025**

The GEAP outlines Council’s vision that everyone who lives, works, and spends time in Cardinia Shire – regardless of their gender identity – be treated with respect and fairness, feel and be safe, and have equal access to opportunities to reach their potential and pursue their dreams. The progress against the actions outlined in the key focus areas of the Cardinia Shire Gender Equality Action Plan (GEAP) 2021 – 2025 is detailed in Attachment 4.

Cardinia Casey Family Violence Network and Together We Can’s Walk Against Violence occurred on 24 November 2023. More than 250 community members participated in the march against family violence in Pakenham. This was the 13th year the event has occurred. Cardinia Shire Council, as a White Ribbon Accredited organisation, continues to support this event financially, with the support of the Together We Can initiative.

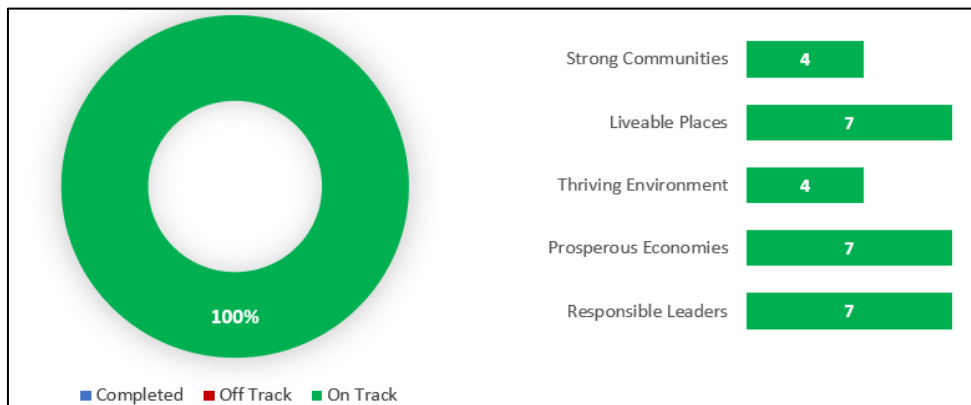
**Performance Summary**

**Council Plan Performance**

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

There are 29 Council Plan initiatives due to be completed during the 2023-24 financial year, all are on-track to be completed by their due date. Please refer to Figure 1 for further details.

**Figure 3. Council Plan Initiative Performance by Priority Areas**



**Service Request Performance**

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

**Organisation Performance:**

Across the organisation, 86% of incoming service requests were actioned and closed within service standard. This is below our target of 90%. The total number of incoming service requests decreased by 10%, compared to the same time last year.

Table 3 illustrates the top five service categories by volume and their service level, for the quarter. A focus on improving service levels across the below service categories is expected to have a strong effect on the overall service level for the organisation.

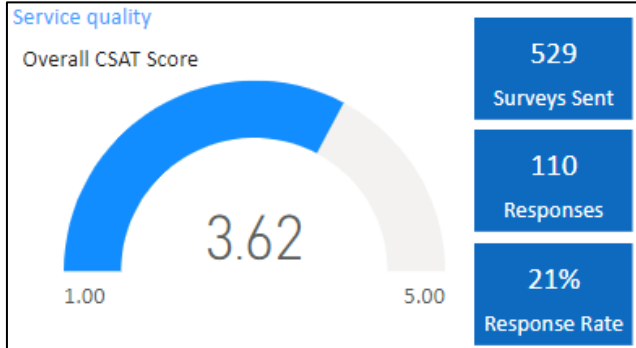
**Table 1. Table 3. Top 5 Service Request Categories by Volume, and their Service Levels**

Service Request	Volumes	Service Level	
Waste - Kerbside Bin Issue	1,787	96%	
Waste - Kerbside Bin Change	1,198	99%	
Trees and Vegetation on Public or Council Land	832	44%	
Rates	827	94%	
Council Properties	659	65%	

**Customer Experience Results:**

The overall customer satisfaction score is derived from asking customers, who have had a service request closed, to rate their overall experience with council, on a scale of 1 to 5, with 1 being very poor, and 5 being very good. We achieved a satisfaction score of 3.62 in quarter 2. The score is based on 110 responses received from 529 surveys sent.

**Figure 4. Overall customer satisfaction results**



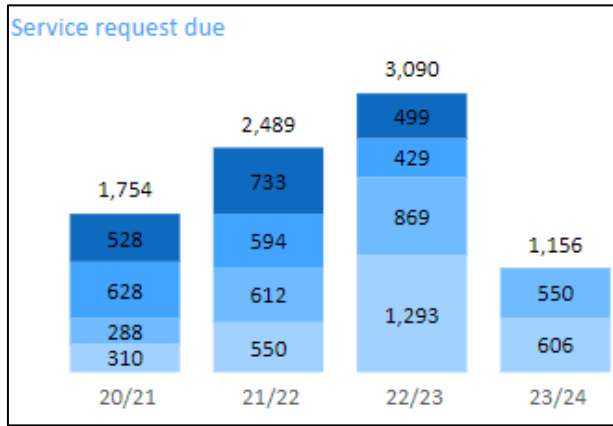
**Operations Performance**

Council maintains a large, unsealed road network. Maintenance works consist of both grading and re-sheeting, done on a cyclic basis, along with responses to defects caused by adverse weather conditions such as storms or long dry spells. All works are conducted in accordance with Council’s Road Management Plan, which ensures that the network is kept in a safe and trafficable condition.

**Unsealed road results:**

The service level for unsealed road related requests this quarter was 93%, higher than the 90% target. Figure 3 below shows that there has been a significant decrease in the number of unsealed road service requests received this year, compared to the same time last year.

**Figure 5. Unsealed road service requests due**



It should be noted that the service level calculation is based upon the number of unsealed road requests closed in time, upon completion of inspection and scheduling of work (if work is required).

The number of hours spent grading unsealed roads was 6% higher compared to the same time last year. A total of 330 corrugation or pothole complaints requests were received in this quarter, and this is a 54% decrease compared to the same time last year.

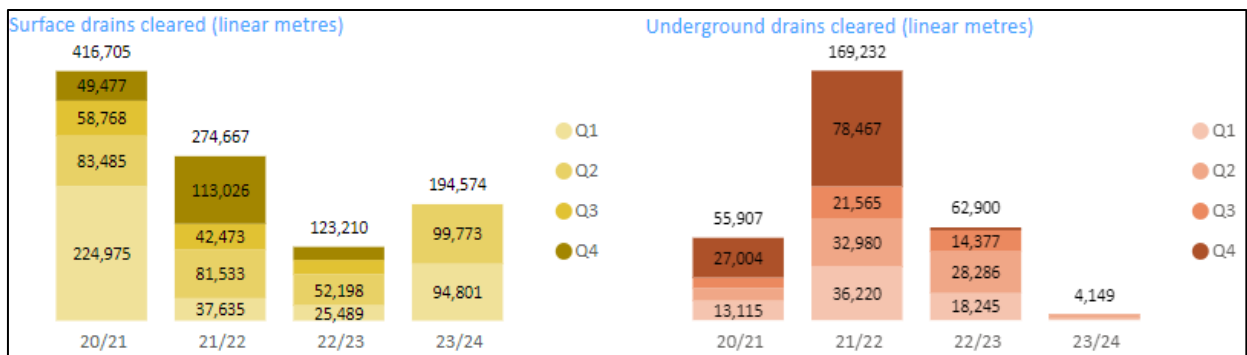
**Drains maintained:**

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

The linear metres of surface drains and underground drains cleared this quarter were, respectively, 150% higher and 91% lower than the same time last year. The current service level for drainage related requests is 92% and is higher than service level target of 90%.

It should be noted that the service level calculation for the drains cleared is based upon the number of drainage requests closed in time upon completion of inspection and scheduling of work (if work is required).

**Figure 6. Drainage Performance**



**Business system/process improvement initiative:**

Unsealed road service requests are recorded initially through the CRMS, however, the work to resolve the service request is handled through the inspection and maintenance management

system called Reflect. When a service request is logged in the CRMS, it is categorised as a request for inspection and should be closed as soon as practicable following completion of the relevant inspection. This is currently a manual process, and, as such, delays in the closing of requests can occur.

An improvement project, to integrate Council's Reflect with the CRMS, is currently underway. It is anticipated that this project will reduce the time between completion of the requested inspection, and the closing of the request in the CRMS.

As the drainage service requests are also managed through the Reflect system, it is expected that the integration project mentioned above will also improve the efficiency of closing those requests in the CRMS, and therefore have a positive effect on the accuracy of reporting.

***Waste Management Performance:***

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

Waste management performance results continue to meet the organisation's target, achieving a 97% service level for the quarter, the highest in the past four years.

Waste disposal statistics are stable, with 1% less garbage waste being sent to landfill and 5% more food and green waste to mulching this quarter, compared to the same time last year. The amount of recycling recovered decreased by 10% compared to the same time last year.

**Customer Support Performance**

The Customer Support team runs the organisation's contact centre. As these contacts are the first interactions our community has with our organisation, it is important that we deliver a positive customer service experience. Monitoring the service level of the contact centre is one of the ways we assess our customers' experience with Council.

***Call Performance:***

Starting from last quarter, we have revised our performance benchmark, shifting from a target of answering 80% of calls, within 300 seconds, to now aiming for the more ambitious target of 80% of calls to be answered within 90 seconds. This adjustment is intended to enhance our service quality and improve the experience for our customers. Even with our new target, our service level was still 81% for this quarter. This progress can be attributed to our efforts in recruiting and managing the Customer Support team, as well as conducting effective coaching and training sessions. These measures have positively impacted our ability to provide exceptional service to our customers.

We also measure the average amount of time customers wait in the call queue (Average Wait Time), Average Handle Time (Time taken to action a customer's query), average amount of time taken to complete admin work following the conclusion of a call (After-Call Work Time), and the percentage of calls that were abandoned by customers (Abandoned Calls).

For the quarter, the Average Wait Time, Average Handle Time, and After-Call Work Time were 53 seconds, 307 seconds, and 68 seconds, respectively. Three percent of calls were abandoned by customers.

***After Hours Call Performance:***

We currently measure our Customer Support after hours call service level as the percentage of calls answered in 14 seconds, our target was to answer 90% of calls within this specific

timeframe. Our service level for the quarter exceeded this target, reaching an impressive 96%. Additionally, the Average Wait Time for callers was 14 seconds, and the Average Handling Time was 268 seconds. Furthermore, the number of calls abandoned by customers was 0.22%. These statistics indicate that we have been successful in providing efficient and timely support to our customers.

***Digital Performance:***

In addition to the 1300 number, customers can contact Council via email (mail@cardinia.vic.gov.au) and online chat available on Council's website. More customers are using these alternative channels of contacting Council and, as a result, new measures (number of emails received, and online chat sessions completed) were introduced to monitor the service performance for these digital interactions.

Our service levels for emails and online chat sessions have exceeded our targets. In this quarter, 7,462 emails were received, and 164 online chats sessions were completed. We achieved a 100% service level for emails, ensuring that all customer inquiries received a timely response. In addition, our online chat sessions achieved a service level of 80%, aligning with our target of 80% of chats responded to within 90 seconds.

On average, the handle time for emails was 5 minutes 33 secs, which is well under our target of 10 minutes, while the average wait time was 4 hours 24 mins, which is almost half of our 8-business-hour processing target. The average wait time to respond to an online chat query was 59 seconds, lower than the target of 5 minutes, while the average handle time was 9 minutes 41 seconds, which is lower than our target of 10 minutes.

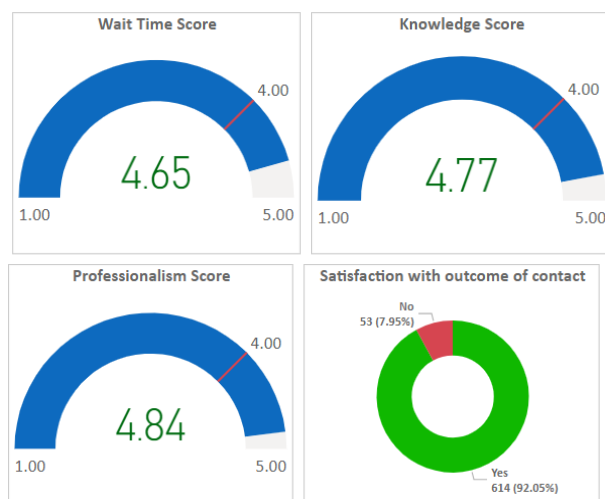
***Customer Call Experience Results:***

One of the improvement initiatives, recently implemented in the Customer Support area, is a survey after each call or chat, to gain our customers' feedback on their experience interacting with Council. Customers are asked to answer four survey questions about their experience interacting with Council on the day.

The survey questions that are asked are as follows:

- How satisfied were you with the time you waited on hold before speaking with an officer? (one to five scale, with one being the lowest, and five being the highest)
- How satisfied were you with our officer's level of knowledge about your inquiry? (one to five scale, with one being the lowest, and five being the highest)
- How satisfied were you with our officer's professionalism and the time they took to handle your inquiry? (one to five scale, with one being the lowest, and five being the highest)
- Are you satisfied with the outcome of your call? (yes or no answer)



**Figure 7. Customer Support After Call Survey**

Improvements in these results may be due to various reasons, such as extensive coaching and training programs, and recruiting and training a casual pool to quickly fill in when needed to take customer enquiries. These initiatives have also helped in reducing the percentage of abandoned calls, and wait and handle times, while providing a consistent and great experience for our customers.

### LGPRF Performance

The Local Government Performance Reporting Framework (LGPRF) is a platform for key local government service and financial measures. The measures are reported annually in Council Annual Reports. The LGPRF data was previously published on the Know Your Council website, however that website was decommissioned by LGV on 31 December 2022. The performance data will now be published via the Local Government Victoria website, and an interactive dashboard developed by the Victorian Auditor General's Office.

Councillors' attendance rate at Council meetings was 96.3%. 'Time Taken to Action Food Complaints', 'Animal reclaimed', and 'Time Taken to Action Animal Requests' were improved. Our metric, 'Waste Diverted from Landfill,' remained consistently stable. The 'Missed Bins' metric displayed a significant improvement. Our waste team has worked with our kerbside collections contractor to put a significant focus on missed bins management across our three kerbside collection streams. Our contractor has put several new processes in place to reduce the previously high 'miss bins' reporting number. Some of the changes include - more frequent reporting to the Council on this measure, better driver resourcing, education for drivers on the impact of missed services, direct driver engagement to support potential misses, and positive incentives for drivers who have zero missed bins on their runs

Maternal and Child Health enrolments and the 4-week Key Ages and Stages (KAS) participation rate remain high. The percentage of planning application decisions made within the 60-day timeframe has shown some recovery, climbing from 30% to 38%. Additionally, all planning decisions challenged at VCAT have been upheld with an 80% success rate.

### Escalated Complaints recorded in CRMS

The Local Government Act 2020 has redefined a complaint as, a written or oral expression of dissatisfaction with the.

- Quality of an action taken, decision made, or service provided by a member of Council staff or contractor engaged by the Council; or

- Delay by a member of Council staff or contractor engaged by the Council in taking an action, making a decision, or providing a service; or
- Policy or decision made by a Council, member of Council staff or a contractor.

A complaint can be assigned to the relevant/approved Council Officer/Contractor tasked with managing and responding to the complaint in the CRMS system. All Tier 2, 3 & 4 complaints must be acknowledged within 5 business days and an outcome letter (if a substantial investigation is required) is issued to the complainant within 20 business days of recording the complaint.

In Quarter 2, we received a total of 54 escalated complaints. 72.7% of these complaints were closed on time, showcasing our commitment to addressing customer concerns promptly. Only 2 complaints were categorised as Tier 3, indicating the need for an internal review.

## **Growth Summary**

Residential development activity drives much of the growth in demand for Council's services and facilities. There are four main precincts across the Shire in which residential land is currently in development. On 21 January 2021, the structure plan for the Pakenham East Precinct was approved and development has now begun. There are approximately 17,267 lots still to be developed across the Shire, the majority of which being within the Officer and the Pakenham East precincts.

This quarter, the number of residential subdivision lot applications lodged was 45% lower compared to the same time last year. Conversely, the issuance of statements of compliance for residential lots has witnessed a notable increase of 32% in comparison to Q2 2022-23 same period last year. However, it's important to note that we are now beginning to observe a slowdown in on-site activities, and we've been receiving feedback from developers regarding lower sales projections moving forward.

Activity within the property sector can help determine the growth rate within a municipality and therefore assist with future decision making. The number of building permits issued was 53% lower than the same time last year. Residential building completions was 31% lower than same time last year, with only 139 residential building completions processed this quarter. The number of non-residential building completions processed is 6% lower than the same time last year. The significant drop in numbers can be attributed to the backlog of building permit applications and additional documents, required for a building to be certified as complete, that are yet to be processed. Furthermore, higher interest rates can have a significant impact and may create uncertainty in consumer confidence to obtain building permits for development. A similar trend is expected to continue in the next quarter as well.

A new household garbage service is requested predominantly when a new home has been completed and is ready to be occupied. This indicator can therefore represent the growth of new households within the Shire. The number of new garbage bin requests received was 3% lower than the same time last year. The household growth rate in the Shire has remained stable at four households per calendar day for the current financial year.

The Maternal and Child Health statistics are also a lead growth indicator. Birth notices are the number of notifications received from hospitals, for newborn babies in the municipality. There were 418 births in the Shire for the quarter. Birth notifications are slightly lower compared to the same time last year. Maternal and Child Health Enrolments is the number of babies and

children, from birth to school age, who visit and enrol at an MCH centre, including children of families moving to Cardinia Shire. Enrolments are 3% lower than the same time last year.

The growth of the sealed road and footpath network provides insight into the progress of infrastructure activity within the Shire. Sealed road growth is due to a combination of subdivision development and Council's sealing of unsealed roads through special charge schemes or other external funding such as Roads to Recovery. There were 0.71 KMs of sealed roads constructed for the quarter. Sealed road construction is 44% lower than the same time last year. Footpath growth is due to a combination of footpaths constructed from subdivision development and Council's capital works program. There were 1.17 KMs of footpaths constructed for the quarter. The length of footpaths constructed is 30% lower than at the same time last year. One of the factors contributing to the reduction in sealed road and footpath construction is the cold and wet seasonal weather and fewer hours of sunlight, which make it difficult for concrete and asphalt to be laid in these conditions.

### **Policy Implications**

Nil

### **Relevance to Council Plan**

5.1 We practise responsible leadership

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

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

### **Climate Emergency Consideration**

Not Applicable

### **Consultation/Communication**

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

### **Risk Assessment**

Not Applicable

### **Financial and Resource Implications**

Nil

### **Conclusion**

The Performance and Growth Reports for Quarter 2 2023-24 show various results in performance across the organisation, and growth across the Shire. The organisation will continue to aim targeted improvement initiatives at areas and services that are not achieving desired targets.

### **Resolution**

Moved Cr Stephanie Davies, seconded Cr Jeff Springfield.

The Performance and Growth Reports for Quarter 2 2023-24 be received and noted.

Carried

## 6.5.3 Community Engagement Update

**Responsible GM:** Debbie Tyson  
**Author:** Emma Wilkinson

### Recommendation(s)

That Council notes the community engagement activities being undertaken in January and February 2024.

### Attachments

Nil

### Executive Summary

This report provides a monthly update on Council's community engagement opportunities commencing or continuing for the months of January and February 2024.

### Background

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

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

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

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

### Policy Implications

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

### Relevance to Council Plan

#### 5.1 We practice responsible leadership

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

### Climate Emergency Consideration

There are no climate emergency considerations as part of this report.

### Consultation/Communication

This month, the following Engagement Plans are being implemented:

Community engagement activity January 2024 – February 2024			
Project	Project description	Consultation date/s and details	Responsible Business Unit
Proposed Community Local Law 2024	To replace the existing Local Law 17 and reflect: <ul style="list-style-type: none"> <li>• emerging issues of community concern,</li> <li>• amendments to improve the efficacy and effectiveness of</li> </ul>	From 20 February for 28 day period: <ul style="list-style-type: none"> <li>• Letters and survey for targeted business cohorts</li> <li>• Creating Cardinia webpage</li> </ul>	Regulatory Services

	<p>the Local Law to achieve its</p> <ul style="list-style-type: none"> <li>• purposes, and</li> <li>• miscellaneous amendments to improve clarity, meaning and administration.</li> </ul>		
Casey Cardina Shared Immunisation Service	Engagement to assess demand and usage of immunisation sessions across Cardinia and Casey.	<p>From 12 February for 4-6 weeks:</p> <ul style="list-style-type: none"> <li>• survey of existing clients at immunisation sessions or via external providers, and</li> <li>• Creating Cardinia webpage, posters and postcards to promote the engagement.</li> </ul>	Regulatory Services
Lang Lang Public Art Project	<p>Phase 1 engagement on artwork themes.</p> <p>Phase 2 engagement to increase community involvement on design of the artwork with the appointed artist.</p>	<p>Mid-February 2024</p> <p>Phase 1 community engagement on the themes for the artwork. Engagement activities to include:</p> <ul style="list-style-type: none"> <li>• a Creating Cardinia webpage,</li> <li>• QR coded posters in post office</li> <li>• community noticeboards</li> <li>• Pop-up face to face engagement in Lang Lang.</li> </ul> <p>Phase 2 consultation with an appointed artists targeting:</p> <ul style="list-style-type: none"> <li>• community groups</li> <li>• local schools.</li> </ul> <p>Details of Phase 2 TBC.</p>	Arts, Advocacy and Economy.

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**

The activities undertaken fall within Councils existing budget and resourcing.

### **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.

### **Resolution**

Moved Cr Tammy Radford, seconded Cr Stephanie Davies.

That Council notes the community engagement activities being undertaken in January and February 2024

Carried

## 6.5.4 Quarterly resolutions report October to December 2023

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

### Recommendation(s)

That Council note the report detailing implementation of Council resolutions for the period October to December 2023

### Attachments

1. Resolutions report October December 2023 (1) [6.5.4.1 - 18 pages]

### Executive Summary

The attached report details all resolutions made for the quarter ended December 2023, and includes the actions taken to implement the decisions; the report does not include matters listed for noting.

### Background

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

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

### Policy Implications

This regular report is in keeping with the Governance Rules.

### Relevance to Council Plan

#### 5.1 We practise responsible leadership

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

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

### Climate Emergency Consideration

There are no Climate Emergency considerations regarding this report

### Consultation/Communication

All relevant staff have been consulted regarding this report.

### Financial and Resource Implications

There are no financial considerations associated with this matter.



### **Conclusion**

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

### **Resolution**

Moved Cr Brett Owen, seconded Cr Tammy Radford.

That Council note the report detailing implementation of Council resolutions for the period October to December 2023

Carried

## 6.5.5 Major Projects Report

**Responsible GM:** Peter Benazic  
**Author:** David Fice, Jarrad Unsworth, Michael Casey

### Recommendation(s)

That Council note Major Projects report for the month of February 2024.

### Attachments

1. Major projects report - February 2024 [6.5.5.1 - 16 pages]

### Executive Summary

As part of the reporting process to Council, this monthly report provides an update of the status of major projects in progress.

### Background

Projects and updates are included in the attached report

### Conclusion

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

### Resolution

Moved Cr Stephanie Davies, seconded Cr Tammy Radford.

That Council note Major Projects report for the month of February 2024.

Carried

## 7 Reports Or Minutes Of Committees

## 8 Reports By Delegates

Cr Owen acknowledge the recent passing of two members of our community over the Christmas period.

Firstly, Michelle Noble who was a resident of Beaconsfield for many years. Michelle was member of several community groups in Beaconsfield. Including the Beaconsfield Neighbourhood Centre where she played a significant role in the relocation of the centre in Beaconsfield Avenue to the new community facility in O'Neil Road. Michelle will always be remembered for her love of reading, swimming at Cardinia Life and her amazing cooking. My condolences go to Bryan and family.

### Vale Robert Porter

Cr Owen also acknowledged the passing of Rob Porter and sent his love to Carol and all the Porter family following the passing of Rob Porter on Christmas day.

Cr Owen read the following and they are included in full in the minutes.

*The Porter family has been friends of the Owens for over 55 years, following my parents arriving in Officer in 1969.*

*I have known Rob all my life.*

*He was our local plumber.*

*Officer Primary School Council President. Oversaw the Centenary celebrations at Officer PS Primary School in 1986.*

*Footy player legend and coach.*

*Volunteer groundsman at his beloved Officer Rec Reserve with the huge support from of his family - Carol, Geoff and Gavin.*

*Regarding his plumbing - I have vivid memories of Rob and his infamous Utes over the years. Whether it was the Holden Ute with the RG and CA Porter writing on the doors or the ford falcon Ute or the commodore Ute.*

*His Ute was always jammed pack with all plumbing's bits of pieces. His shed was also jammed packed with any plumbing bits of pieces you would ever need for that repair. It also housed one of the infamous doors from is earlier Utes.*

*Rob was very supportive of my dad's and my own councillor careers whether it was Berwick Shire, Pakenham or Cardinia Shire.*

*Rob supportive our campaigns and authorised our election materials.*

*I have fond memories of travelling around the respective wards (over the years) and putting up election signage and having many conversations about the issues of our community. I will never forget the support he gave me.*

*I will always remember Rob's passion for our community.*

- *Officer and District Community Association (Over 50years)*
- *Chairman of Officer Rec Reserve (Over 50 years)*
- *Officer Church*
- *E A Owen Reserve (weed control)*
- *Officer Primary*
- *Preservation of the Officer Memorial Gates*
- *Poplar Trees along the Highway*
- *The Hicks Officer Kiln*
- *Introduction of the Officer Anzac Day Service*
- *The purchase of the land and construction of a 2<sup>nd</sup> Oval at Officer Rec Reserve*
- *Community Rooms.*

- *Beaconsfield Reservoir*

*Over my time as councillor, I had regular contact with Rob regarding matters impacting Officer, particularly the Officer Rec Reserve.*

*We all know the stories of Rob mowing the ovals in the late hours of the night. Whether it is being visited by the local police for being at the reserve at 2.00am, still mowing the reserve.*

*We all know that often some community members are not a fan of local government.*

*Rob would raise matters with me. He was often frustrated with the machinery of local government. Whether it is the red tape or the over the top OHS requirements on volunteers or in his opinion, waste of ratepayer dollars in many examples.*

*However, Rob was always respectful and diplomatic towards councillor and council officers. This was a trait not always shared by others.*

*Whenever I rang Rob I was always amazed with his promptness in answering his mobile phone. Despite being on the job in sewerage pipes or on a roof he always answered the phone. This trait cannot be said by most.*

*Among many achievements Rob was awarded the inaugural Cardinia Shire's Stan Henwood Award and the 2020 Senior Citizen of the Year award. I have fond memories of the inspiring video Rob and Carol shared during the pandemic detailing how they managed during the lockdowns.*

*As we all know, one of Rob's most lasting achievements will be his advocacy and the achievement of the building of the Officer Community Rooms. Soon to be officially opened.*

*Donations are still being sorted to finalise the building. (please donate if you can)*

*Months before his passing, Rob rang me up and said I need to meet you at the Officer Rec reserve to get things off his chest. He said he was being kept awake up at night worried about matters about the reserve.*

*Days after, I did have my final meeting with Rob at his beloved Officer Recreation reserve. He drove me around the reserve in his car.*

*He raised several matters –*

*The issues with the contracted grass cutting around the grounds.*

*The process of council's re Planting program at the reserve*

*The sealing of the carparking at the scout hall*

*Where Essential Services located in the reserve. (invaluable resource which we have lost)*

*Issues with blocked drainage along the Mc Mullen Road frontage of the reserve.*

*In our final Conversations on the phone, Rob wanted to thank me and the Owen family's contribution to our community but I stopped Rob and I said, no Rob - Thank you so much for yours and your family's long life contribution to Officer and our wider community.*

*It is impossible to adequately describe the valuable contribution Rob made to our community.*

*Words do not give justice to Rob. Rob was highly respected by all that he came in contact with.*

*Rob was the most modest person I have ever met and he never sought recognition or acknowledgement of his tireless efforts for his community.*

*I look forward to council's future recognition that Rob thoroughly deserves, after the thorough consultation with the Porter family and the volunteer committee of management of the Officer Rec Reserve.*

*Thanks Rob for your friendship, your never ending love of Officer and our community. Rob will always be remembered.*

*Can I please end with a quote from the Editor of the Gazette – Gary Howe reported in the Pakenham Gazette following Rob's passing.*

*“Our World will not be the same without the likes of Rob Porter in it, but it is a much better place for having him in it.”*

Cr Springfield endorsed the words shared by Cr Owen in relation to Rob Porter.

Cr Springfield referenced the impact of the recent storms on the local communities and acknowledged the efforts of the Emerald SES, local CFA and other community groups, the

Emergency Management Recovery Team all coordinating and working together to look out for each other and the cleanup efforts being undertaken.

Cr Ryan thanked Cr Owen for his words about Rob Porter and shared a memory of Rob.

Cr Ryan advised of her attendance at the:

- Citizen of the Year awards to acknowledge of people in the community.
- Cr Ryan advised of her attendance at Australia day activities.
- official opening of the toilet block at PB Ronald Reserve.
- Pakenham U3A Annual General Meeting.
- ARIA callisthenics AGM
- Mental Health Action Group meeting

Cr Ross also referred to the passing of Rob Porter

Cr Ross mentioned the works underway to open the IYU Athletics track and intended users will be required to book the facility.

Cr Ross spoke to attending the Koo Wee Rup Australia day Awards as well as the VIP Reception to announce the Cardinia Citizens of the Year and the Australia Day Citizenship Ceremony and encouraged people to attend them.

Cr Moore acknowledged the work of the Mayor and Ward Councillor Jeff Springfield in responding to the current storm response in Emerald, Cockatoo and Gembrook on behalf of Council. Cr Moore also acknowledge the CEO, GM Debbie Tyson and staff of the Council who have worked above and beyond in recent days.

Cr Cameron advised of her attendance at the Australia Day awards in Koo Wee Rup, and regretted not being able to attend the Lang Lang Ceremony where her Aunty was announced as Citizen of the Year. Cr Cameron also advised of her attendance at the announcement of the Cardinia Citizens of the Year and the Citizenship Ceremony held on Australia Day.

The Mayor advised that he wanted to echo sentiments of my fellow councillors on the giants of community we have recently lost, and also acknowledge another community legend in Verna Thewlis. Verna made very significant contributions to the Pakenham Op Shop, the Berwick-Pakenham Historical Society and the Pakenham Agricultural Society. She will be missed by our community.

**Council took a 10 minute recess at 8:55pm and resumed the meeting at 9:05pm**

## 9 Presentation Of Petitions

Nil

## 10 Notices Of Motion

### **Notice of Motion 1088 Cr Ross**

That a report be presented to the May Ordinary Council Meeting outline the process for renaming the Officer Reserve and to commit to undertaking this process of the re-naming of the reserve the 'Mr Robert Porter Reserve or Porter Reserve or another name honouring Mr Porter or his family.' Council will abide within the appropriate timeframe under the Geographic Names Victoria allows. This report and results would be presented and discussed with the family. Council will abide by the families wishes.

### **Resolution**

Moved Cr Collin Ross, seconded Cr Tammy Radford.

That a report be presented to the May Ordinary Council Meeting outline the process for renaming the Officer Reserve and to commit to undertaking this process of the re-naming of the reserve the 'Mr Robert Porter Reserve or Porter Reserve or another name honouring Mr Porter or his family.' Council will abide within the appropriate timeframe under the Geographic Names Victoria allows. This report and results would be presented and discussed with the family. Council will abide by the families wishes.

Moved Cr Stephanie Davies seconded Cr Springfield

That the motion be put

Carried

The Motion was then PUT and CARRIED

### **Notice of Motion 1089 Cr Davies**

That the following motions be lodged for the MAV State Conference

#### **Improved Infrastructure Planning for Growth Areas**

Growth Area Councils have experienced and continue to witness substantial population growth. The demands on infrastructure and service delivery in Growth Area councils have intensified due to the aforementioned population growth, the inability for DCP's and ICPs to cover the actual cost of infrastructure under rate capping. Cardinia Shire calls on financial support to address the infrastructure planning needs arising from the significant population growth in Growth Area councils.

#### **Improved Social and Affordable Housing funding for Growth Areas**

Cardinia Shire calls on a review by the State Government to investigate legislative targets for social and affordable housing as a requirement of new subdivision over 10 lots.

#### **Financial vulnerability and wellbeing**

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.

### **Resolution**

Moved Cr Stephanie Davies, seconded Cr Collin Ross.

That the following motions be lodged for the MAV State Conference

**Improved Infrastructure Planning for Growth Areas**

Growth Area Councils have experienced and continue to witness substantial population growth. The demands on infrastructure and service delivery in Growth Area councils have intensified due to the aforementioned population growth, the inability for DCP's and ICPs to cover the actual cost of infrastructure under rate capping. Cardinia Shire calls on financial support to address the infrastructure planning needs arising from the significant population growth in Growth Area councils.

**Improved Social and Affordable Housing funding for Growth Areas**

Cardinia Shire calls on a review by the State Government to investigate legislative targets for social and affordable housing as a requirement of new subdivision over 10 lots.

**Financial vulnerability and wellbeing**

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

**Notice of Motion 1090 Cr Radford**

That a report is provided at the April Ordinary Council Meeting that provides an update on the progress of Officer Town Centre noting the Precinct Structure Plan was endorsed in September 2011 and amended November 2019. The report is to include information that is not deemed confidential, on any current planning applications or permits for both residential and commercial developments, details about the land ownership with state and private providers, and any actions taken by the council to facilitate development in the Officer Town Centre

**Resolution**

Moved Cr Tammy Radford seconded Cr Jeff Springfield

That a report is provided at the April Ordinary Council Meeting that provides an update on the progress of Officer Town Centre noting the Precinct Structure Plan was endorsed in September 2011 and amended November 2019. The report is to include information that is not deemed confidential, on any current planning applications or permits for both residential and commercial developments, details about the land ownership with state and private providers, and any actions taken by the council to facilitate development in the Officer Town Centre

Carried

**Notice of Motion 1091 Cr Radford**

Requests that the removal of the original playground equipment located at the Officer Recreation Reserve be halted so that a safety report can be completed and further consultation with the Officer Recreation Reserve Committee of management can be conducted.

**Resolution**

Moved Cr Tammy Radford seconded Cr Brett Owen

That the removal of the original playground equipment located at the Officer Recreation Reserve be halted so that a safety report can be completed and further consultation with the Officer Recreation Reserve Committee of Management can be conducted.

Carried

#### **Notice of Motion 1092 Cr Springfield**

That Council notes the work undertaken to respond to last week's storm event which includes:

- Establishing relief/drop in centres
- Activating green waste management opportunities for residents
- Options for perishable food waste disposal
- Clean up and clearance of debris from access roads as required

And that Council continue to support our community needs through its recovery.

#### **Resolution**

Moved Cr Jeff Springfield, seconded Cr Brett Owen

That Council notes the work undertaken to respond to last week's storm event which includes:

- Establishing relief/drop in centres
- Activating green waste management opportunities for residents
- Options for perishable food waste disposal
- Clean up and clearance of debris from access roads as required

And that Council continue to support our community needs through its recovery.

Carried

## **11 Community Questions**

The Mayor advised that Community Questions had been received from:

Paul McMurray, Vincent Tokley, Carol Porter on behalf of Officer and District Progress Association and Save the Beaconsfield Reservoir Action Group, Annette Weidemann, Michael Cox, Benjamin Howell and Suresh Para.

As none of these residents were present in the gallery a response will be provided in writing to the questions asked.

The CEO, Councillors, and Council Officers of Cardinia Shire Council.

Dear all,

As Cardinia Council is aware, the Officer and District Community Association (ODCA), and the Save the Beaconsfield Reservoir Action Group (SBRAG) have been conducting a combined campaign to save the historic Beaconsfield Reservoir wall and water for current and future generations of Victorians. We currently represent a large community group of 1,340 members, and a 2021 Petition to Parliament with over 1,700 signatures. We seek to protect and preserve the reservoir from proposed wall reduction works and draining of 5/6ths of the current water volume, by Melbourne Water.

Cardinia Council will also be aware that the Cardinia Environment Coalition (CEC) has resigned from management of Beaconsfield Nature Conservation Reserve (BNCR). We believe that it is providential for Council to now consider this unique opportunity and become the new Committee of Management of BNCR. This is particularly appropriate, considering that Beaconsfield Reservoir and the Beaconsfield Nature Conservation Reserve are just 12



minutes from Cardinia Council's offices, as well as the many new estates that are being established along the Pakenham Growth Corridor.

It is the express wish of our Committee and supporters, to see public access provided in the BNCR, thereby allowing the public to visit the beautiful reservoir at the centre of the reserve. For this to occur, Council needs to apply as the Committee of Management to DEECA. Both ODCA and SBAG are requesting that we also be involved in the Committee of Management. We consider our community groups are key stakeholders in any future management of BNCR and Beaconsfield Reservoir. Cardinia Council has, in the past, been fully supportive of our campaign, and we trust that an appropriate decision will be made to support preserving the current reservoir wall, water and BNCR, as a public park for not only Cardinia Shire, but for the wider community.

This public asset is far too precious to be destroyed by the proposed Melbourne Water Upgrade works.

Our request to Cardinia Council is :

- To leave the 106 year old Beaconsfield Reservoir in its present state. We do not want the current Melbourne Water decision to proceed, involving lowering the current water level by five metres and demolishing eight metres of the existing wall height.
- That MW should consult with the public and adopt another of its Safety Upgrade Options, the Full Dam Safety Upgrade, which retains the present wall height and water level, whilst being upgraded to ANCOLD Safety Guidelines.
- The general public needs to be made fully aware of the reservoir and its significance - its history and heritage value, the visual and recreational amenity of the water for families and visitors, and its fire-fighting importance to the local Cardinia Shire communities.
- To support the opening of the reservoir to the public. The linking of existing walking trails into the reservoir reserve is a vital recreational facility, together with other high value family-based activities on or around the water.
- To turn the reservoir into the most notable and prospective recreational asset for the public in this fast-growing Officer and Pakenham Growth Corridor.

The SBAG committee would like to request a meeting with Cardinia Council to discuss the issues.

Yours sincerely,  
Carol Porter OAM

On behalf of the Officer and District Community Association and Save the Beaconsfield Reservoir Action Group

## 12 Urgent Business

Nil

## 13 Councillor Questions

Nil

## **MAYORAL MINUTE**

### **GAZA SITUATION:**

As a Council, Cardinia Shire expresses deep concern regarding the situation in Gaza amid the Israeli-Palestinian conflict, recognising the ongoing loss of lives and widespread suffering. We acknowledge that there are residents in our community who represent all sides in this conflict and many other conflicts that are ongoing in other countries as well. As a Local Government, our primary focus is on our local community and residents, and we acknowledge the limited authority that Local Governments have in international relations or conflicts. We recognise and agree with the sentiment expressed by Local Government Minister Melissa Horne "The Israeli and Hamas conflict is a complex global situation that needs to be negotiated by world leaders rather than the Victorian Local Government sector"

Nevertheless, we wish for the prevalence of human rights and global peace in this situation. Our thoughts and condolences go out to all members of our community affected by this conflict. I thank my fellow councillors for their support on this. We won't be providing any further comment on this matter.

### **STORM EVENT RESPONSE:**

Thanks to Emergency Services, Council Officers, volunteers and community. It has been a tough time for many in our community, particularly those in the Hills, we are standing with you.

## **15 Meeting Closure**

Meeting closed at 9.44pm.