

Ordinary Council Meeting

Minutes

Monday 18 March 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
Dana Harding Acting General Manager Governance, Facilities and Economy
Wayne Mack General Manager Customer, People and Performance
Peter Harris Manager Governance, Safety & Property

Meeting opened at 7:00pm

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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

Ms Debbie Tyson

4 Adoption And Confirmation Of Minutes

Moved Cr Carol Ryan, seconded Cr Kaye Cameron

That minutes of the following meetings be confirmed:

- General Council meeting 19 February 2024
- Town Planning Committee 4 March 2024

Carried

5 Declaration Of Interests

Nil

6 Ordinary Business

6.1 Town Planning Reports

6.1.1 Response to Notice of Motion to review Places of Assembly (Places of Worship)

Responsible GM: Lili Rosic
Author: Flora Lau and Mir Faruque

Recommendation(s)

That Council:

- endorse introducing a new section on Council's planning website to provide future applicants with guidance on where you can apply for planning permits for Places of Assembly (Places of worship) within Cardinia Shire, and provide links to State and Local policies, option 3 of this report.

Attachments

Nil.

Executive Summary

On the 12 December Councillor Radford requested Notice of Motion 1086 – That council officers present a report back to Council, within 3 months, that presents alternatives for establishing either guidelines, or a local policy, in the Cardinia Planning Scheme to guide applicants in choosing a site for a Place of Assembly (Place of Worship) within Cardinia Shire Council. This report should specify the implementation timeframes and the likelihood of support at State Government of the discussed guidelines or policy and outline the communication plan for disseminating this information to applicants.

Background

As the population of our municipality continues to grow, there is a corresponding increase in the demand for various services, including Places of Assembly (Places of Worship). Council officers recognize that these places hold significant importance for our community. Council officers also acknowledge that their location can sometimes give rise to land use compatibility challenges.

Traditionally, Places of Assembly (Places of Worship) have largely been established in residential areas, yet Council is seeing an increasing number of applications applied to use land for the purpose of a Place of Assembly (Place of Worship) within Industrial and Green Wedge zoned land.

In the past 24 months, Council has received nine (9) planning permit applications and four (4) pre-application requests to use land for the purposes of a Place of Assembly (Place of Worship). The locations applied for consist of two (2) located in Green Wedge Zone; six (6) located in Industrial (Schedule1) Zone and one (1) in a Low-Density Residential Zone.

Council is aware that applicants may face uncertainties when applying for a planning permit to establish or expand an existing Place of Assembly (Places of Worship) and there is a demand for guidance to be established to assist applicants in identifying locations suitable for Places of

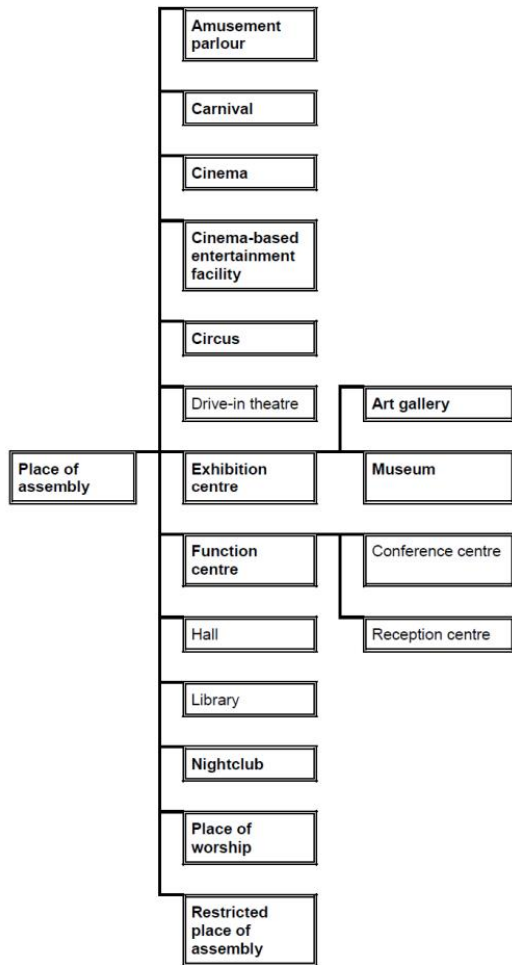
Assembly (Places of Worship); to assist them in preparing their applications and to clarify the criteria that the Council will use to assess the planning permit application.

Present Planning Controls applicable to a Places of Assembly (Places of Worship)

The Cardinia Planning Scheme defines a Place of Assembly as “Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings.”

While a Places of Worship is defined as “Land used for religious activities, such as a church, chapel, mosque, synagogue, and temple”. In the Cardinia Planning Scheme, the land use term ‘Place of Worship’ is nested under a ‘Place of Assembly’ as demonstrated in Figure 1 (Place of Assembly)

Figure 1: Land Use Terms Nested under a Place of Assembly in the Cardinia Planning Scheme



This report focuses on a ‘Place of Worship’ due to the recent influx of planning permit applications. A similar planning policy analysis would be required for a ‘Place of Assembly’ as the land use term does differ to a Place of Worship and is broader and includes a library, cinema, function centre, amusement parlour, carnival, circus and night club for example.

In Cardinia Shire, a planning permit is required for the use of the land for a Place of Worship dependant on the applicable Zone, Overlay or other permit trigger such as car parking, signage, building and works and liquor license. Please refer to Table 1 (Planning controls for a Place of Worship) that details what Zone a Place of Workshop is an as-of right use, a planning permit is required or its prohibited.

Table 1 – Planning controls for a Place of Worship

As-of-right (i.e. no planning permit required), (subject to meeting some conditions)	Planning permit required	Prohibited
Mixed Use Zone Residential Growth Zone General Residential Zone Neighbourhood Residential Zone Commercial 1 Zone Special Use Zone 6 Comprehensive Development Zone 1 Comprehensive Development Zone 2 Comprehensive Development Zone 3 Urban Growth Zone 5 Activity Centre Zone	Low Density Residential Zones Rural Living Zone Urban Growth Zone 1 Urban Growth Zone 3 Urban Growth Zone 4 Green Wedge Zone Green Wedge A Zone Special Use Zone 1 Special Use Zone 5 Public Use Zone Industrial 1 Zone Commercial 2 Zone	Rural Conservation Zone Special Use Zone 3 Special Use Zone 4 Special Use Zone 7 Urban Floodway Zone Urban Growth Zone 2

The zoning of a parcel of land is potentially the most important factor that determines whether a planning permit is required for a Place of Assembly (Places of Worship). A Place of Assembly (Places of Worship) does not need a planning permit in most residential and commercial zones subject to meeting specific conditions. Whereas a Place of Assembly (Places of Worship) requires a planning permit in an Industrial Zone and most Rural Zones, including Green Wedge Zones. The overall purpose of the zone will impact how likely a permit is to be granted.

Many parts of Cardinia Shire also have Planning Overlay's that provide specialised controls to manage or protect specific land or built form features. An example is the Bushfire Management Overlay and Environmental Significance Overlay. These planning overlays exist over large areas of the shire and reflect areas that are at greater risks of bush fire or identifying where the development of land may be affected by environmental constraints. These overlays can also affect how a proposal to use the land for a Place of Worship is considered.

Present Incorporated/Reference/Policy Documents

The key policies that influence the outcome for a planning permit for a Place of Assembly (Places of Worship) are:

- Cardinia Western Port Green Wedge Management Plan (May 2017) and
- Melbourne Industrial and Commercial Land Use Plan (Department of Environment, Land, Water and Planning, 2020).

1. Places of Worship in Green Wedge Areas

The non-urban areas of metropolitan Melbourne that lie outside the urban growth boundary are known as green wedges. Cardinia Shire is home to three Green Wedge areas consisting of:

- 70% the Westernport Green Wedge
- 75% of the Southern Ranges Green Wedge and
- 5% of the Yarra Valley and Yarra and Dandenong Ranges Green Wedge

In 2017 Cardinia Shire Council adopted a Green Wedge Management Plan for the Western Port Green Wedge. Council has been unsuccessful in obtaining State funding to complete a green wedge management plan for the remaining Green Wedges.

In the past 24 months two planning permits for a Place of Assembly (Places of Worship) have been submitted for a location in the Western Port Green Wedge. Our Green Wedge areas are increasingly

receiving pressure to accommodate urban type uses. One factor that is influencing this change is the difference in land prices for suitable sites for a Place of Assembly (Places of Worship) are becoming increasingly difficult to find within the Urban Growth Boundary.

Cardinia Shire's Westernport Green Wedge Management is implemented in the Cardinia Planning Scheme via a local planning policy at Clause 22.05. Its purpose is to provide a strategic framework for planning of the southern rural areas of the Shire over the next 20 years. Among other things, the Management Plan sets out the preferred future land uses for its three precincts.

In summary, within the Westernport Green Wedge, Places of Worship are encouraged to be located within the existing townships or adjoining the Urban Growth Boundary rather than out in the middle of the green wedge.

Planning for Melbourne's Green Wedges and Agricultural Land

Between 2018-19, the State Government consulted with Green Wedge Councils to identify key challenges relating to land use planning in the Green Wedges. This was followed by further consultation with the public on how the government should identify important agricultural land. In May 2020, the State government published "Planning for Melbourne's Green Wedges and Agricultural Land Consultation Paper." The Consultation Paper proposes 46 Options and 12 Design Elements to improve protections of Green Wedge and agricultural land and the right-to-farm within a 100km radius of Melbourne. It seeks to address many issues Council has previously raised including strengthening locational requirements for non-green wedge uses.

Council recommended (15 February 2021 Meeting) to the State Government that the condition should be amended to require Place of Assembly (Places of Worship) within the Green Wedge to locate on land adjoining an urban zone. These Place of Assembly (Places of Worship) proposals should also be required to provide a buffer or transition area at the interface between it and surrounding agricultural land to address the conflict between the sensitive use that it is and the impacts it may experience from the surrounding farmland which has the right-to-farm.

2. Places of Worship in Industrial areas

In recent years, Council has seen an influx of planning permit applications seeking to use Industrial Zone land for non-industrial purposes, including Place of Assembly (Places of Worship). In the past 24 months, Council has received six applications in various industrial locations in Pakenham.

Place of Worship is a Section 2 discretionary use in the Industrial 1 Zone. In considering such applications, Council is guided by the following applicable policies:

Clause 13.07-1S - Land Use Compatibility
Clause 17.03-1S - Industrial Land Supply
Clause 17.03-2S - Sustainable Industry
Clause 17.03-3S - State significant industrial land
Clause 21.04-1 - Employment
Clause 21.04-4 - Industry
Clause 33.01 - Industrial 1 Zone

Amendment VC215 - Melbourne Industrial and Commercial Land Use Plan (MICLUP).

Amendment VC215 was gazetted on 3 March 2023 and implemented the Melbourne Industrial and Commercial Land Use Plan (MICLUP). The MICLUP provides a classification and a strategic planning framework for the protection, growth, and transformation of metropolitan industrial and commercial precincts.

MICLUP sets out a three-tier framework for industrial land within Melbourne consisting of 'state-significant', 'regionally-significant' and 'local industrial precincts'. This classification is intended to assist with identifying land that should be retained or considered primarily for industrial or other business or employment focussed purposes, and land that could be considered for alternative uses.

Review of other Council's approach to Places of Assembly (Places of Worship).

In order to address the land use concerns regarding Places of Assembly (Places of Worship) in both the Green Wedge Zone and Industrial Zones, representatives from Cardinia have reached out to neighbouring Councils such as the City of Kingston, Casey City Council, Greater Dandenong, Yarra Ranges, and Mornington Peninsula Council to gather insights from their experiences.

Council staff have observed that most Council planners rely on the Green Wedge Management Plans and existing local policy when responding to proposed urban uses in Green Wedge areas. It is acknowledged that many of these Council plans are outdated, and everyone is eagerly awaiting updated guidance from the State Government. The City of Kingston, for instance, recently adopted their Green Wedge Management Plan in December 2023 and their focus primarily revolves around the built form within the Green Wedge. The City of Kingston are anticipating and have mentioned in their Green Wedge Management Plan that the State will release the Planning for Melbourne's Green Wedges and Agricultural Land work later this year. As a result, they will rely on the State's guidance for land uses.

Casey City Council has a policy on Places of Assembly (Places of Worship). Council adopted the policy on 7 September 2004, with an administrative update completed in 13 January 2012. The aim of the policy is to ensure the successful integration of Places of Assembly (Places of Worship) in a range of different locations including residential areas, by ensuring that good design and siting principles are incorporated throughout the development. The policy focusses on residential and commercial areas, with no mention of Green Wedge or Industrial areas.

Macedon Ranges Council has released a fact sheet to assist applicants with the planning permit application for Places of Assembly (Places of Worship). It's important to note that this resource does not cover "A Place of Worship," which refers to land used for religious activities, such as a church, chapel, mosque, synagogue, and temple. Furthermore, as a non-metro Council, Macedon Ranges does not have a Green Wedge Zone, making it unfeasible to compare applications in the Green Wedge Zone.

Dandenong City Council has dealt with several planning permit applications for a Place of Assembly (Places of Worship) in existing industrial areas and a number of permit applications have been refused based on parking and amenity issues. It is acknowledged that Cardinia Shire Council appears to have more permit applications in industrial areas for a Place of Assembly (Places of Worship) than the City of Dandenong and this is potentially due to the affordability of larger land parcels in the industrial area and the availability of vacant land.

State Government advice on Places of Assembly (Places of Worship).

Officers reached out to the Department of Transport and Planning in order to obtain an update on their progress regarding Melbourne's Green Wedges and Agricultural Land. Unfortunately, Council staff have not received any updates or information from them at this time.

Review of Options for a Places of Assembly (Places of Worship).

After considering the information provided, the Council has three possible directions to take:

1. **Option 1: Develop a Guideline for Place of Assembly (Places of Worship):** This involves creating a guideline that will provide recommendations and guidance on locational preferences, built form, parking requirements, and other relevant aspects for Place of Assembly (Worship Assembly).
2. **Option 2: Develop a Policy on Place of Assembly (Places of Worship):** This option entails establishing a policy that will set clear directives and standards for locational preferences, built form, parking requirements, and other relevant aspects for **Place of Assembly (Places of Worship)**.
3. **Option 3: Maintain the Status Quo:** This option involves keeping the current situation unchanged, without implementing any new guidelines or policies related to Place of Assembly (Places of Worship). Introducing an information tab on our website that provides guidance similar to table 1 of this report, noting where you can apply for Places of Assembly (Worship).

These options provide different approaches for the Council to consider. Please consider the below Table 2 (Pros and Cons of a Guideline or Policy development options) to assist forming a decision.

Table 2: The pros and cons of a guideline and policy development

OPTIONS	What does it look like	Pros	Cons
Guideline	A guideline provides general guidance, recommendations, interpretations, best practice guidance, or frameworks to assist in decision-making and implementation of policies, standards, or procedures.	<p>Offer flexibility in their application, allowing individuals or departments to adapt them to their specific needs and circumstances.</p> <p>Provides additional advice and support, recommendations, and best practices to assist individuals in understanding and implementing related policies or procedures.</p> <p>Often present information in simpler terms, making it easier for the audience to comprehend and apply.</p> <p>No need for a Planning Scheme Amendment or formal adoption by Council.</p>	<p>Voluntary Nature: As guidelines are voluntary, there is a higher possibility that they may not be followed consistently or uniformly across the organisation.</p> <p>Lack of Enforceability: Non-compliance with guidelines typically does not carry formal consequences or penalties, which may result in inconsistent adherence.</p>
Policy	A policy is a formal, mandatory rule or regulation that governs the actions. Policies are binding and have more weight behind them compared to guidelines.	<p>Policies are formal and mandatory, ensuring consistent adherence to rules, regulations, and standards across the organization.</p> <p>Provide clear directives and expectations, leaving little room for interpretation or ambiguity.</p> <p>Establish a higher level of accountability, as non-</p>	<p>Are less flexible compared to guidelines, as they must be followed without significant deviation.</p> <p>In some cases, overly rigid policies may hinder innovation or adaptability, especially in rapidly changing environments.</p> <p>Can sometimes be complex and require thorough understanding and training to</p>

		<p>compliance can result in penalties or disciplinary actions.</p>	<p>ensure proper implementation.</p> <p>Need for a Planning Scheme Amendment or formal adoption by Council.</p> <p>Lacks support from the State.</p>
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Council staff consider implementing a policy to establish locational preferences for a Place of Assembly (Place of Worship) under Option 2 would be valuable to set clear directives and standards to decrease ongoing conflict in Green Wedge and Industrial land. However, considering the ongoing work conducted by the State Government on the Melbourne's Green Wedges and Agricultural Land, it is advised that the Council should wait for the release of State Government position and policy before proceeding with the development of a local policy specific to Cardinia. This will ensure alignment and coherence between the local policy and any relevant policies introduced by the State.

In the interim Council Officers will start the process of placing information on Council's website in the planning section, to provide future investors and applicants guidance in what zones you can apply for a planning permit for a Place of Assembly (Place of worship).

Relevance to Council Plan

1. We empower our communities to be healthy, connected and resilient
2. 1.1.2 Enrich local identity and opportunities for the community to connect through art, history and cultural expression.
3. 1.1.3 Lead by example in creating an inclusive and welcoming community for all by facilitating community education, capacity building, connection and celebration of our diversity.
4. 5.1 We practise responsible leadership.
5. 5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Climate Emergency Consideration

The preparation of a future guide and/or policy will need to consider both climate change mitigation and adaptation and actions to prevent or minimize the impacts of climate change on the community.

Consultation/Communication

Council staff have sought the advice and guidance from relevant State agencies and Council planners from other Councils to clarify the best approach moving forward.

Financial and Resource Implications

If and when a policy is to be developed, appropriate resources and finances will need to be designated in Council's work program and budget to commence the development of a policy.

Conclusion

Accordingly, it is respectively requested Council having considered the information in this report Council endorse support for Option 3 (Maintain the Status Quote) until further direction from the State Government on Melbourne's Green Wedges and Agricultural Land is released. In the interim

provide guidance on Council's planning website on where places of worship can be considered under the Cardinia Planning Scheme and links to other key state and local policy documents.

Resolution

Moved Cr Tammy Radford, seconded Cr Stephanie Davies.

That Council endorse introducing a new section on Council's planning website to provide future applicants with guidance on where you can apply for planning permits for Places of Assembly (Places of worship) within Cardinia Shire, and provide links to State and Local policies, option 3 of this report.

Carried

6.2 General Reports

6.2.1 Appointment of Authorised Officers

Responsible GM: Debbie Tyson
Author: Samantha McMahon

Recommendation(s)

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

- Ms Alannah SHERWEN
- Ms Sarah HODGSON
- Mr Troy LACEY

Attachments

1. Council 18 03 2024 Planning and Environment appointment Compliance staff [6.2.1.1 - 1 page]

Executive Summary

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

Background

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

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

The staff members are officers in the Compliance Services team, two which have recently commenced within the Compliance Services Team the other who will be assisting with high workloads and during periods of leave. In all cases, it is recommended that the authorisations be made.

All staff will exercise their powers in accordance with the Cardinia Shire Compliance and Enforcement Policy.

Policy Implications

There are no Policy Implications with this report

Relevance to Council Plan

5.1 We practise responsible leadership

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

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

Climate Emergency Consideration

There are no Climate Emergency considerations.

Consultation/Communication

There is no consultation necessary in respect of this resolution

Financial and Resource Implications

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

Conclusion

It is recommended that all named staff members be appointed as authorised officers for the purpose of conducting enforcement powers under the *Planning and Environment Act 1997*.

- Ms Alannah SHERWEN
- Ms Sarah HODGSON
- Mr Troy LACEY

Resolution

Moved Cr Brett Owen, seconded Cr Jeff Springfield.

In the exercise of the powers conferred by s 147(4) of the Planning and Environment Act 1987, Cardinia Shire Council (Council) RESOLVES THAT –

1. The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument.
2. The instrument comes into force immediately it is signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.

Carried

6.2.2 Community Infrastructure Plan Endorsement

Responsible GM: Lili Rosic
Author: Leon Calvert

Recommendation(s)

That Council endorse the Community Infrastructure Plan and Community Infrastructure Implementation Plan that has been finalised following consideration of feedback and findings that were received during the community engagement process.

Attachments

1. Community Infrastructure Plan - Final [6.2.2.1 - 50 pages]
2. Community Infrastructure Implementation Plan - Actions and Recommendations [6.2.2.2 - 6 pages]
3. Cardinia Shire Council CIP Engagement Report [6.2.2.3 - 38 pages]

Executive Summary

The draft Community Infrastructure Plan was placed on public exhibition for 30 days, from 3 November to 3 December 2023. Officers have considered the relevant feedback received from the community following this public exhibition, with the Community Infrastructure Plan now finalised and ready for Council's endorsement.

The Community Infrastructure Plan provides clear guidance for our community's local infrastructure needs and aspirations over the next 10 years. The plan establishes the strategic direction for community infrastructure planning in Cardinia, and includes a data driven and evidence-based community infrastructure audit that will help inform decision making and prioritisation of investment in community infrastructure. We are committed to ensuring existing and future communities have access to council facilities that are sustainable, accessible and inclusive infrastructure.

The recommendations within the Plan focus on specific strategic and operational items that will inform future decision-making on capital priorities. It includes a series of strategic actions, focused on strengthening Council processes and priorities around community infrastructure planning, which is seen to be the first phase of the plan.

The second phase of the plan aims to identify and address shire wide actions, along with specific region-based recommendations that have been determined as the highest level of priority.

Background

Council identified the need for to develop a Community Infrastructure Plan in its Council Plan, to guide the planning and delivery of the community infrastructure required to meet the community services and needs within Cardinia Shire.

Comprehensive community infrastructure planning is crucial for setting direction and making informed decisions that help to shape council's long-term financial plan.

The development of the Community Infrastructure Plan commenced in early 2022 went through a rigorous process which has included:

- Development of the community infrastructure strategy including the vision, objectives and principles that align with Council's key strategic documents and framework.
- Research, assessments, and inspections of over 150 public buildings and facilities.
- Collation and analysis of building condition and functionality data to develop a community infrastructure audit database.
- Development of the key opportunities and challenges related to Community Infrastructure.
- Development of strategic actions and recommendations required to be achieved over the next ten years.
- Community consultation and engagement to ensure the plan effectively responds to community need.

The development of the final Community Infrastructure Plan also includes a Community Infrastructure Implementation Plan which outlines the actions, recommendations, and priorities that Council will achieve over the next 10-year period. The Plan includes a series of shire wide and region-specific actions and recommendations that are based on the findings from the community infrastructure audit, which utilises building condition data from 2019 and functionality/fit for purpose assessment data from 2023. The audit helps to identify gaps and limitations of community infrastructure and will assist in the prioritisation of investment in community infrastructure.

Policy Implications

The Community Infrastructure Plan aligns with the following:

Supports the Council Plan through delivering on:

1. Strong communities: We empower our communities to be healthy, connected and resilient
2. Liveable places: We support the creation of liveable spaces and places

Supports the Liveability Plan through delivering on:

1. Improve mental health and wellbeing
2. Improve social cohesion
3. Improve safety
4. Improve healthy eating and active living
5. Reduce family violence
6. Improve financial wellbeing and resilience
7. Reduce harm from tobacco, alcohol, drugs and gambling

Supports the Liveable neighbourhoods for improved health outcomes by:

- Active travel: increase access to and connectivity of public transport, cycling routes and Footpaths.
- Community infrastructure and services: increase access to community infrastructure and services close to home.
- Environment and open space: increase environmental sustainability; increase access to public open space.

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.

Climate Emergency Consideration

The Community Infrastructure Plan has considered actions/recommendations that support Council's approach to the climate change. These include:

1. Ensuring the implementation of Council's ESD Principles in all new and upgraded infrastructure projects.
2. Identifying requirements that facilitate:
 - a) Community facilities being a place of respite for vulnerable community members during extreme weather events, e.g., where adequate heating and cooling may not be available in the home
 - b) Strategically placed community buildings that can be used as emergency relief centres during times of a climate emergency that are safe and accessible to residents who are displaced.

Consultation/Communication

The Community Infrastructure Plan has been developed in close consultation with various internal council stakeholders and working groups that are made up of a cross section of different teams and business units.

Consultation has been a major focus throughout development of the Plan, with large scale consultation with the community conducted in late 2023. The community consultation methods included:

- Establishment of a Creating Cardinia webpage with targeted questions and opportunities for community to provide feedback via an online survey.
- Invitational emails to a targeted audience of over 350 key community infrastructure stakeholders requesting feedback on any items or queries relating to Community Infrastructure. Stakeholders included Community Asset Committees, Committees of Management, and other key service providers and community user groups.
- Development of a short explainer video providing information on the Plan and encouraging the community to provide feedback on the Plan. This video was posted on multiple Cardinia Shire Council media channels, and then subsequently shared to a variety of pages. The video was shared 25 times and received a total of 447 unique views.
- Online and face to face community workshops which were facilitated by the Community Engagement Consultant.

The attached Community Infrastructure Plan Engagement Report provides a detailed summary of the feedback and findings identified as part of the Community Infrastructure Plan engagement period.

An extensive and diverse range of community feedback was received during this engagement stage, with several key themes identified through the analysis period, which are highlighted below:

- An emphasis on Council responding the challenges and opportunities by working with the community to meet various needs.
- An emphasis on ensuring facilities a
- re more accessible and affordable for the community to use.
- Additional consideration be given to transport and the distance required to travel to access community infrastructure.
- Additional consideration to the specific community infrastructure needs of older adults, people with a disability and First Nations communities.
- Concern throughout Council around meeting the future kindergarten reform requirements and how this can be addressed to help meet community demand.
- Consider current utilisation of existing community infrastructure and how it can be utilised more effectively.

All relative engagement feedback and findings have been thoroughly considered and used to inform the final revision of the Community Infrastructure Plan. Further consultation and engagement on specific actions and recommendations outlined within the Plan will be completed, which will inform future iterations of the Plan.

Financial and Resource Implications

The Community Infrastructure Plan and Community Infrastructure Implementation Plan, including all relevant work such as research, assessment, infrastructure data, and development of the strategic actions and recommendations have been delivered in-house by Council within the existing operating budget.

A Community Engagement Consultant was engaged to oversee and manage the external engagement process.

The strategic actions and recommendations outlined in the Plan, will be costed, and prioritised based on existing Council resources where possible.

It is expected several strategic actions and recommendations identified through the Plan will lead to additional projects or items to be considered as part of future capital budget programs. Council will advocate and seek external grant funding to support the delivery of future community infrastructure projects.

Conclusion

Council has invested two years to develop its first Community Infrastructure Plan and Community Infrastructure Implementation Plan. The Community Infrastructure Plan establishes the strategic direction for community infrastructure planning in Cardinia. The Community Infrastructure Implementation Plan is based on data following a large-scale community infrastructure audit to inform decision making and prioritisation of investment in community infrastructure for the next ten years. A throughout program of community engagement was undertaken in late 2023 to understand the current and future community need and ensure community infrastructure related issues or gaps were identified and considered in the Plan. The Community Infrastructure Plan and Implementation Plan is now finalised and ready for endorsement by Council.

Resolution

Moved Cr Stephanie Davies, seconded Cr Tammy Radford.

That Council endorse the Community Infrastructure Plan and Community Infrastructure Implementation Plan that has been finalised following consideration of feedback and findings that were received during the community engagement process.

Carried

6.2.3 Finalisation of special charge scheme - Station, Innes, Anzac, Heroes (Gembrook) Catchment - Sealing the Hills

Responsible GM: Peter Benazic
Author: Nicole Alvares

Recommendation(s)

That Council having declared a special charge on Monday, 18 October 2021, for the purposes of partially recovering the expenses incurred by Council in relation to the survey, design, and construction of Anzac Street, Heroes Avenue, Innes Road and Station Road, Gembrook, including a sealed road pavement, kerb and channel and associated drainage and ancillary works:

1. Adopt a final scheme cost of \$2,438,407.76, which is 18% less than the previously advised total estimated scheme cost of \$2,970,450.00 on which the scheme was declared.
2. Note that a fixed charge of \$7,000 per benefit unit was declared on all included properties within the scheme area in accordance with attachments 2 and 3 to this report.

Attachments

1. Scheme process chart [6.2.3.1 - 1 page]
2. Plan of scheme area [6.2.3.2 - 2 pages]
3. CONFIDENTIAL REDACTED - Updated apportionment table [6.2.3.3 - 2 pages]

Executive Summary

Council declared a special charge to fund portion of the cost of constructing Anzac Street, Heroes Avenue, Innes Road and Station Road, Gembrook on Monday, 18 October 2021.

The estimated cost of the works at the time of declaration was \$2,970,450 with \$511,000 property owner contribution based on \$7,000 per benefit unit and \$2,459,450 Council contribution, to be funded from the Australian Government grant.

The actual cost of the works following construction plus 15% to cover survey, design and administration costs totalled \$2,438,407.76. The amount recovered from property owners, based on the fixed amount of \$7,000 per benefit unit remains at \$511,000, therefore Council's contribution decreases to \$1,927,407.76.

Background

Station, Innes, Anzac, Heroes (Gembrook) catchment that includes Anzac Street, Heroes Avenue, Innes Road and Station Road, Gembrook was included for construction in Council's Sealing the Hills program. The properties included are shown on the plan included as attachment 2 to this report.

A survey of the property owners within the scheme boundary, (total of 68), was undertaken asking if they were in support of contributing to a special charge scheme at a capped contribution rate of \$7,000 per benefit unit, with a benefit unit being defined as:

- Existing lots, either developed or vacant, that gain, or will gain, primary (vehicular) access from a road being constructed would generally be required to contribute one benefit unit (\$7,000) towards the cost of construction.

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

Following the survey of the property owners, where 52% of the responses received indicated support for the scheme, Council resolved to issue a notice of decision to declare a special charge on the included properties at its' Council meeting on Monday, 19 July 2021. The scheme was subsequently declared by Council, following the required advertising and 28-day submission period at the Council meeting on Monday, 18 October 2021.

The scheme construction works are now complete, with practical completion for Station Road, Anzac Street and Heroes Avenue issued on Thursday, 1 December 2022 and practical completion for Innes Road issued on Wednesday, 23 August 2023.

Policy Implications

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

Section 163 of the Local Government Act provides that Council may not recover a greater portion of the cost of the works than calculated in accordance with the statutory 'benefit ratio' as set out in the previous *notice of decision* report presented to Council on Monday, 19 July 2021. Given that Council has capped the property owner contribution at \$7,000 per benefit unit, the proposed scheme is compliant.

Relevance to Council Plan

2.1 We support the creation of liveable spaces and places

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

Climate Emergency Consideration

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

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

Consultation/Communication

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

Council resolved to issue a notice of decision to declare the scheme at its Council meeting Monday, 19 July 2021. Property owners were then sent a letter and advertisements outlining the proposal placed in the Pakenham Gazette and Hills Trader, providing owners with the opportunity to make a submission or objection within the prescribed 28-day period. With no opposing submissions received, Council declared the scheme at its meeting on Monday, 18 October 2021.

A satisfaction survey was undertaken to all property owners after completion of works, revealing mixed satisfaction to special charges scheme information provided during the entire process.

Financial and Resource Implications

The scheme funding arrangements are as outlined in Table 1.

Table 1. Estimated and Actual project cost

Original estimated cost of the project	\$2,970,450.00
Actual cost of the project	\$2,438,407.76
Original Council contribution	\$2,459,450.00
Adjusted Council contribution	\$1,927,407.76
Benefiting property owner contribution	\$511,000.00

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

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

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

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

Conclusion

That Council note:

1. The actual cost of the Station, Innes, Anzac, Heroes (Gembrook) Catchment scheme works is \$2,438,407.76, which is 18% less than what was originally estimated. This means that Council's contribution to the scheme had decreased to \$1,927,407.76.

The property owner contribution to the scheme remained fixed at \$511,000.00 based on the capped contribution amount of \$7,000 per benefit unit as outlined in attachment 3 to this report.

Resolution

Moved Cr Jeff Springfield, seconded Cr Brett Owen.

That Council having declared a special charge on Monday, 18 October 2021, for the purposes of partially recovering the expenses incurred by Council in relation to the survey, design, and construction of Anzac Street, Heroes Avenue, Innes Road and Station Road, Gembrook, including a sealed road pavement, kerb and channel and associated drainage and ancillary works:

1. Adopt a final scheme cost of \$2,438,407.76, which is 18% less than the previously advised total estimated scheme cost of \$2,970,450.00 on which the scheme was declared.

2. Note that a fixed charge of \$7,000 per benefit unit was declared on all included properties within the scheme area in accordance with attachments 2 and 3 to this report.

Carried

6.2.4 Community Safety Framework

Responsible GM: Lili Rosic
Author: Mark Carter

Recommendation(s)

That Council endorses the Community Safety Framework finalised following consideration of feedback received after a period of community engagement.

Attachments

1. Cardinia Com Safety Discussion Paper [Final] (2) [6.2.4.1 - 44 pages]
2. CSC Community Safety Framework Final [6.2.4.2 - 16 pages]

Executive Summary

The Community Safety Framework is a key initiative within the Council Plan aligned with priority one, Strong Communities, and guides Council's approach to community safety within the municipality to maximise efficiency and impact. The goal of this Framework is to provide a detailed system and process for Council to collectively address community safety concerns, and is aligned to the safety elements highlighted in Cardinia Shire's Liveability Plan and Community Safety Action Agenda.

This Framework will help the community to understand council's role and reflects the unifying principles as applied to the current and emerging community safety priorities in Cardinia. Community safety is the shared responsibility of all levels of government and non-government entities. Partnerships and appropriate resource mobilisation between agencies and connection to community is pivotal in making communities safer. Cardinia Shire Council plays a critical role in promoting community safety and supporting crime prevention activities at the local level and undertakes local research and engagement to understand the safety needs of the community.

The process of developing the Community Safety Framework included:

- Researching Community Safety trends and areas of concern across the state of Victoria and Cardinia.
- Analysing how incoming community safety reports and requests are prioritised and allocated to internal departments.
- Undertaking consultation with internal and external stakeholders including community members
- Bringing together new and existing consultation and research data to identify improvements to the process of responding to Community Safety concerns.
- Reviewing Council's legislative requirements in relation to community safety and articulate how this will be met or exceeded.
- Considering external partners and Council's business unit's roles and responsibilities.
- Defining Council's role in improving community safety and Council's operating scope in improving safety outcomes for the community.

The resulting draft framework and the accompanying background paper was presented at Councillor Briefing on 4 December before being placed on public exhibition from 11 December 2023 to 28 January 2024. Numerous internal and external stakeholders were engaged during this period.

Background

Council's Municipal Health and Wellbeing Plan 'The Liveability Plan' was reviewed in 2021 utilising current community data and trends. Consultation was undertaken with stakeholders, and with the broader community in 2020 to identify priority areas. Further consultation workshops were delivered in August 2021 with identified community and internal stakeholders as part of the exhibition of the Draft Liveability Plan documents.

The workshops were shaped around the Liveability Plan's seven outcomes, including 'Safety,' and informed the draft Liveability Plan's objectives and strategies for community safety. Using this plan, data and recent community feedback, Council officers and the Safer Communities Partnership Committee developed a Community Safety Action Agenda. This agenda is reviewed annually to ensure its relevance to current and emerging issues.

The development of the Community Safety Framework was supported by Council and funded in the 23/24FY Council Budget. The Framework sits alongside the Liveability Plan and Community Safety Action Agenda to provide guidance to Council staff when working within the safety realm, by clearly defining the role of Council. The goal of this framework is to provide a detailed system and process for Council to collectively address community safety concerns.

Community and stakeholder engagement included several community pop up sessions, consultation with Councillors, internal business units and the Safer Communities Partnership Committee which consists of key partnering agencies including Victoria Police.

Following on from the consultation process, a draft framework was developed and placed on Community exhibition during December 2023 and January 2024.

Feedback received through the recent exhibition process resulted in 64 individual refinements to the framework including:

- Improvements to grammar, titles, and formatting
- Inclusion of additional references to relevant policies
- Review date included
- More visual representation of framework elements
- Additional data included on specific safety issues and crime

Further details of the overall consultation process and results are provided in the consultation section of this report. The content of the document details Council's role in improving community safety under the following areas;

- Plan and Regulate
- Advocate and Lead
- Communicate and educate
- Partner

The framework also steps out the factors to consider when considering community safety issues which include:

- Gender equality
- Cultural Safety
- Universal Access and Design
- Intersectionality
- Crime Prevention through environmental design (CPTED)

Policy Implications

The Community Safety Framework defines Council's role in addressing safety issues and the key departments involved in Cardinia Shire's safety response.

The document also provides an overarching framework for safety initiatives that will link with existing policies and plans including CPTED (Crime Prevention Through Environmental Design), CCTV (Closed Circuit Television), Emergency Management and Liveability Plan.

Relevance to Council Plan

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

1.1.4 Facilitate a partnership approach to create safer communities.

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.

5.1 We practise responsible leadership

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

Climate Emergency Consideration

N/A

Consultation/Communication

A variety of engagement activities were undertaken over the duration of the framework's development including:

- Internal Staff & Councillor workshops x 2
- 4 x Community Pop ups in Cockatoo, Pakenham, Lang Lang
- 5 x Council committees representing services and residents including the Multicultural Advisory Group, Cardinia Access and Inclusion Advisory Committee, Age Friendly Alliance Network, Together We Can Round Table and the Safer Communities Partnership
- Liveability Forum consultation inclusive of more than 80 services and organisations
- Creating Cardinia Platform online contributions
- Engagement reach of more than 16,000 through social media with detailed information accessed by more than 300.
- Councillor Briefing 4 December 2023
- Below is a snapshot of the findings from the consultation data.

Top five areas of concern included:

- Road and Pedestrian Safety
- Property Crime
- Crimes Against People
- Alcohol and other drugs
- Mental health
- Natural hazards / disasters
- Data collected through conversations with the community also provided the following information:
 - Men tend to be more concerned with road safety while women are more concerned with personal safety.
 - The rural township communities show a little more concern with emergency management and road safety issues while the urban and suburban population report more concern about crime and antisocial behaviour.
 - Many members of the public expressed that they believe Cardinia Shire is safe.

- Most people participating in these consultations have never had cause to contact Council about a safety issue and many expressed that they thought it unlikely that they would.
- For the few (nine, in total) saying they had contacted Council in the past, four (44%) were “very happy” with the response, three (33%) rated the response as “average” and two (22%) were “very unhappy” with Council's response to their safety issue.

This community feedback assisted in shaping the priority areas for council to focus on when responding to resident and broader community issues. The framework does this by setting out clear roles and responsibilities for Council and what needs to be considered by business units when responding to a community safety issue or concern. Information collected through this consultation will also be utilised to create actions within the community Safety Action agenda to address emerging concerns.

Council staff consulted provided valuable information on their role in addressing community safety concerns and the role of Council as a whole, including:

- Providing a point of contact for creating cohesion and connectedness.
- Ensuring infrastructure is up to standard so that the most vulnerable people in our community are safe.
- Ensuring community safety planning and design is incorporated into new and rejuvenated precinct designs.
- Providing forums and avenues for the public and community to raise issues or concerns in their local community they have around safety or security.
- Providing community strengthening and community development opportunities.
- Collaborating with partners in supporting community education on a range of safety topics (eg. bushfire preparedness, crime prevention)
- Advocating for community safety resourcing - including information and infrastructure.
- Working with police and other emergency services to ensure safety during emergencies.
- Researching and evaluating programs and policies.

This feedback from Council staff assisted in developing “The role of Council in community safety” section of the framework document.

After the initial consultation period the Draft Framework was prepared and placed on Public Exhibition across 11 December 2023 to 28 January 2024. Community members and groups were able to access the Framework and the accompanying discussion paper via the Creating Cardinia Platform. Internal departments and Councillors involved in the initial stages of the consultation process were directly approached to review the draft and provide feedback, along with external partners from the Safer Communities Partnership Committee. Feedback received through the exhibition process resulted in sixty-four individual refinements to the framework including:

- General grammar, titles and formatting
- Inclusion of additional references to relevant policies
- Review date included.
- More visual representation of some framework elements
- Additional data included on specific safety issues and crimes.

Financial and Resource Implications

A project budget allocation of \$100,000 was provided to undertake the development. A proportion of this will be utilised to refine the designed version, promotional initiatives and implementation. Approximately \$40,000 will remain from this allocated budget.

Conclusion

The Community Safety Framework clearly defines the role of Council in addressing safety issues and the departmental responsibilities for Cardinia Shire's community safety response. This framework details the background, policy context and the key research and consultation findings. This framework has a companion Discussion Paper that provides the more detailed research background and findings underpinning this work.

Resolution

Moved Cr Stephanie Davies, seconded Cr Jeff Springfield.

That Council endorses the Community Safety Framework finalised following consideration of feedback received after a period of community engagement.

Carried

6.3 Policy Reports

6.4 Financial Reports

6.4.1 Contract Contingency against Building Contracts

Responsible GM: Debbie Tyson
Author: Aanchal Meshram

Recommendation(s)

That Council delegates authority to the CEO to approve contract variations for unforeseen circumstances, utilising allocated project contingency funds, subject to the approval by the Contract Superintendent as detailed in the confidential attachment for the delivery of the following contracts:

1. Contract 22-038 Construction of Brunt Road Early Learning Centre (CT000113)
2. Contract 22-057 Construction of Garfield Netball Pavilion (CT000115)
3. Contract 23-006 Construction of Garfield North Cannibal Creek Reserve Community Centre (CT000495)

That Council note this approval is to ensure the timely delivery of each of the projects and that any variation will only be accessed following a full review and assessment of the Contract Superintendent in accordance with the Contract terms and conditions.

That Council note the full expenditure against each of the projects is publicly reported in the quarterly reports to the community.

Attachments

1. Confidential memorandum ConstructionContingency Final [6.4.1.1 - 4 pages]

Executive Summary

This report seeks approval for the expenditure of contingency funds against the three highlighted contracts, aiming to remove risk to Council through contractual penalty and support progressive project delivery.

The release of contingency funds serves to promptly address latent conditions and unforeseen circumstances that may disrupt on-site progress.

Additional budget allocation is not requested through this report, the contingency funds have been factored within the allocated budget from initiation of the project.

A thorough examination of industry benchmarks and historical data confirms the recurrent influence of unforeseen circumstances on construction projects, therefore, affirming the necessity of a contingency budget.

The request to the release of the budget for contingency aligns with established contract management practices. The release of contingency funds will be detailed in future tender award reports.

Policy Implications

Purchasing Policy 2021-2025

Instrument of Delegation to the Chief Executive Officer – August 2023

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.

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

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

Financial and Resource Implications

The table below provides a summary of the contracts previously approved by the Council, of which the release of contingency funds is requested.

Contract Number #	Contract Name	Approved Project Budget (exc GST)	Approved Contract Amount (exc GST)	Contract Award Date
Contract 22-038	Construction of Brunt Road Integrated Child and Family Centre	\$10,300,000.00	\$6,816,326.00	21 November 2022
Contract 22-057	Construction of Garfield Netball Pavilion	\$3,400,000.00	\$2,501,281.00	17 April 2023
Contract 23-006	Garfield North Community Centre	\$2,300,000.00	\$1,337,700.00	21 August 2023

The project budgets for the contracts outlined in the above table are currently below the allocated funds, including the requested contingency provisions. Therefore, this report does not request additional funding approval. Instead, it solely seeks approval to utilise budgeted contract contingency funds if unforeseen circumstances arise, necessitating additional expenses.

Conclusion

To mitigate the risk of project delays and potential breaches of contractual conditions, the release of contingency funds is imperative. This will allow Council Officers, through the Superintendent, to advance projects effectively and appropriately in accordance with contractual terms and conditions.

Resolution

Moved Cr Tammy Radford, seconded Cr Collin Ross.

That Council delegates authority to the CEO to approve contract variations for unforeseen circumstances, utilising allocated project contingency funds, subject to the approval by the Contract Superintendent as detailed in the confidential attachment for the delivery of the following contracts:

1. Contract 22-038 Construction of Brunt Road Early Learning Centre (CT000113)

2. Contract 22-057 Construction of Garfield Netball Pavilion (CT000115)
3. Contract 23-006 Construction of Garfield North Cannibal Creek Reserve Community Centre (CT000495)

That Council note this approval is to ensure the timely delivery of each of the projects and that any variation will only be accessed following a full review and assessment of the Contract Superintendent in accordance with the Contract terms and conditions.

That Council note the full expenditure against each of the projects is publicly reported in the quarterly reports to the community.

Carried

6.4.2 Facility Management & Maintenance Contracts - Interim Agreements

Responsible GM: Debbie Tyson
Author: Melissa Nichols

Recommendation(s)

That Council;

1. Approves the month-to-month extension of the Cleaning and Internal Waste Contract 18-03 - Pickwick Group Pty Ltd.
2. Acknowledges that Contract No. 17-13 Facility Management and Maintenance - Campeyn Group Pty Ltd expires with no further extension on 30 June 2024.

Attachments

Nil

Executive Summary

The Cleaning and Internal Waste Contract 18-03 concluded on Friday, 22 December 2023. The retendering of this contract has been significantly delayed through necessary review of the existing contract conditions and relevant changes in the service model.

The Facility Management and Maintenance Contract 17-13 is scheduled to expire on Sunday, 30 June 2024.

Council Officers are developing the necessary contract documentation to undertake appropriate procurement activities in sourcing relevant contractors to support the delivery of these critical services

Background

Cleaning and Internal Waste - Contract 18-03

In July 2018, Council entered a Cleaning and Internal Waste Services Contract with an initial 3-year term and the options for contract extensions of 2 x 1-year. Pickwick Group was the awarded contractor for the Cleaning and Internal Waste Services across

The contract concluded on Friday, 22 December 2023. Following its completion, and with the necessary review and preparation to procure these services under a new contract. Implementing a month-to-month arrangement will provide the necessary time to undertake due diligence in conducting the procurement process, while ensuring our facilities remain fit for staff and community use.

Facility Management and Maintenance 17-13

In January 2017, three participating Councils, Dandenong, Yarra Ranges and Cardinia, agreed to jointly tender for Facilities Management and Maintenance Services.

Campeyn Group Pty Ltd successfully appointed as the Facilities Maintenance contractor for all three Council's. The accepted tender had a term of 3 years with the option of three x 2-year extensions. The contract has reached it's last extension in accordance with the contract terms.

Since each contract was executed, Council has experienced significant increase in facilities that require Facilities Maintenance and Management services. Additionally, improvements in lease agreements have resulted in necessary changes to these services. A comprehensive review of the services scope, specification and conditions are being conducted in preparation for procuring the required services.

Council Officers in discussions with Campeyn Group have concluded that effecting a month-to-month agreement in extending the Facilities Management and Maintenance contract is not viable.

Policy Implications

The following policies form part of and support the considerations made within this report.

- Building Maintenance Policy
- Public Toilet Strategy
- CCTV Policy
- Supplier Code of Conduct

Relevance to Council Plan

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

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

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

2.1 We support the creation of liveable spaces and places

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

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

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

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

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

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

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

5.1 We practise responsible leadership

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

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

Climate Emergency Consideration

The Cleaning and Internal Waste Contract has been developed to consider Council's Climate Change strategies, through the purchasing of environmentally sustainable products.

The existing Facility Management and Maintenance Contract was developed with consideration to Council's Climate Change strategies. Our commitment remains aligned with climate change

principles. This entails prioritising the use of environmentally friendly products and chemicals throughout service lifecycles to mitigate impacts on the community and Council.

Consultation/Communication

Buildings and Facilities consults with stakeholders to obtain feedback on the performance and quality of the services delivered. This feedback has been utilised to further understand how these contracts are currently performing and the improvements which can be introduced to meet the expectations of Council and the community.

Feedback received indicates that although recent improvements on service delivery across both contracts has been experienced, Council Officers are actively working to improve service delivery.

Financial and Resource Implications

Utilising a month-to-month arrangement provides Council with the flexibility and control over future expenditure. The approach allows for the effective review and implementation of improved service agreements. Looking ahead, this initiative strikes a balance between short term execution and long-term stability.

The future service model will see a controlled and planned approach to expenditure and delivery. The revised service model will improve the team's ability to monitor and appropriately engage suppliers, creating efficiencies and provide a value for money outcome

Conclusion

The month-to-month extension of the current cleaning and internal waste contracts will support continuity of the current services being delivered, whilst allowing sufficient time for procuring the contractors required to deliver the revised service model.

The Facility Management and Maintenance Contract 17-13 will cease on the 30 June 2024, Council Officers are progressing to procure essential services under individual service agreements.

Resolution

Moved Cr Stephanie Davies, seconded Cr Jeff Springfield.

That Council;

1. Approves the month-to-month extension of the Cleaning and Internal Waste Contract 18-03 - Pickwick Group Pty Ltd.
2. Acknowledges that Contract No. 17-13 Facility Management and Maintenance - Campeyn Group Pty Ltd expires with no further extension on 30 June 2024.

Carried

6.5 Activity Reports

6.5.1 Community Engagement Update

Responsible GM: Debbie Tyson
Author: Emma Wilkinson (Team Leader Engagement)

Recommendation(s)

That Council notes the community engagement activities being undertaken in November.

Attachments

Nil

Executive Summary

This report provides a monthly update on Council's community engagement opportunities commencing or continuing.

Background

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

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

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

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

Policy Implications

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

Relevance to Council Plan

5.1 We practise responsible leadership

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

Climate Emergency Consideration

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 18 March – 19 April 2024			
Project	Project description	Proposed consultation date/s and details	Responsible Business Unit
Proposed Community Local Law 2024	<p>A proposed new Local Law 2024 to replace the existing Local Law 2017 which reflects:</p> <ul style="list-style-type: none"> emerging issues of community concern, amendments to improve the efficacy and effectiveness of the Local Law to achieve its purposes, and miscellaneous amendments to improve clarity, meaning and administration. 	<p>5 March until 31 March. Consultation will include:</p> <ul style="list-style-type: none"> letters and survey for targeted business cohorts promotion of Creating Cardinia webpage with online survey. 	Regulatory Services
Lang Lang Public Art Project	Phase 1 engagement on artwork themes.	<p>4 March 2024 until 7 April 2024 Phase 1 consultation on the themes for the artwork. Engagement activities to include:</p> <ul style="list-style-type: none"> a Creating Cardinia webpage with online survey QR coded posters in community noticeboards, post office, sports pavilions, parks, mobile library etc Pop-ups in Lang Lang including a local Township walk. Dates TBC* <p>*details to follow on Creating Cardinia page.</p>	Arts, Advocacy and Economy.

<p>The PB Ronald Reserve Masterplan – Phase 4.</p>	<p>Engagement to inform the community of:</p> <ul style="list-style-type: none"> • an amendment to the masterplan that includes the Men’s Shed location and reduction of multi-use courts • Seek community feedback for the draft concept design on the location of a sound shell, skatepark upgrade, new parkour features, and exercise station. 	<p>March (dates TBC) - 29 April 2024</p> <p>Phase 4 consultation to include*</p> <ul style="list-style-type: none"> • drop-in sessions at the local library, community centres and schools • promotion of online survey on Creating Cardinia website to local families via schools and newsletters • in person meetings with key stakeholders. <p>*details to follow on Creating Cardinia page.</p>	<p>Active and Connected Communities</p>
<p>Draft Community Engagement Policy 2024-2028 and Engagement Guidelines.</p>	<p>Seek community feedback for the draft Policy and Engagement Guidelines to confirm or amend the guidance on engaging with different cohorts in the community.</p>	<p>20 March – 22 April 2024.</p> <p>Consultation will include:</p> <ul style="list-style-type: none"> • promotion of an online survey on Creating Cardinia website • in person meetings with key stakeholders, advisory groups, and staff (dates to be confirmed) • consultation with the community members from the 2021 Peoples Panel for the development of the Council Plan • QR posters at Council facilities to promote the survey on Creating Cardinia. 	<p>Communications and Engagement</p>

<p>Gambling Policy Review - Phase 3.</p>	<p>Seek community feedback for the draft Gambling Policy.</p>	<p>1 April – 21 April. Consultation will include:</p> <ul style="list-style-type: none"> • promotion of an online survey on Creating Cardinia website 	<p>Liveable Communities</p>
<p>Plaques and Memorial Policy.</p>	<p>Consultation on the development of a new policy for plaques and memorials, specifically relating to the criteria for the application process for requesting a plaque or memorial for a family member.</p>	<p>1 April – 21 April. Consultation will include:</p> <ul style="list-style-type: none"> • promotion of an online survey on Creating Cardinia website. 	<p>Active and Connected Communities</p>
<p>Naming of Officer District Park.</p>	<p>Consultation inviting the community to vote for a new name for the park.</p>	<p>Dates TBC – mid April. Consultation will include:</p> <ul style="list-style-type: none"> • promotion of an online survey on Creating Cardinia website • QR code posters on the fence around the current construction of the park 	<p>Active and Connected Communities</p>
<p>Renaming of Pakenham East.</p>	<p>Consultation for the renaming of Pakenham East.</p>	<p>Dates TBC (mid-April). Consultation will include:</p> <ul style="list-style-type: none"> • promotion of an online survey on Creating Cardinia website. • QR code posters in residential developer sales offices, local supermarkets, mobile library and Pakenham library and noticeboards in neighbouring suburbs. 	<p>Governance.</p>

		<ul style="list-style-type: none">• Pop ups in various locations (TBC).	
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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 November.

Carried

6.5.2 Major Projects Report

Responsible GM: Peter Benazic
Author: Dan Hammond, Jarrad Unsworth, Michael Casey

Recommendation(s)

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

Attachments

1. Major projects report - March 2024 [6.5.2.1 - 15 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 Graeme Moore.

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

Carried

7 Reports Or Minutes Of Committees

8 Reports By Delegates

Cr Ryan advised that she attended a meet the Mayor session in Pakenham receiving good feedback from residents. Attended the AGM for ARIA Kalistetics and impressed with the upgrades and works that are happening. Celebrating International Women's Day events noting event for cervical cancer and fundraising/donations of \$150,000 and provided statistics of 1 in 9 women who are diagnosed with this cancer.

Cr Owen attended the Clean UP Australia Day event attending the Friends of Cardinia Creek with his son. 29 Feb jointed the Mayor for the launch of XX bus and noted the contribution by the Cardinia Foundation. Upper Beaconsfield Association AGM noting the renewal and actions of this committee. Attended the Gembrook meeting with Mayor, CEO and Cr Springfield noting concerns of the residents. Local Heritage Group Casey Cardinia Heritage Festival coming up and encouraging people to attend.

Cr Radford cuppa with a cop back up and running attended the first one recently organised in collaboration with Vic Pol and Cardinia Shire. Next one Hicks Timbertop 10 April. Shout out to Ron H on our Access and Inclusion Committee noting the passing of his wife Joy who was also a member of the committee. Joy was also a 20 year member of the Lions Club.

Cr Moore attended the Clean UP Australia event at Comely Banks. Attended a meet the Mayor at Garfield then went to Bunyip and Tynong noting and thanking the Mayor for his attendance. Tominbuk Horse Trials with the Mayor and Cr Cameron. Wine Food Festival in Garfield and congratulated the community who organised this fantastic event, thanking staff who organised works to beautify the surrounding area.

9 Presentation Of Petitions

Nil

10 Notices Of Motion

11 Community Questions

The Mayor advised that Community Questions had been received from: Samantha Kummer, Kylie Wrench and Vicky Hamilton.

Samantha and Kylie were not present in the gallery, a response will be provided in writing to the questions asked.

Question received from Vicky Hamilton

Regarding to the road works on station street and the right-hand turn blockage on the Princess Hwy. We understand that there is a need for the upgrades but we were told it would be around 8 weeks back in August and the road was blocked off then but now we are in the 8 month of this nightmare and it's severely affecting our small business Officer Bakehouse to the point we are down well below 65% and have now had to put staff off... we firmly believe we are entitled to some form of compensation for the down turn in our business due to the ongoing road works which has been much longer than originally advice... when is there going to be an end date? What compensation can be claimed for loss of business?

COUNCIL RESPONSE:

The majority of the Tivendale Road and Princes Highway intersection project is expected to be completed during April 2024, with works within the Highway Service Road to continue following this. During this time, and as has been the case previously, access to all local businesses will remain open.

Regular updates are available on Councils Building a Better Cardina webpage and project updates are regularly provided to local residents and businesses. Works were complete in late March to enable Station Street to be reopened to south bound traffic.

Approvals from State Government authorities are being sought to enable the right-turn lane from Princes Hwy into Station St to be reopened. While these works are being completed, we are encouraging businesses to advise their regular patrons about access and parking options, including using Siding Avenue to make a u-turn to travel back towards Beaconsfield.

Access will continue to be maintained to businesses and properties surrounding this intersection, however, please note traffic management including reduced speed limits, lane closures, traffic diversions and temporary shared path detours will remain in place to ensure the works are safely completed.

Council works to minimise the impact on works on properties and does not typically provide compensation where access to business has been available.

12 Urgent Business

13 Councillor Questions

Nil

Items Closed to the Public

Excerpt of Section 89 of Local Government Act 1989.

- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following:
- (a) Personnel matters;
 - (b) The personal hardship of any resident or ratepayer;
 - (c) Industrial matters;
 - (d) Contractual matters;
 - (e) Proposed developments;
 - (f) Legal advice;
 - (g) Matters affecting the security of Council property;
 - (h) Any other matter which the Council or special committee considers would prejudice the Council or any person;
 - (i) A resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.

Nil

15 Meeting Closure

Mayoral Minute

I wish to make reference that this week is Harmony Week. It is a celebration that recognises our diversity and brings together Australians from all backgrounds, and is an important way of fostering understanding, respect, and a sense of belonging for everyone.

We see people taking up residence here in Cardinia from many different backgrounds and we want each to know they are welcome here. Every month it is a pleasure to host Citizenship ceremonies welcoming people not only to Cardinia but also as new Citizens of our Country.

We also acknowledge that this Thursday (21 March) is the United Nations International Day for the Elimination of Racial Discrimination. Recognising this day is a meaningful way to acknowledge how racism impacts our diverse communities and strengthen our commitment to building a community that does not accept racism in any form.

This Council has made commitments to supporting and building an inclusive community for all through the Cardinia Shire Cultural Diversity Action Plan, the Gender Equality Leadership Commitment Statement, and the Cardinia Shire Council Inclusivity Statement. These are commitments that every Councillor and every person working for Council takes seriously as your representatives and serving every resident in the Cardinia Shire community.

Reminder that there will be no Town Planning Meeting on Monday 1 April due to the Easter Public Holiday and wish everyone a happy Easter.

Meeting closed at 8:18pm.