



Ordinary Council Meeting

Minutes

Monday 16 December 2024

Commenced at 7:00 PM

Council Chambers
20 Siding Avenue, Officer
Victoria

Members: Cr Jack Kowarzik Mayor
Cr Alanna Pomeroy Deputy Mayor
Cr Liz Roberts
Cr Samantha-Jane Potter
Cr David Nickell
Cr Casey Thomsen
Cr Collin Ross
Cr Brett Owen
Cr Trudi Paton (Virtual Attendance)

Officers: Carol Jeffs Chief Executive Officer
Peter Benazic General Manager Infrastructure and Environment
Debbie Tyson General Manager Community & Planning Services
Wayne Mack General Manager Corporate Services
Sharyn Tilley Coordinator Governance and Councillor Services

Meeting opened at 7:00pm.

Order of Business

1	Opening And Reflection	5
2	Traditional Owners Acknowledgement	5
3	Apologies.....	5
4	Adoption And Confirmation Of Minutes	5
5	Declaration Of Interests.....	5
6	Community Questions.....	6
7	Ordinary Business.....	11
7.1	Town Planning Reports	11
7.1.1	Cardinia Planning Scheme Amendment C278card - New Environmentally Sustainable Development (ESD) Local Policy (Clause 22.11) And Associated Changes To The Municipal Strategic Statement (MSS).....	11
7.1.2	Council Submission To Proposed Ministerial Amendment - Lang Lang Strategic Extractive Resource Area (SERA)	20
7.2	General Reports.....	36
7.2.1	Proposed Engagement Strategy For The Council Plan And Integrated Planning 2025.....	36
7.2.2	Cardinia Life Redevelopment Funding Submission.....	44
7.2.3	Toronggo Park Naming	49
7.2.4	Cardinia Life And Officer Hub Roof	55
7.2.5	Meeting Dates For 2025	58
7.2.6	Appointment To Committees.....	61
7.2.7	Appointment Of Community Asset Committees For Recreation Reserves...	65
7.2.8	Appointment Of Community Asset Committee For Halls	69
7.2.9	Instrument Of Appointment And Authorisation - Planning And Environment Act 1987	73
7.3	Policy Reports	76

7.4	Financial Reports.....	76
7.4.1	Quarterly Financial Report 2024-25 - Q1 September 2024	76
7.5	Activity Reports	79
7.5.1	Community Engagement Update	79
7.5.2	State Projects Yearly Update Report.....	82
7.5.3	Performance And Growth Reports - Q1 2024/2025	89
8	Reports By Councillors.....	96
9	Presentation Of Petitions.....	97
10	Notices Of Motion	98
10.1	Notice Of Motion 1108 - Cr Paton.....	98
11	Urgent Business.....	99
12	Councillor Questions.....	99
13	Mayoral Minute.....	100
14	Confidential Business.....	101
15	Meeting Closure.....	101

1 Opening And Reflection

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 Traditional Owners Acknowledgement

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

3 Apologies

Nil

4 Adoption And Confirmation Of Minutes

Moved Cr Ross, seconded Cr Nickell

That minutes of the following meetings be confirmed:

1. Special Council Meeting 21 October 2024; and
2. Annual Statutory Council Meeting 25 November 2024.

For: Cr Pomeroy, Cr Thomsen, Cr Owen, Cr Ross, Cr Nickell, Cr Kowarzik, Cr Roberts, Cr Potter and Cr Paton.

Against: Nil

Carried

5 Declaration Of Interests

Cr David Nickell declared a general conflict of interest in Agenda Item 7.1.2 Council Submission to Proposed Ministerial Amendment - Lang Lang Strategic Extractive Resource Area (SERA) as he works for the Department of Energy, Environment and Climate Action.

6 Community Questions

The Mayor advised that Council had received questions for the meeting from Cheryl Billings-Smith, Peter Smith, Dean Hurlston, Rosa Santo, Travis Davidge and Tony O'Hara. For those in attendance the questions were read out.

Cheryl Billings-Smith submitted questions to the Council Meeting, responses are provided in the Minutes.

Question 1

Why has a private email correspondence to me found its way to a person I do not know on Facebook? Who is investigating this breach of privacy?

Response

Privacy is an operational matter being dealt with by the CEO.

Question 2

What plans to council have to ensure all of our outdoor pools are adequately maintained and open longer on hot days?

Response

The operating hours are designed to meet community needs while remaining practical to implement. In terms of maintenance, we aim to ensure that all our facilities meet the highest standards of hygiene and safety.

Question 3

Who decided on the timing of opening on so called hot days? Surely it is not good enough to open the pool at 3pm on a 35degree day which occurred last season.

Response

The current operating hours, presented and endorsed by Councillors, balance community needs and operational feasibility. This season we have lowered the opening trigger point to 25 degrees to enable the pool to be open more frequently.

Question 4

**What has happened to the aquatic strategy?
When will council release the strategy for community input?
Who has council corresponded with in relation to the aquatic strategy?**

Response

Officers communicated with you in July an update on the Aquatics Strategy project, indicating it was planned for 2024, however is expected to occur in 2025. This is due to the development of Council's first Fair Access Policy, which contains principles that will be applied to the Aquatics Strategy.

Question 5

Why have council ignored the Save the Pakenham Outdoor Pool support group in relation to the aquatic strategy?

Response

Council does not ignore any group or individual.

Question 6

When will council consider implementing a community informed plan to uplift all the aquatic facilities and improve participation and attendance at all pools?

Response

Community members participated in a consultation survey at the conclusion of the 2023/24 outdoor pool season. The feedback was invaluable in better shaping the future operations of our outdoor pools, ensuring they meet the needs and expectations of the community. We, in partnership with our Contractor, have made changes in line with these needs and expectations for this season. Further consultation will occur formally through the Aquatics Strategy project, which will deliver recommendations for future needs of the pools.

Peter Smith submitted a question to the Council Meeting, a response is provided in the Minutes.

Question 1

Council has foreshadowed the possibility of incurring “substantive additional unknown costs” if the amendment is supported (agenda page 80)

Is Council flagging a scenario whereby the lack of cooperation from the State Government will force Council to withdraw its efforts to implement any kind of plan to safeguard the future prospects for Lang Lang and district?

Response

Council’s proposed submission objects to the Ministerial Planning Scheme Amendment in its exhibited form and requests that all the issues raised in the submission are properly addressed, including consideration of potential impacts and the implementation of appropriate safeguards for the Lang Lang community.

Council will continue its advocacy to the State and Federal Governments to ensure implementation of appropriate safeguards.

Dean Hurlston submitted a question to the Council Meeting, a response is provided in the Minutes.

Question 1

What is the approximate cost per public COUNCIL meeting FOR Councillor and Staff MEALS, REFRESHMENTS AND BEVERAGES? (If applicable).

Response

The approximate cost per Council meeting is \$600.

Rosa Santo submitted questions to the Council Meeting, responses are provided in the Minutes.

Question 1

For nearly 20 years we have requested to erect Christmas trees in Main Street Pakenham during the Christmas – New Year celebrations as part of the Christmas decorations. But we were told by Council they will not allow any trees to be erected due to it is distracting to the traffic that it could cause an accident.

- 1. Why has there now been two Christmas trees at the roundabouts in Main Street Pakenham erected?**
- 2. Was there a permit applications put into council to erect the two trees at the roundabouts in Main Street?**
- 3. If a permit was given. Then why was it rejected to the group that kept requesting trees to be erected over many years?**

4. If not then why has Council not taken them down? To whom are the persons that erected the trees. Should there be a fine?

Response

The Christmas trees on Main Street in Pakenham were not installed by the Council. Cardinia Shire Council acknowledges the concerns raised by the unauthorised installation of the Christmas trees in Main Street, Pakenham.

The current location of the Christmas trees within a Main Street roundabout is deemed to be a traffic safety risk causing line of sight issues for passing motorists and pedestrians.

Council will continue to liaise in good faith with the community stakeholders to seek an alternative, safer location within Main Street, Pakenham.

Question 2

I had booked with council for hard rubbish to be collected, but due to bad weather wild winds, I cancelled the pickup, I then requested with council could I change the date for collection the following week? I was told by staff member no as the original date will be recorded as collected, I stated to office staff that nothing was collected on that day. I was told too bad.

Why was this their response, why was it not waived to give me another date to collect?

Response

The bookable hard waste service operates on a weekly schedule that is programmed the week prior to the booked week to allow our drivers to have their run sheets prepared in a timely and efficient manner. As per the information on our website any cancellation must be made via phone at least 7 days prior to the booked collection week. If this has not occurred, then the collection will still go ahead and be marked accordingly. We will follow this specific matter up with the resident directly.

Question 3

Again, more issues with the Live Online video meetings this has been a continue problem for a long time over the year.

Maybe not advertise misinforming the general public on council website that these meetings are live online, when they aren't, I could only hear the meeting but not able to watch live online?

- 1. What was the issue this time as I was not able to watch live online?**
- 2. When was the Town planning changed to 8th December?**

Response

Thank you for your interest in the meetings and apologies it was not able to be livestreamed as intended.

There were technical difficulties experienced just prior to the 9 December meeting that were unable to be resolved in time for the meeting commencement. The meeting was able to be recorded and uploaded to the website the next day. A note was put on the website the next day explaining that the live stream vision was not available and the recording was available to hear the meeting.

The Town Planning Committee Meeting changed to 9 December at the September Council Meeting and the website was updated accordingly.

Question 4

Elections were only in November this year 2024. Ward Councillors were elected and just starting their roles in Council. They are only elected for a four year term.

Why has this councillor now only being one month after elections being the month of December 2024, has gone on holidays? Councillors get all of January off from council surely this councillor could have organised their holidays for the January council holiday break?

1. Why could this long serving councillor not wait until council break? Councillors know when the dates of their Christmas, Easter and Public holidays are which I'm sure would be in their diaries. It's about being efficient with their time to serve the general public.

Response

Councillors balance a range of commitments, which can on occasion mean that they are unavailable for meetings.

Travis Davidge submitted a question to the Council Meeting, a response is provided in the Minutes.

Question 1

Given the we have had nearly two decades of advocacy by Cardinia Shire Council & the Lang Lang Community for the Lang Lang Township Bypass, which in that time has seen an increase in number of sand mines, a substantial increase in the size & number of trucks travelling through our town centre, has the Cardinia Shire Council received confirmation from the Premier of Victoria that it is committed to the building of the Lang Lang By Pass and when this will happen?

Response

We have not received this commitment.

Tony O'Hara submitted questions to the Council Meeting, responses are provided in the Minutes.

Question 1

Given the contentious nature of naming new areas and facilities within the Shire, it is essential to ensure that the public feels empowered to actively engage in meaningful community consultation. This effort aligns with the Cardinia Community Engagement Policy 2021-24 and adheres to the principles outlined by the International Association for Public Participation (IAP2) Spectrum.

Could the Council Community Engagement Team be instructed to permit a higher level of engagement, such as the IAP2 "Consult" or "Involve" categories for appropriate engagements, instead of the limited "Inform/Consult" category that does not allow for recommending alternative options to those proposed by Council officers?

Response

Council will be reviewing its Community Engagement Policy during the first half of 2025. I note that Council is proposing to use the higher levels of empower and consult as part of its Community Vision and Council Plan progress.

Question 2

According to the ORDINARY COUNCIL MEETING 20 MAY 2024, Council was directed to establish caps or guidelines for the reimbursement of various expenses including travel.

Given that one Councillor has received a total of \$10,692.55 for the last financial year. This amount even exceeds the Remote Area Travel Allowance of \$5,937.50 per annum, which applies only to Councillors residing 50 km or more from the Council Offices.

Has a cap been established for travel reimbursements and what are the allowances for travel?

Response

The Remote Area Allowance is a different allowance to the travel claims. This relates to Councillors who reside more than 50 kilometres from the location of specific meetings or functions of Council.

To date Cardinia has not made payments for the remote area allowance, and reimbursement for travel expense claims is on a per kilometre rate.

There is no cap in the Councillor Expenses policy on the amount that a Councillor can claim for travel related expenses. The direction for a cap on conferences was introduced into the Councillor Expenses Policy.

7 Ordinary Business

7.1 Town Planning Reports

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

Responsible GM: Debbie Tyson
Author: Lorna Lablache

Recommendation(s)

That Council:

1. Adopts Amendment C278card to the Cardinia Planning Scheme, with changes as outlined in this report, under Section 29 of the *Planning and Environment Act 1987*, generally in accordance with Attachment 3 and Attachment 4.
2. Submits the adopted Amendment C278card to the Minister for Planning for approval under Section 31 of the *Planning and Environment Act 1987*.
3. Notifies all submitters to Amendment C278card of the outcome.

Executive Summary

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

The proposed Local ESD Policy will apply to new residential and non-residential developments within predetermined thresholds and will strengthen Council's position to consider the principles of environmentally sustainable development through the statutory planning process. It is important to note that incorporating an ESD policy into the planning scheme does not trigger more planning permits and only applies to planning applications already required under other parts of the planning scheme. The policy does not apply to single dwellings, outbuildings or subdivision.

The Amendment brings Cardinia Shire Council into alignment with 27 other councils who have an equivalent ESD local policy.

Amendment C278card was formally exhibited from the 29 February to 8 April 2024 in accordance with the requirements of the *Planning and Environment Act 1987*. At the conclusion of the exhibition of the Amendment, five submissions were received. At the Council meeting held on 17 June 2024, Council resolved to refer all submissions to a Ministerial Planning Panel for consideration.

During the Directions Hearing held on 26 August 2024, the Panel decided to consider the matters relating to this proposed amendment on the written submissions received, a process referred to as 'considering the matter on the papers,' since no submitters wished to be heard.

The Panel Report, received on 6 September 2024, supports Amendment C278card and aligns with minor formatting and administrative changes detailed in the Council's submission to the Panel.

It is recommended that Council:

- Adopt the revised Amendment C278card documentation with changes
- Submit the adopted Amendment C278card to the Minister for Planning for approval.

Background

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

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

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

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

In 2021 Cardinia Shire Council became a member of the Council Alliance for a Sustainable Built Environment (CASBE). CASBE is an alliance of councils committed to enabling change to bring about healthy, resilient and liveable urban places. The South East Council's Climate Change Alliance (SECCCA) also supports CASBE's advocacy for environmentally sustainable design. As a member of CASBE, Council proposes to follow the lead of 27 other Councils by implementing an ESD local policy utilising the CASBE Sustainable Design Assessment in the Planning Process (SDAPP) Framework.

The SDAPP framework provides a streamlined and consistent methodology for requesting, receiving and assessing built environment sustainability outcomes through the planning process. The ESD philosophy is 'meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

Proposed Planning Scheme Amendment C278card

What the amendment does

The amendment introduces a new Environmentally Sustainable Development (ESD) Local Planning Policy, for development to achieve best practice in environmental sustainability from its design stage through to construction and operation. This change is supported by refinements to the Municipal Strategic Statement (MSS).

The ESD policy provides statutory weight to what is currently a voluntary approach in the planning process, by requiring those developments which require a planning permit to achieve

best practice environmental objectives. The amendment brings Cardinia Shire Council into alignment with 27 other councils who have an equivalent local policy.

The amendment proposes to:

1. Amend the following clauses in the Municipal Strategic Statement (MSS) of the Cardinia Planning Scheme to reflect the introduction of Clause 22.11 Environmentally Sustainable Development:
 - Clause 21.01 Cardinia Shire Key Issues and Strategic Vision (21.01-3 - Key issues - Environment, Settlement and housing and Particular use and development 21.01-4 Strategic vision)
 - Clause 21.02 Environment (21.02-1 Catchment and coastal management - Key issues & Objective 2 Strategies 21.02-2 Landscape – Strategies (Landscape values & Design and built form) 21.02-8 Resource conservation – Key issues, Strategies (Reduction of greenhouse gas emissions & Design and construction) and Implementation – Further strategic work)
 - Clause 21.03 Settlement and Housing (21.03-1 Housing – Key issues, Objective 1 Strategies)
 - Clause 21.04 Economic Development (21.04-2 Agriculture – Key issues 21.04-3 Activity centres – Key issues, Strategies (Design and location) 21.04-4 Industry – Key issues, Strategies (Design) 21.04-5 Tourism – Key issues, Strategies (Assets))
 - Clause 21.06 Particular Uses and Development (21.06-1 Urban Design – Key issues & Objective 1 Strategies)
2. Introduces a new Clause 22.11 Environmentally Sustainable Development (ESD) into the Local Planning Policy Framework of the Cardinia Planning Scheme.
 - The proposed local policy provides objectives and strategies relating to energy performance, integrated water management, indoor environment quality, transport, waste management and urban ecology.
 - The local policy also sets out application requirements.
 - Based on the project’s development size, the applicant must illustrate how they will achieve the relevant policy goals by either completing a Sustainable Design Assessment (SDA) or a Sustainability Management Plan (SMP).

Amendment C278card applies to all land in the municipality of Cardinia Shire, where a planning permit is required for development. Incorporating an ESD policy into Cardinia’s planning scheme does not trigger any additional planning permits and only applies to planning applications already required under other parts of the scheme.

The proposed ESD policy does not apply to single dwellings, outbuildings or subdivision applications.

What are the planning application requirements of Cardinia’s proposed ESD policy?

Amendment C278card proposes the following planning permit application requirements for residential and non-residential developments:

1. Residential developments:
 - a. Comprising 2 - 9 dwellings or a building used for accommodation other than dwellings with a gross floor area between 100 sqm and 999 sqm will require a Sustainable Design Assessment (SDA).
 - b. Comprising of 10 or more dwellings or a building used for accommodation other than dwellings with a gross floor area equal to or more than 1000 sqm will require a Sustainability Management Plan (SMP) and a Green Travel Plan.

2. Non-residential development with:
 - a. A gross floor area of 300 sqm to 999 sqm or an extension to an existing non-residential building creating between 300 sqm to 999 sqm of additional gross floor area (excluding outbuildings) will require a Sustainable Design Assessment (SDA).
 - b. A gross floor area equal to or more than 1000 sqm or an extension to an existing non-residential building equal to or creating more than 1000 sqm of additional gross floor area (excluding outbuildings) will require a Sustainability Management Plan (SMP) and a Green Travel Plan

What is the difference between ESD Assessments?

The prescribed ESD assessment is proportional to the scale of development to ensure that the proposed thresholds are reasonable whilst maximising environmental benefits.

1. A Sustainable Design Assessment (SDA) provides a simple assessment of how the development addresses the ESD principles and identifies sustainability measures. A SDA can be prepared by the applicant and commonly does not need to be prepared by an expert in the ESD field.
2. A Sustainability Management Plan (SMP) is more detailed than an SDA. A SMP provides a detailed assessment of the proposal and must identify performance standards and sustainability targets. A SMP will require expert advice from a suitably qualified person such as an environmental engineer or specialist ESD consultant.

A Frequently Asked Questions (FAQ) Sheet for this Amendment is contained in Attachment 1.

At the Council meeting on 20 March 2023, Council resolved to seek authorisation to prepare Amendment C278card. Council received authorisation from the Minister for Planning to prepare Amendment C278card on 23 October 2023.

Amendment C278card was formally exhibited from the 29 February to 8 April 2024 in accordance with the requirements of the *Planning and Environment Act 1987*. At the conclusion of the exhibition of the Amendment, five submissions were received. Of the five submissions, two opposed or requested changes while one sought clarification through a revision of the Explanatory Report.

Concerns raised by the submissions are summarised as follows:

1. Seeking clarification about the Sustainable Design Assessment in the Planning Process (SDAPP) Framework regarding a range of elements such as (but not limited to):
 - a. best practice and mandatory requirements
 - b. the impact on the planning application assessment process
 - c. opportunity for negotiations, options and flexibility
2. Increase cost burden of ESD requirements and impact on affordability.
3. Increase in delays in the approval process.
4. Seeking further clarification on how the principles of urban ecology apply, as well as how the heat island effect impacts bushfire risk.

At the Council meeting on 17 June 2024, Council resolved to refer all submissions to a Ministerial Planning Panel for consideration.

Discussion

The Panel Process

At the commencement of the Panel Hearing administrative process, the Panel received only one request to be heard. The Panel Hearing was initially scheduled for 26 August 2024. However, on 23 August 2024, the submitter withdrew their request to be heard and instead provided an additional written submission. Consequently, a Directions Hearing was held on 26 August 2024, during which the Panel decided to finalise its report based on the written submissions received, a process referred to as 'considering the matter on the papers'.

The Panel Report

The Panel Report for Amendment C278card was received by Council on the 6 September 2024 and was made available to the public on the 16 September 2024. A copy of the Panel Report is provided in Attachment 2.

In summary, the Panel concluded that:

- The mandatory nature of the proposed controls emanating from the policy is appropriate.
- There is likely to be extra costs to development resulting from the Amendment, but no conclusion can be drawn about the magnitude of them.
- There is the potential for overlap between national building codes and local ESD policy but each is focussed on different objectives. No overlap fatal to the Amendment has been identified.
- There is no evidence of significantly increased and excessive delays in the approval process resulting from the approval of the Amendment.
- Challenges faced by developers in the regulatory environment are acknowledged but this is not a reason to oppose the Amendment.

Key statements in the Panel Report worth noting include:

- Council has provided detailed submissions of policy support for the Amendment through a number of Council policies and related actions over a number of years. The Amendment is a logical extension of a consistent strategic pathway which Council established several years ago.
- The Amendment follows the path of and is consistent with ESD policy adopted by many Councils, including some neighbouring Councils.

The Panel supported Amendment C278card subject to minor formatting and administrative changes (consistent with Council's submission). The Panel provided commentary regarding the proposed changes to the Explanatory Report but didn't make a specific recommendation. The Panel suggested that the Council should decide on this matter.

A matter for Council's discretion (not a recommendation)

The proposed change to the Explanatory Report was requested by the Country Fire Authority (CFA). In CFA's submission to the amendment further clarification was sought on the ESD local policy concerning urban ecology principles and the management of the heat island effect in relation to bushfire risk.

After discussions with Council, which included reviewing approved local ESD policies in other Planning Schemes and the SDAPP Framework Fact Sheets, it was noted that several municipalities, like Greater Bendigo, Hepburn, Knox, Mornington Peninsula, Whittlesea, and Yarra Ranges, have implemented local ESD policies in areas with similar bushfire risks to Cardinia Shire.

As a result of these discussions, the CFA requested additional text in the Explanatory Report to address their concerns. The additional text was as follows:

- At the end of the second paragraph of the Explanatory Report, under the heading ‘Does the Amendment address relevant bushfire risk’ insert the following (*Urban Ecology*) *The objectives of Urban Ecology would typically apply in urban areas where there is excessive hard surfaces and limited opportunities for extensive landscaping.*

The proposed change to the Explanatory Report was supported by Council at the 17 June 2024 Council Meeting where Council resolved to refer all submissions to a Ministerial Planning Panel for consideration.

The Panel agreed that the proposed additional sentence in the Explanatory Report addresses the issue raised by the Country Fire Authority, however advised that ‘*it would be helpful to also add this sentence under the heading of Urban Ecology in Clause 22.11, given the limited life of the Explanatory Report.*’ The Panel Report noted this as an observation but did not make a specific recommendation. Instead, it suggested that the matter be left to the discretion of the Council.

While the Council acknowledges the Panel’s comment regarding the limited lifespan of the explanatory report, for context purposes it’s important to note the following:

- The *Planning and Environment Act 1987* requires an Explanatory Report be prepared for every planning scheme amendment. The report must explain the purpose, effect and strategic basis for the amendment and address the matters set out in Minister’s Direction No. 11 – Strategic Assessment of Amendments.
- A requirement of the Minister’s Direction No. 11 is that in preparing an amendment a planning authority must evaluate and include (in the explanatory report) a discussion about how the amendment addresses a series of strategic considerations which includes ‘How does the amendment address any relevant bushfire risk?’
- A planning scheme amendment is referred to the CFA to ensure a planning scheme amendment has adequately considered bushfire risk.

It is the Council’s position that the additional text requested in the CFA’s submission was intended to ensure the explanatory report adequately addressed the question, ‘How does the amendment address any relevant bushfire risk?’ Therefore, it does not necessitate additional text in the clause proposed by this amendment.

Furthermore, there is generally consistent wording in the local ESD planning policies across Victorian planning schemes. These policies are designed to align with state-level objectives and ensure a cohesive approach to sustainable development. While there may be minor differences in the size and scale of developments that trigger the policy, the core principles and requirements are typically the same across different councils.

The Panel’s suggestion to leave the inclusion of additional text under the heading ‘Urban Ecology’ in Clause 22.11 to Council’s discretion has been assessed. However, based on the reasons outlined above, Council does not propose to pursue this suggested change.

Panel Recommendations

The Panel has recommended that Cardinia Planning Scheme Amendment C278card be adopted as exhibited subject to:

- Replacement of the exhibited version of Clause 22.11 with the version attached to Council’s Part C submission (Appendix C of the Panel Report).
 - This was prepared at the request of the Panel.
 - This is provided as Attachment 3.

- Insert the following text at the end of the second paragraph of the Explanatory Report under the heading 'Does the Amendment address relevant bushfire risk' (*Urban Ecology*)
The objectives of Urban Ecology would typically apply in urban areas where there is excessive hard surfaces and limited opportunities for extensive landscaping.
- This is provided as Attachment 4.

Policy Implications

Strategic Assessment

The full strategic assessment is provided in the Explanatory Report for the Amendment C278card which is contained in Attachment 4.

The strategic assessment demonstrates that the proposed Amendment aligns with the outcomes and policy directions outlined in *Plan Melbourne: Metropolitan Planning Strategy 2017 – 2050*, is consistent with and supports the Planning Policy Framework (PPF) and Municipal Strategic Statement (MSS) of the Cardinia Planning Scheme.

The proposed Amendment is also consistent with a series of Council adopted documents, all of which have been informed by community consultation and the vision to create a sustainable built environment in Cardinia.

Financial and Resource Implications

Incorporating an ESD policy into the planning scheme does not trigger any additional planning permits and only applies to planning applications already required under other parts of the scheme.

The proposed ESD policy will add to the workload for assessing planning permit applications within the Council. Resourcing for an ESD Officer was allocated in the 2023-2024 however this position has not been filled at this point and the following alternate initiatives are being implemented within existing budget:

- Modifications to the existing role of Council's Sustainable Facilities Officer to facilitate the assessment of planning applications with large development requiring Sustainability Management Plans (SMPs).
- The establishment of an internal ESD Planning Working Group (lead by Council's Sustainable Facilities Officer) to review processes and procedures of planning applications. This group is made up of ESD Planning Champions who have crucial knowledge in the current internal processes. A key focus will also be upskilling the group by providing additional specialist training, hands-on learning, mentoring and networking opportunities.
- Training of all planning staff in ESD principles and the evaluation of planning applications.
- Leveraging on the collective knowledge and experience of other CASBE Councils, which is invaluable for refining processes and procedures for effective ESD policy implementation.

Costs associated with the remaining amendment process are to be provided in current and proposed operating budgets for the Planning Strategy and Urban Design Department.

Relevance to Council Plan

2.1 We support the creation of liveable spaces and places

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

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

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

- 3.1.2 Actively move towards zero waste through increasing waste recovery and reuse.
- 3.1.3 Work with community to improve and manage our natural assets, biodiversity and cultural heritage.
- 3.1.4 Plan and advocate for better water cycle planning and management to reduce environmental impacts.

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

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

5.1 We practise responsible leadership

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

Climate Emergency Consideration

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

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

Consultation/Communication

The amendment was exhibited from 29 February to 8 April 2024. The Panel considered all written submissions made in response to the exhibition of the Amendment, and further written submissions made as part of the panel process. The opposing submitter received notification of the release of the Panel Report and it was made available to the public on the 16 September 2024.

A letter was sent to all submitters to Amendment C78card advising of this Council Meeting.

Conclusion

Planning Scheme Amendment C278card is a direct outcome of Council's response to the Council Plan which identifies that the development of an Environmentally Sustainable Design (ESD) Policy is a Council priority (Year 1 - 2021-22) and it requires that the ESD Policy be incorporated in the Cardinia Planning Scheme (Year 2 - 2022-23).

Amendment C278card has been exhibited for public input and submissions received have been considered by an independent planning panel, appointed by the Minister for Planning. The Panel report supports the amendment subject to minor formatting and administrative changes to the amendment documentation. The intent and purpose of the exhibited amendment has not been altered. The recommended changes are consistent with Council's submission to the Panel.

It is recommended that Council:

- adopt the revised Amendment C278card documentation with changes
- submit the adopted Amendment C278card to the Minister for Planning for approval.

Attachments

1. Attachment 1 - C278 card Frequently Asked Questions Exhibition [7.1.1.1 - 3 pages]
2. Attachment 2 - Cardinia Planning Scheme Amendment C278 card Environmentally Sustainable Development Policy - 6 September 2024 [7.1.1.2 - 35 pages]

3. Attachment 3 - C278 card D2 Day 1 Version Clause 22.11 tracked changes [7.1.1.3 - 3 pages]
4. Attachment 4 - C278 card Att D 1 Day 1 Version Explanatory Report tracked changes [7.1.1.4 - 11 pages]

Resolution

Moved Cr Pomeroy, seconded Cr Roberts.

That Council:

1. Adopts Amendment C278card to the Cardinia Planning Scheme, with changes as outlined in this report, under Section 29 of the *Planning and Environment Act 1987*, generally in accordance with Attachment 3 and Attachment 4.
2. Submits the adopted Amendment C278card to the Minister for Planning for approval under Section 31 of the *Planning and Environment Act 1987*.
3. Notifies all submitters to Amendment C278card of the outcome.

Moved Cr Paton, seconded Cr Ross.

That Cr Paton be granted additional speaking time.

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Nickell, Cr Kowarzik, Cr Roberts and Cr Potter.

Against: Cr Ross and Cr Paton.

Carried

Cr Nickell left the meeting at 7:24 pm with a general conflict of interest in Agenda Item 7.1.2 Council Submission to Proposed Ministerial Amendment - Lang Lang Strategic Extractive Resource Area (SERA) as he works for the Department of Energy, Environment and Climate Action.

7.1.2 Council Submission to Proposed Ministerial Amendment - Lang Lang Strategic Extractive Resource Area (SERA)

Responsible GM: Debbie Tyson
Author: Teresa Hazendonk

Recommendation(s)

That Council:

1. Notes and consider the proposed Ministerial Planning Scheme Amendment to apply new planning provisions to Strategic Extractive Resource Areas (SERAs) in Lang Lang contained in Attachment 1.
2. Endorses the submission contained in Attachment 2 that objects to the proposed Ministerial Planning Scheme Amendment to apply new planning provisions to Strategic Resource Areas (SERAs) in Lang Lang.
3. Submits the submission contained in Attachment 2 to the Minister for Planning accompanied by a cover letter signed by the CEO.
4. Notes that there are fundamental gaps in the proposed Strategic Extractive Resource Areas (SERAs) Planning Scheme Amendment as reported in Council's submission contained in Attachment 2.
5. Calls on the Victorian State Government to commit to fund the gap required for the Lang Lang Sand Truck Bypass.
6. Endorses the Mayor writing to the Minister for Planning highlighting the strong dissatisfaction with the process and impact on the community and request the amendment process is ceased until appropriate due diligence on community impact and community consultation is undertaken.

Executive Summary

State Government policy recognises that extractive resources such as rock, sand and gravel are vital to the building and construction industries in Victoria and need to be protected from inappropriate land use and development.

The State Government intends to identify and protect areas of strategic importance for extractive resources in planning schemes across Victoria via:

1. The Special Use Zone (SUZ) to land where there are active extractive industry operations to clearly identify that the land is used for this purpose.
2. The State Resource Overlay (SRO) to:
 - 2.1. identify existing EPA buffers around existing operational quarries to protect them from sensitive or inappropriate uses, and
 - 2.2. identify land in appropriate locations for future extractive industry and to ensure the compatibility of uses and development within the overlay with the future use of the area for extractive industries.

These planning controls have been applied in the South Gippsland and Wyndham Planning Schemes. It is now proposed to apply similar controls to the sand extraction areas in Lang Lang in the Cardinia Planning Scheme.

The proposal seeks to apply planning controls to areas around Lang Lang where there are known sand resources, as well as to existing operating quarries with a buffer control of 250 metres that currently exists via an EPA control, to ensure that sensitive uses such as dwellings do not encroach within the buffer.

To meet the deadline for lodging a submission, Council officers lodged an officer-level submission with the Minister for Planning on the 6 December 2024.

The submission contained in Attachment 2 is largely the same as the officer-level submission but modified to indicate that it has become a Council endorsed submission.

Council's submission objects to the proposed Ministerial Planning Scheme Amendment in its exhibited form and requested that all issues raised in the attached submission are properly addressed, and the proposed planning scheme amendment is re-exhibited in accordance with a formal statutory procedure, to provide the opportunity for detailed scrutiny and natural justice for the community and Council.

Council's submission makes 29 requests, including the following:

1. The content of the proposed Special Use Zone – Schedule 8 (SUZ8) is amended to ensure all new proposed uses are strategically justified or continue to accurately align with the current Green Wedge Zone – Schedule 1 (GWZ1) and Rural Conservation Zone – Schedule 1 (RCZ1).
2. The content of the proposed Strategic Resource Overlay (SRO1) is amended to ensure the Notice, Decision and Review rights are not removed from the Lang Lang community when new or expanded quarries are proposed.
3. The State Resource Overlay (SRO1) is not applied to:
 - 3.1. Land on the western side of South Gippsland/Bass Highway in the Rural Conservation Zone (RCZ1) due to its conservation values and its proximity to the environmentally important and internationally significant Ramsar wetlands of Westernport Bay.
 - 3.2. Land within the Environmental Significance Overlay – Schedule 3 (ESO3) due to the identified environmental values.
4. A Public Acquisition Overlay (PAO) be applied to the remaining sections of land that need to be acquired for the Lang Lang Sand Truck Bypass Road.
5. The Lang Lang Sand Truck Bypass Road is constructed before any new or expanded quarry proposals are approved.
6. The State Government provide funding for the acquisition of land and construction of the Lang Lang Sand Truck Bypass Road.
7. The Transport Zone 2 (TZ2) is applied to the Lang Lang Sand Truck Bypass Road after construction is completed.

Background

Victoria's population is set to double by 2050 and the demand for quarry materials like rock, gravel, and sand will also increase to build infrastructure, houses and other developments. The State Government document, *Helping Victoria Grow: Extractive Resources Strategy 2018*,

identifies Victoria's high demand for extractive resources and emerging supply shortfalls are creating an urgent need for the State Government to take immediate action to secure these resources to meet Victoria's current and future infrastructure and housing needs.

The Strategy notes that the Extractive Industry Interest Areas (EIAs) were established in the 1990s and are recognised in Plan Melbourne and the Regional Growth Plans to identify the importance of stone and sand resources. Land around Lang Lang is included in an Extractive Industry Interest Area. The Strategy also identifies that the Extractive Industry Interest Areas do not provide a clear mechanism to protect these areas from encroachment from new housing developments or sterilisation caused by other permitted land uses such as small lot subdivisions in rural or green wedge areas or other policy overlays and planning decisions.

As a result, the State Department of Energy, Environment and Climate Action (DEECA) and Department of Transport and Planning (DTP) has identified Strategic Extractive Resource Areas (SERAs) within Extractive Industry Interest Areas, with the purpose to protect these SERAs with new planning provisions to ensure current and future quarries are protected from conflicting land uses and can supply raw materials.

Ministerial Planning Scheme Amendment VC196 was gazetted on 19 August 2021, introducing new planning provisions in the Wyndham, South Gippsland and Cardinia Planning Schemes. The purpose was to provide:

- Certainty for quarry operators to know that current and potential future operations will not be impacted by housing or other incompatible land uses.
- Certainty for local community to know that their lives will not be impacted by quarry operations near their homes.
- Certainty for the broader Victorian community and business to know that the construction materials required to build the infrastructure the State needs will be safeguarded and affordable.

Amendment VC196 introduced the State Resources Overlay (SRO2) into the Cardinia Planning Scheme to identify existing 250 metre EPA buffers generated by quarries located in the South Gippsland Shire.

The Department of Energy, Environment and Climate Action (DEECA) and the Department of Transport and Planning now propose another Ministerial Planning Scheme Amendment to introduce new planning provisions into the Cardinia Planning Scheme to protect land known to contain sand resources in Lang Lang for Extractive Industry purposes. A new Special Use Zone (SUZ8) is proposed to be applied to land where there are active extractive industry operations to clearly identify that the land is used for this purpose. Also, two State Resource Overlays (SRO1 and SRO3) are proposed to be applied; one to identify the existing 250 metre EPA buffers surrounding existing operational quarries to further assist in protecting them from sensitive or inappropriate uses, and the other to identify land for future extractive industry in appropriate locations known to contain sand resources in Lang Lang and to ensure there will be compatibility of uses and development within the overlay with the future use of the land for Extractive Industry.

To meet the Minister's deadline for lodging a submission, Council officers lodged an officer-level submission with the Minister for Planning on 6 December 2024.

The submission contained in Attachment 2 is largely the same as the officer-level submission but modified to indicate that it is has now become a Council endorsed submission.

The Department of Energy, Environment and Climate Action and the Department of Transport and Planning have exhibited Plan 1 to show locations of the proposed new Zone and Overlays.



Plan 1: Draft Planning Controls Lang Lang Strategic Extractive Resource Area

Discussion

The proposed Ministerial Amendment documents contained in Attachment 1 generally identify where the Special Use Zone (SUZ8) and State Resource Overlays (SRO1 and SRO3) are proposed to be applied. More accurate plans requested by Council officers during the preliminary consultation phase were not provided.

Proposed SUZ8

In principle, Council officers are supportive of the intent behind application of the SUZ8 to existing operational quarries as it clearly identifies land that is already used for quarrying. The SUZ8 will not be applied to proposed quarries that are not yet operational. An existing 250 metre EPA buffer surrounds each of these existing quarries.

Council’s submission however raises concerns about some of the proposed ‘Section 1 – No permit required uses’ and ‘Section 2 – Permit required uses’. Some of these proposed uses are not ancillary to Extractive Industry and are currently not allowed in the GWZ1 and RCZ1. Strategic justification for these proposed uses has not been provided. Council’s submission

requests strategic justification for these new uses, or they should retain their current status in the GWZ1 and RCZ1.

It is also not clear whether existing planning permits for Extractive Industry will continue to have force and effect if Extractive Industry becomes a 'Section 1 – No permit required use'. Council's submission requests confirmation from the Minister that existing permit conditions can continue to be enforced, or consideration be given to the implications if they cannot be enforced.

Council's submission does not support the application of the SUZ8 until these matters have been clarified and strategically justified.

Proposed SRO1

The Department of Energy, Environment and Climate Action and the Department of Transport and Planning state that they have identified the SERAs/SRO1 boundaries by considering a range of criteria, including environmental and cultural heritage values, including native vegetation and waterways. The technical background assessments that consider these matters in detail have not been exhibited.

Council's submission objects to the proposed SRO1 in its exhibited form until detailed technical background assessments on a wide range of issues have been carried out to demonstrate the necessary strategic justification for applying the SRO1.

Land on western side of South Gippsland/Bass Highway.

This area is zoned Rural Conservation Zone (RCZ1) and is very close to Westernport Bay which is identified as a Ramsar wetland. It is one of the three most important areas for migratory wader birds in Victoria and supports numerous migratory species listed under international migratory bird conservation agreements. The environmental importance of Westernport Bay is of international significance, and the land within the RCZ1 is identified to have conservation values that need to be protected.

The SRO1 should not be applied to this land until detailed technical background assessments that provide strategic justification to apply this Overlay to the land are provided for public examination and comment.

Land within the Environmental Significance Overlay – Schedule 3 (ES03)

The ESO is only applied to land that has been demonstrated to contain important environmental values that must be protected.

The SRO1 should not be applied to this land until detailed background reports that provide the strategic justification to apply this Overlay to the land are provided for public examination and comment.

Exemption from Notice, Decision and Review rights

The proposed SRO1 seeks to exempt a planning permit application for Extractive Industry from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review requirements of section 82(1) of the Planning and Environment Act 1987, if the proposed quarry:

- Is to be located at least 250 metres from a sensitive land use, and,
- Has access to a road in Transport Zone 2 (TZ2) (the principal road network), including a declared arterial road.

The second point would include new and expanded quarry proposals with access to Westernport Road which is in Transport Zone 2. This exemption would remove the current legal rights of the community to receive notification, make a submission or objection and

appeal a decision whenever a new quarry proposal intends to establish or expand on Westernport Road and increase the number of quarry trucks passing through the township.

Council's submission objects to this exemption due to the detrimental amenity and safety issues caused by quarry trucks that are already being experienced by residents of the Lang Lang township. Any new or expanded quarry proposal should not be exempt from the usual Notice, Decision and Review requirements.

Council's submission also does not support this exemption as it risks excluding Council from being able to impose or advocate (i.e. for Ministerial permits) for planning permit conditions for new quarries to contribute money towards the future Lang Lang Bypass.

Proposed SRO3 (buffers around proposed SUZ8)

In principle, Council officers support the application of the SRO3 as it will make the existing 250 metre EPA buffer surrounding existing quarries transparent in the planning scheme.

Council's submission does, however, raise concern about the need to include a Decision Guideline requiring consideration of Council's Biolink Plan.

Safety, Amenity and Roads

Delivery of the Lang Lang Sand Truck Bypass Road

Heavy vehicles (quarry trucks) use Westernport Road and McDonalds Track to access quarry sites on the eastern side of the township, causing detriment to the safety and amenity of business owners and users in the central business area and residents using and living along these roads. The continual recurring damage to these roads is also a major problem causing damage to private vehicles and costly road repairs for Council.

In recent years, the Department of Energy, Environment and Climate Action and the Department of Transport and Planning have increased the permitted truck size of quarry trucks travelling on Westernport Road through the town centre from 26 metres long to 36.5 metres long without consulting the community or Council. This has only increased the serious problems that were already being experienced by the community and Council.

The proposed planning scheme amendment seeks to facilitate and increase the number and size of quarries in Lang Lang but has not analysed and responded to the relevant local planning provisions that are strongly presented in the Cardinia Planning Scheme.

As evident by numerous local planning provisions that have been approved by the Minister for Planning, the need to deliver the Lang Lang Sand Truck Bypass Road has been identified for more than 18 years in the Cardinia Planning Scheme to improve community safety and amenity in the township. While the strong economic benefits to quarry operators are clearly evident, this cannot be at the detriment to the community of the Lang Lang township. This has been recognised by Local planning provisions which include a requirement for quarry operators to make monetary contributions to assist in funding the delivery of the Lang Lang Sand Truck Bypass Road

Lang Lang Sand Truck Bypass Road - Land acquisition

Most of the land required for the bypass road has already been acquired from relevant landowners via planning scheme requirements and planning permits. There appears to be three sections of land still needed to be acquired for the proposed road, these have been highlighted red in the depiction of the Lang Lang Framework Plan in Plan 2 below. One of these sections will form part of Stage 1 of the sand truck bypass road which is on the eastern side of McDonalds Track and is on private land within a sand quarry. The other two sections will form part of Stage 2 of the sand truck bypass road which is on the western side of McDonalds Track. These are located within the Green Wedge Zone on private land that cannot

be subdivided, and as such there will be no opportunity to acquire these two sections via planning permits granted for subdivisions.

The need for the bypass road will significantly increase as more sand quarries come into operation. The proposed planning provisions seek to increase protection and will further elevate the importance of the sand resources in Lang Lang. The increased quarry truck traffic through the town centre will be detrimental to the amenity and safety in the township through increased traffic, noise, dust and damage to roads.

To ensure the bypass road can be delivered, Council's submission requests that the proposed planning provisions are expanded to include the application of a Public Acquisition Overlay (PAO) on the remaining sections of land needed for the Lang Lang Sand Truck Bypass Road and that the State Government provide funding for acquisition of the land.

Lang Lang Sand Truck Bypass Road - Functional design of Stages 1 and 2

A functional design for the bypass road was carried out in 2014. The design requirements and traffic data that informed that design are now outdated.

Council officers have progressed work on a new feasibility study (including concept functional design) that will be informed by new traffic data and current design requirements.

Lang Lang Sand Truck Bypass Road - Construction of Stage 1

Following the completion of the concept functional designs for Stage 1, detailed designs will be required. This will take approximately 12-18 months to complete and will need to include approvals from Melbourne Water, Department of Transport and Planning and the Department of Energy, Environment and Climate Action. A Planning Permit for vegetation removal may also be required. The construction of Stage 1 is anticipated to cost more than \$20 million.

Lang Lang Sand Truck Bypass Road - Construction of Stage 2

Following the completion of the concept functional designs for Stage 2, a detailed design will be required. This will take approximately 12-18 months to complete and will need to include approvals from Melbourne Water, Department of Transport and Planning and the Department of Energy, Environment and Climate Action to assist further progression to construction. A Planning Permit for vegetation removal may also be required. The construction of Stage 2 is anticipated to cost more than \$20million.

In the past 18 years Council has applied planning permit conditions for new quarries to contribute to towards the construction of Stage 1 of the bypass road or entered into complex Deeds with new quarries to contribute towards the bypass road. The level of contribution imposed on new quarries towards the bypass road is based on sand extraction rates which directly relate to the number of trucks required to travel through the Town Centre.

Council have had to aggressively negotiate with each new quarry operator to contribute towards the bypass road. Council officers highlight the challenges in imposing and securing compliance with permit conditions including the existence of an active Shire of Cranbourne planning permit and the lack of support for Council's position on the bypass road at the Victorian Civil Administrative Tribunal. Council has collected some funds for the construction of Stage 1 of the bypass road and the provision of noise attenuation barriers for Stage 2 of the bypass road.

Council's submission requests that the State Government provide funding to construct the Lang Lang Sand Truck Bypass Road.

South Gippsland Highway Intersection

There are known peak hour capacity issues with the existing roundabout at the intersection of Westernport Road and South Gippsland Highway. The proposed planning scheme amendment

seeks to facilitate and increase the number and size of quarries in Lang Lang which will increase quarry truck traffic due to this expansion. It is anticipated that this roundabout will need to be upgraded or an alternative intersection to be provided. This would apply to both heavy vehicles and passenger vehicles.

Council's submission requests that the capacity of the existing roundabout at the intersection of South Gippsland Highway and Westernport Road is properly investigated, and the intersection is upgraded to accommodate the expected increase in quarry truck traffic before any new or expanded quarry proposals are approved.

Biodiversity

Council's submission raises the following issues in relation to biodiversity.

Western Port Green Wedge Coastal Precinct & Western Port Ramsar Site

Council's submission objects to the proposed SRO1 being applied to land between South Gippsland Highway and Western Port Bay. Further detailed investigations need to be conducted and exhibited for public examination with a focus on how the SRO1, which encourages extractive industries, can balance planning objectives to ensure that any activities do not negatively impact the vision for the Western Port Green Wedge Coastal Precinct and the values of the Western Port Ramsar Site. Strong consideration must be given to whether this area of land can reasonably support extractive industry while protecting the area's high environmental, landscape and scenic values, including the internationally significant Western Port Ramsar site.

Environment Significant Overlay- Schedule 3.

Council's submission objects to the proposed SRO1 being applied to land located within an Environment Significance Overlay (ESO3) until detailed background reports that provide the strategic justification to apply this overlay to the land are provided for public examination.

Impacts on flora and fauna values

Council's submission raises concern that the determination of the SRO1 boundaries has not been informed by empirical data but rather relies on modelled datasets which may not capture the full complexity of on ground conditions. To enhance the accuracy and reliability of the Background Technical Report informing the SRO1 boundaries, it is requested that detailed field assessments be conducted. By integrating terrestrial and aquatic ecology field assessments, the planning process can be more grounded in actual environmental conditions, leading to more informed and sustainable decision-making

Cardinia Biolinks

The *Cardinia Biolink Plan 2023-33* (Biolink Plan) is an initiative by the Cardinia Shire Council aimed at enhancing biodiversity and supporting wildlife movement across the region. It focuses on creating and maintaining wildlife corridors, known as biolinks, which connect pockets of native vegetation.

While the Lang Lang SERA focuses on securing quarry resources, the Cardinia Biolink Plan aims to enhance biodiversity through habitat connectivity. Balancing these objectives requires careful planning and collaboration to ensure sustainable development and conservation.

Council's submission requests careful consideration of the Biolink Plan and integration into the decision guidelines of the SROs to assist in planning and balancing the environmental impacts of resource extraction and support biodiversity conservation efforts.

Cardinia Significant Roadsides

Located within the SERA are number of significant roadsides which serve as vital ecological corridors, connecting fragmented habitats and allowing wildlife to move freely in search of food, shelter, and mates. This connectivity is essential for maintaining genetic diversity and the overall health of ecosystems.

Council's submission requests proper consideration of significant roadside vegetation and Council's involvement in all planning and construction decisions, including those where the Council may not be the Responsible Authority (such as ministerial permit applications), and integrating consideration of significant roadside areas to ensure that Cardinia Shire's natural environment remains resilient, healthy, and valued by the community. This approach supports both biodiversity and ecological health

Eucalyptus strzeleckii (Strzeleckii Gum)

Council Environment Officers conducted a field evaluation of the Lang Lang SERA to inform Council's submission. During this assessment trees observed within the SERA displayed strong characteristic associated with a species known as *Eucalyptus strzeleckii* (Strzeleckii Gum) which is classified as 'Vulnerable' under the Commonwealth Government *Environment Protection and Biodiversity Conservation Act 1999* and as "Critically Endangered" under the Victorian Government *Flora and Fauna Guarantee Act 1988*.

Council's submission has requested that targeted field assessments of Strzeleckii Gum are carried out to inform the final boundaries of the proposed SRO1.

Climate Change

Planning for Sea Level Rise and Storm Surge

Planning for Sea Level Rise (SLR) and Storm Surge (STM) poses a hazard to proposed sand mine quarrying activities, particularly with the western section of the proposed SRO1.

Council's submission requests proper consideration of the projected impacts of Sea Level Rise (SLR) and Storm Surge (STM) and that the SRO1 is not applied to land where Sea Level Rise and Storm Surge poses a hazard.

Land Subject to Inundation Overlay (LSIO)

The proposed SRO1 does not appear to take into consideration the Land Subject to Inundation Overlay (LSIO). The State Government climate models for the year 2100 (0.82 metres) highlight a hazard to proposed changes to land use via sand mine quarrying activities.

Council's submission requests that the proposed SRO1 demonstrates careful consideration of land within an LSIO.

Groundwater Resources

The proposed SRO1 does not appear to take into consideration of areas where there are already maximum ground water allocation licences.

Council's submission requests that the proposed SRO1 demonstrates proper consideration of integrated water management and water resources.

Renewable Energy Zones

Part of the proposed SRO1 is within the State Government's Renewable Energy Zones Investigation Area. The proposed SRO1 could preclude any future renewable energy proposals.

Council's submission requests that the proposed SRO1 demonstrates proper consideration of the Renewable Energy Zones Investigation Area.

Resource Conservation

The proposed SRO1 does not appear to consider resource conservation and provide a response to greenhouse gas emissions.

Council's submission requests that the proposed SRO1 proper consideration of resource conservation and include provisions to develop and promote land use in a more environmentally sustainable way including greenhouse gas emission reductions aligned to the State Target of Net Zero by 2045 and reducing water consumption.

Post Contact Heritage

Part of the proposed SRO1 is within a Heritage Overlay (HO). The heritage property located at 115 Jetty Lane is affected by H050 Bayview Farm including House, Dairy Shed and Well.

Council's submission requests that the proposed SRO1 demonstrates proper consideration of post-contact heritage.

Policy Implications

Relevant planning policies include the following:

Relevant State Planning Policy

Clause 13.07-1S Land use compatibility

The objective is "to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential off-site impacts."

Clause 14.03-1S (Resources exploration and extraction)

The objective is "to encourage exploration and extraction of natural resources in accordance with acceptable environmental standards."

An important strategy to note is:

- Recognise the possible need to provide infrastructure, including transport networks, for the exploration and extraction of natural resources.

Relevant Local Planning Policy

Clause 21.04-6 Extractive Industry

Recognises that Cardinia Shire contains areas known as EIAs, including hard rock which is primarily extracted from the hills north of the Princes Highway and sand resources in the Lang Lang area.

The objective is "to recognise and protect significant sand and stone resources in the municipality and allow the extraction of these resources if it can be demonstrated that the extractive operation will not adversely impact on the environment or community."

An important strategy to note is:

- Designate transport routes between extractive industry sites and the arterial road network and require contributions towards the upgrading and maintenance of transport routes from extractive industry sites.

An important strategic implementation to note is:

- Completing the planning and design of the Lang Lang Bypass for sand truck traffic.

Clause 21.05-2 Freeways, declared arterial roads

Recognises the need to ensure a quality road network and the critical importance that Council's land use and transport planning seeks to maximise the efficiency, safety and visual outlook of these roads.

An important key issue to note is:

- Providing for the upgrade and construction of future declared arterial roads, including Lang Lang bypass.

The objective is "to provide for an efficient, safe and attractive arterial road network and to ensure effective integration of land use, transport and environmental outcomes."

An important strategy to note is:

- Facilitate the development of the Lang Lang bypass.

Clause 21.05-3 Local roads

Recognises the need to provide adequate roads in townships and upgrading of the local road network to support economic development and maintain environmental values.

An important key issue to note is:

- Completing the Lang Lang bypass to keep the heavy vehicles associated with the sand extraction industry out of the Town Centre.

Objective 1 is 'to provide an efficient, safe and attractive local road network and minimise potential adverse impacts from traffic on the amenity of adjoining residents.'

An important strategy to note is:

- Facilitate the development of the Lang Lang Bypass.

Objective 2 is "to manage the impact of the use, development and subdivision of land on the local road network."

An important strategic implementation to note is:

- Including land required for road improvements such as widening and realignments in a Public Acquisition Overlay.

Clause 21.08-1 Lang Lang

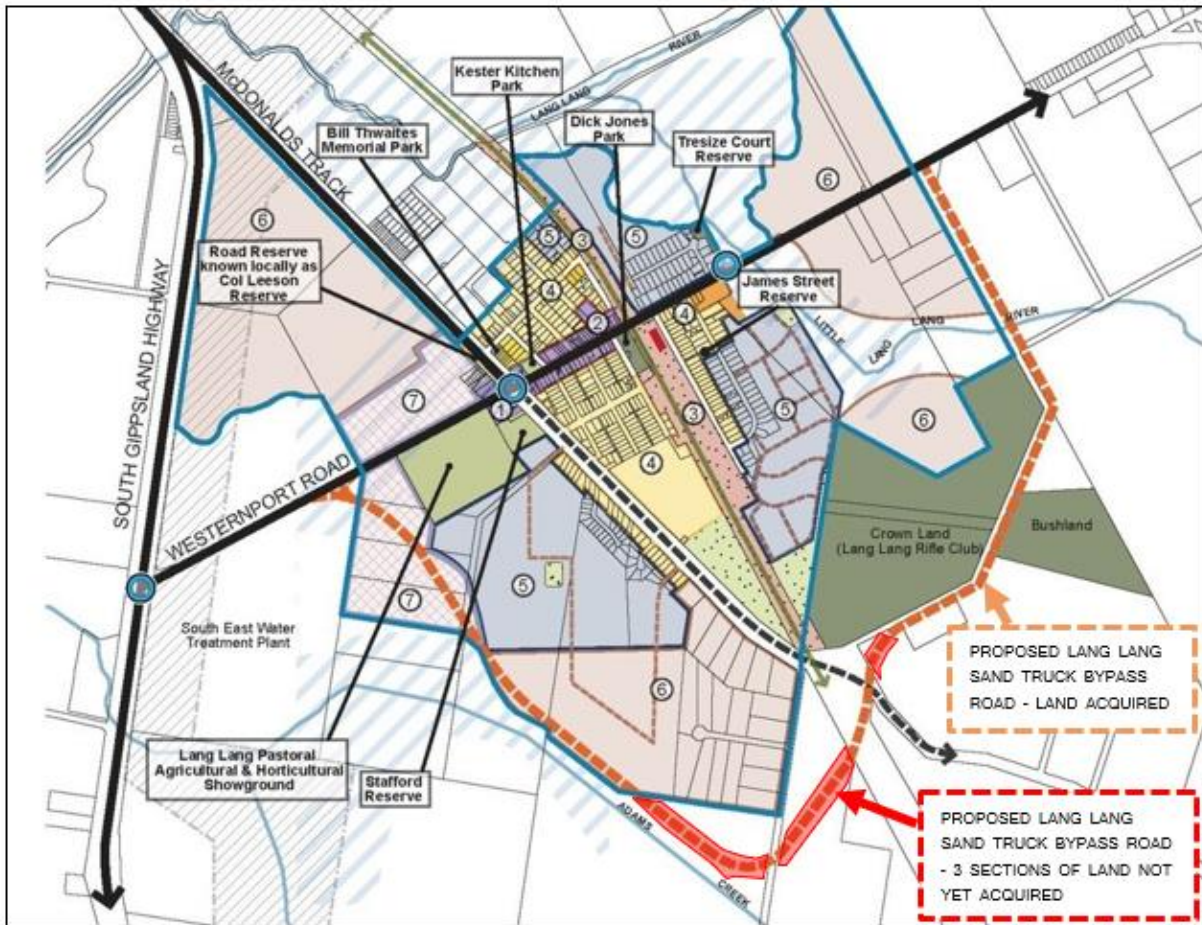
Requires development to accord with the Lang Lang Framework Plan and the *Lang Lang Township Strategy 2009*. It seeks the provision of the Lang Lang sand truck bypass road to keep quarry trucks from passing through the township and damaging local roads, including McDonalds Track which is under Council's management.

Lang Lang Township Strategy 2009

The Lang Lang Township Strategy 2009 is an Incorporated Document in the Cardinia Planning Scheme. As Incorporated Documents forming part of the Planning Scheme, it holds significant weight in planning decision making. It continues to stand the test of time as an important piece of legislation to achieve important planning outcomes for the community, particularly the need and delivery of the Lang Lang Sand Truck Bypass Road.

To date planning scheme provisions have been successful in acquiring most of the land required for this bypass road from the relevant landowners. There appears to be three sections

of land still needed to be acquired for the proposed road, these have been highlighted red in the depiction of the Lang Lang Framework Plan below in Plan 2.



Plan 2: Lang Lang Framework Plan

Clause 22.02 Sand extraction – Lang Lang to Grantville

Recognises that the Lang Lang to Grantville area contains significant sand resources which are expected to become a major source of sand for the Melbourne supply area over the next 10 to 20 years. The extraction of the sand resources will have significant economic, social, and environmental effects on the area.

This clause has an objective to protect the sand resources in this area for extraction and rehabilitation in a manner that protects the significant environmental, economic, and social values of the area.

Clause 22.05 Western Port Green Wedge Policy

This policy places Lang Lang township and land to the north, east and south of the township in Precinct 1: Agriculture, Horticulture and soil based food production.

Land to the west of the township is in Precinct 2: Coastal.

Both precincts make important directions in relation to Extractive Industry:

- Support the investigation and operation of potential future extractive industry in the area nominated as an Extractive Industry Interest Area
- Ensure that there is a balance between the extraction of natural resources and the intent of the precinct and that any investigation and operation is carefully planned to ensure that it is compatible with local amenity, landscape, flora and fauna.

Cardinia Western Port Green Wedge Management Plan, May 2017

The Cardinia Western Port Green Wedge Management Plan, May 2017, is the Reference Document that underpins this local planning policy. Section 7.12. This reference document adopted by Council has a section relating to Extractive industry and stipulates Council's objective, strategies and actions.

The objective is to "*Recognise the importance of extractive industry for both the municipality and metropolitan Melbourne and ensuring that these activities are not detrimental to the environment.*"

An important strategy to note is:

- *Protect the sand resources in the Lang Lang area in order to provide for the extraction of these resources and the rehabilitation of sites in a manner that protects the significant environmental, social and economic values of the area.*

An important action to note is to "*Write to the Minister for Planning seeking support for the requirement of an EES when Council becomes aware that a future planning permit application will be made, or a planning permit application is lodged for extractive industry proposals that have the potential to significantly adversely affect the environment.*"

Financial and Resource Implications

The review of the proposed amendment and preparation of this submission has occurred within existing operational expenditure. Likewise, advocacy initiatives and project feasibility of the Lang Lang Bypass will continue within existing allocated budgets.

It should be recognised that if the amendment is supported, additional unknown costs, which may be substantive, will occur to Council.

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.

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

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

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

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

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.

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

Climate Emergency Consideration

Extractive resources are required to construct major projects across Melbourne, including the Suburban Rail Loop, Metro Tunnel, Level Crossing Removals, North-East Link, Westgate Tunnel and Regional Rail renewal. These projects will provide additional public transport opportunities and help to reduce congestion across Melbourne, which will have a positive environmental impact.

The impact from SERA's proposal on areas of environmental significance including climate change considerations, Western Port Bay and other important biodiversity, are a significant focus of Council's submission.

Consultation/Communication

At the request of Department of Transport and Planning and Department of Energy, Environment and Climate Action officers, the Minister for Planning directed that the draft planning controls be formally exhibited to the public from 2 October to 18 November 2024 to assist informing a proposed Section 20(4) planning scheme amendment.

The Department of Transport and Planning and Department of Energy, Environment and Climate Action officers held a public information drop-in session in Lang Lang on 22 October 2024. The session was well attended by the community, with approximately 200 community members attending, who raised numerous concerns with the proposed planning controls. Council officers have also been informed by the Department of Energy, Environment and Climate Action officers that another public information session in Lang Lang was held on 7 November 2024.

Council officers have received several enquiries and objections from the community. We have encouraged these community members to submit their objections to the Minister for Planning. Council officers have heard the following key concerns and sentiments from the community:

- Impacts on the Environment (water table and access to water, loss of flora and fauna, detriment to Western Port Bay and proximity to a RAMSAR site).
- Impacts on the Community (concerns with silicious, amenity, safety, light spill and enforcement of existing quarries practices).
- Impacts on the Economy (landowners and businesses concerned with existing land use rights, impact on the town and the inability to review proposed quarries in the future).
- Impacts from increased truck movement in the town and surrounds. Many community members desire the Sand Truck Lang Lang Bypass to be built now, prior to the proposed amendment being progressed.
- Concerns with the proposed amendment process undertaken.

Council officers have created an information page on the Cardinia Shire Council website to assist the community with accessing State Government information and understanding that this is not a Council-led planning scheme amendment.

Conclusion

The State Government has identified the need to protect land that is suitable for extractive industry from encroachment from sensitive uses such as dwellings across Victoria.

After completing amendments to the South Gippsland and Wyndham Planning Schemes, it is now proposed to amend the Cardinia Planning Scheme to apply new planning provisions to the sand extraction area in Lang Lang.

Cardinia Shire Council objects to the proposed Ministerial Planning Scheme Amendment in its exhibited form and requested that all issues raised in the attached submission (Attachment 2)

are properly addressed, and the proposed planning scheme amendment is re-exhibited in accordance with a formal statutory procedure, to provide the opportunity for detailed scrutiny and natural justice for the community and Council.

Attachments

1. Attachment 1 - Proposed Ministerial Planning Scheme Amendment - Lang Lang SERA - Amendment Documentation [7.1.2.1 - 114 pages]
2. Attachment 2 - Cardinia Shire Council submission Proposed Ministerial (4) [7.1.2.2 - 54 pages]

Cr Nickell left the meeting at 7:24 pm with a general conflict of interest in Agenda Item 7.1.2 Council Submission to Proposed Ministerial Amendment - Lang Lang Strategic Extractive Resource Area (SERA) as he works for the Department of Energy, Environment and Climate Action.

Alternate Resolution

Moved Cr Paton, seconded Cr Ross.

That Council:

1. Notes and consider the proposed Ministerial Planning Scheme Amendment to apply new planning provisions to Strategic Extractive Resource Areas (SERAs) in Lang Lang contained in Attachment 1.
2. Endorses the submission contained in Attachment 2 that objects to the proposed Ministerial Planning Scheme Amendment to apply new planning provisions to Strategic Resource Areas (SERAs) in Lang Lang.
3. Submits the submission contained in Attachment 2 to the Minister for Planning accompanied by a cover letter signed by the CEO.
4. Notes that there are fundamental gaps in the proposed Strategic Extractive Resource Areas (SERAs) Planning Scheme Amendment as reported in Council's submission contained in Attachment 2.
5. Calls on the Victorian State Government to commit to fund the gap required for the Lang Lang Sand Truck Bypass.
6. Endorses the Mayor writing to the Minister for Planning highlighting the strong dissatisfaction with the process and impact on the community and request the amendment process is ceased until appropriate due diligence on community impact and community consultation is undertaken.
7. Requests that the Minister for Planning responds to the following specific questions Councillors have heard from members of the Lang Lang community and that this request be included in the Mayor's letter to the Minister:
 - a. What consideration has been given to the impact of the proposed planning scheme amendment on land values, and the process for landowners or local businesses to pursue compensation from the State?
 - b. What planning has been undertaken to prepare a holistic long term strategy for rehabilitation of the Lang Lang resource area, post the sand extraction activity and how will the Lang Lang community be engaged in contributing to that strategy to ensure that the area is appropriately rehabilitated, rezoned and repurposed to provide a community benefit and to ensure no blight is left remnant on the land after quarry operations cease?
 - c. What consideration has been given to the impact of the proposed planning scheme amendment on major community projects to occur in the Lang Lang area

- including Boating Victoria's upgrade of the Lang Lang Jetty and carpark; and a new Council community facility?
- d. What is the quantum of mining royalties that has been collected by the State Government from Lang Lang Sand quarries and how will these funds be used for the benefit of the Lang Lang community and to offset the impacts of the proposed planning scheme amendment?
 - e. What analysis has been undertaken as to the cumulative health and environmental risks of increased sand quarry dust carried by coastal winds from future quarries located near Western Port Bay including the impact on soil fertility, water table and the arability of the land?

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Ross, Cr Kowarzik, Cr Roberts, Cr Potter and Cr Paton.

Against: Nil

Carried

Cr David Nickell returned to the meeting at 7:36pm.

7.2 General Reports

7.2.1 Proposed Engagement Strategy for the Council Plan and Integrated Planning 2025

Responsible GM: Wayne Mack
Authors: Owen Hardidge, Emma Wilkinson and Porshia Sidhu

Recommendation(s)

That Council:

1. Commences community engagement in accordance with the *Local Government Act 2020* (the Act), to:
 - (a) Facilitate the review of the Community Vision 2040, in accordance with Section 88 of the Act,
 - (b) Support the development of a Council Plan 2025-2029, Financial Plan 2025-2035 and Asset Plan 2025-2035 in accordance with Sections 90 - 92 of the Act, and
 - (c) Support the review of the Liveability Plan 2017-2029 in accordance with Section 26 of the *Public Health and Wellbeing Act 2008*.
2. Endorses the integrated engagement approach outlined in this report.

Executive Summary

Part 4 of the *Local Government Act 2020* sets out the requirement of each Council to prepare a range of strategic plans within 12 months of the general Council election. Council must:

- a) Maintain a Community Vision that “must describe the municipal community’s aspirations for the future of the municipality” with a scope of “at least the next 10 financial years” (Section 88) and either develop or review this plan by 31 October in the year following the election, and
- b) Prepare and adopt a Council Plan, setting out the strategic direction, objectives, strategies, initiatives and priorities for at least the next 4 financial years, adopted by 31 October following an election (section 90), and
- c) Develop, adopt and keep in force a Financial Plan (section 91) and Asset Plan (Section 92) with a scope of at least 10 financial years, which reflect the resources required to give effect to the Council Plan and other strategic documents.

To prepare these documents, Council must undertake deliberative community engagement in accordance with the adopted Engagement Policy.

This report outlines a proposed community engagement process has been developed to ensure that diverse community views are at the forefront as Council sets its strategic direction for the term and the next decade.

The proposed engagement approach outlined in this report has been informed by initial Councillor feedback, and multiple Councillor workshops are scheduled throughout the extended program (see *Timing and key dates – overview* in the attached summary document).

Local Government Act 2020 requirements in preparation of Council Plan, and other Strategic Planning documents

Part 4 of the *Local Government Act 2020* sets out the requirement of each Council to prepare a range of strategic plans within 12 months of the general Council election. Council must:

- a) Maintain a Community Vision that “must describe the municipal community’s aspirations for the future of the municipality” with a scope of “at least the next 10 financial years” (Section 88) and either develop or review this plan by 31 October in the year following the election, and
- b) Prepare and adopt a Council Plan, setting out the strategic direction, objectives, strategies, initiatives and priorities for at least the next 4 financial years, adopted by 31 October following an election (section 90), and
- c) Develop, adopt and keep in force a Financial Plan (section 91) and Asset Plan (section 92) with a scope of at least 10 financial years, which reflect the resources required to give effect to the Council Plan and other strategic documents.

To prepare these documents, Council must undertake deliberative community engagement in accordance with the adopted Engagement Policy.

In a similar vein, Council must prepare a Municipal Public Health and Wellbeing Plan within 12 months of the election of Council, and this must “provide for the involvement of people in the local community in the development, implementation and evaluation” of the plan. This plan must be “consistent with the Council Plan”. (Section 26, *Public Health and Wellbeing Act 2008*)

The *Local Government Act 2020* envisages that these documents will be developed and implemented in an integrated and consistent way, that provides for ongoing monitoring and regular review. The legislated process ensures that the community aspirations are regularly reviewed in the cadence of Council terms, and are a pre-requisite to the development of Councils’ strategic planning.

The approach described in this report was prepared by Insync, as consultants with significant experience in designing and facilitative deliberative engagement on behalf of public authorities. Insync have been guided by a co-ordinated core of senior subject matter leads across Council.

The approach described in this report was designed to meet the following objectives:

- a) To be fully compliant with the requirements and intentions of the Strategic Planning Principles and other requirements of the *Local Government Act 2020*, and
- b) To meaningfully engage a community panel in an effective and co-ordinated program of deliberative engagement that supports the development of all Strategic Plans in an integrated and efficient manner, and
- c) To ensure that the community can provide informed and meaningful information and recommendations to inform Councils’ strategic policy setting.

Overview of engagement approach

This report provides a summary of the methods proposed to support the community to contribute to the development of the priorities in the 2025-2029 Council Plan. To ensure that the Council Plan priorities for the next four years can continue to align with the community's priorities, a program of activities will be utilised to talk with, and hear from, the diverse voices within Cardinia Shire.

The bulk of activities undertaken in this engagement process will be facilitated by engagement practitioners who are independent of Council. This is a deliberate choice, and helps to ensure that the diversity of opinion within the community is garnered and presented without bias. The engagement approach fully satisfies the requirements for deliberative engagement and processes, by use of an informed, representative Community Panel as a key input to the process.

The use of independent expert consultants also ensures that Council's activities benefit from their recent and frequent experience of drawing large numbers of diverse voices into the process. These activities are proposed to run from February to July 2025.

The approach has been designed to include multiple workshops with Councillors, input from Council staff and multiple stages of broad community engagement. The approach has been adapted, following initial feedback from Councillors.

Throughout the different phases of the engagement process, community feedback will be published on Council's community engagement website 'Creating Cardinia'. This will ensure transparency and understanding of how the recommendations and priorities are arrived at, and allow for contributing community members to understand how their feedback influences the outcomes.

A holistic communication strategy will be developed, using consistent "Future Cardinia" branding and design.

Detail of proposed engagement approach

Information on the proposed engagement approach is set in the Attachments to this report.

The following summary is consistent with Council's Community Engagement Policy 2021-2024, as required by the Engagement Principles set out in Section 56 of the *Local Government Act 2020*.

The Community Engagement Principles are addressed through the following:

Engagement Scope

The scope of the engagement is to inform the:

- a) Review of the Community Vision 2020-2040, and
- b) Development and adoption of the Council Plan 2025-2029, and
- c) Review and adoption of the Financial Plan 2025-2035, and
- d) Review and adoption of the Asset Plan 2025-2035, and
- e) Review of the Municipal Public Health and Wellbeing Plan, known as the Liveability Plan 2017-2029

Engagement Goals

The goals that have guided the design of this engagement are:

- a) Minimises the barriers to people participating in the process and,
- b) Allow meaningful participation from a range and volume of individuals and stakeholder groups that represent our diverse community.

Project Objectives

The project objectives for this engagement process include:

- a) for the community to achieve a greater understanding of the financial challenges faced by Council in meeting the diverse needs of its growing community
- b) for Council and community to work together to help set priorities for the next four years to meet the Community Vision
- c) to support a deeper understanding of the services Council supports in the municipality and to enable open feedback on the community priorities for this work.

- d) to achieve a diversity of engagement across Cardinia Shire, seeking and obtaining a wide variety of voices and opinions
- e) ensure that the process is transparent, and community can see how their feedback informs decision making (closing the loop)
- f) assist the community to be more aware of how they can engage with the Council in the future and encourage future participation.

Methodology

The approach to engagement will start with detailed discussions with a 'deliberative' or representative community panel, followed by multiple engagements with broader community through two stages, as key concepts priorities are being developed.

Deliberative Panel – reviewing the long-term community aspirations, and articulating the community's priorities, and to seek specific insight from the community on complex issues that need resolving to progress the Community Vision.

Stage 1 The panel's recommendations to be considered by Councillors to arrive at draft Council Plan priorities, which can then be tested with the broader community through structured, broad engagement tools.

Stage 2 Broad engagement on the advanced draft of the key documents. This will form part of the information used to refine the draft Council Plan, Liveability Plan and its 10-year Asset and Financial Plans.

The engagement activities have been designed with our diverse community in mind, utilising a mixture of online, print and in-person opportunities for community members to participate.

Proposed method and remit of the Deliberative / Representative Panel (February 2025)

The deliberative engagement process allows participants a substantial amount of time to deeply understand, consider and debate issues to produce recommendations on some of the challenges that Council needs to resolve to achieve the Community Vision.

The deliberative panel will consist of 45 members that proportionately reflect the breakdown of gender, age, geography, language and household makeup. Recruitment for the panel will be conducted externally to Council to avoid selection bias.

The deliberative panel will participate in 4 workshop sessions held in February 2025.

The proposed 'remit' of the deliberative panel is set out in Table 1 below. The remit includes a clear 'problem statement' and specified 'outputs'. The remit also includes a commitment to the Panel, as to how their outputs will be used, indicated by use of the IAP2 engagement terminology.

The outputs of the Deliberative Panel have been refined following Councillor feedback. The framing of the output questions is seeking to balance the level of detailed consideration that the panel will be able to effectively give in the time available. Outputs #3 and #4 are designed to probe the community views regarding service and budget priorities, particularly in light of the challenging financial pressures facing Council. Where the outputs are expressed in broad terms, the discussions will be carefully considered, and specific hypothetical scenarios presented to the panel, from which broader conclusions or recommendations can be developed.

To support the deliberative panel, Council has prepared a Service Guide, to help panel members understand the breadth of Council services, the purpose of each service and the investment that Council currently makes in each service.

Table 1: Remit for the deliberative panel

<p>Problem statement</p>	<p>Council is committed to meeting the needs of our diverse and growing community.</p> <p>We're facing financial pressures that require careful investment choices.</p> <p>How should Council deliver for the community while continuing to manage our finances responsibly?</p>	
<p>Output #1 Review Community Vision & inform Council Plan</p>	<p>Confirmed Community Vision</p> <p>The panel will confirm that the vision continues to articulate the long-term aspirations of the community (to 2040), and changes are adopted if needed.</p>	<p>IAP2 level: Empower</p> <p>Council's promise to the panel is that any changes to the Community Vision will be adopted and will not be changed by council</p>
<p>Output #2: Inform the Council Plan and Liveability Plan</p>	<p>Guidance on what Council should focus on over the next four years</p> <p>The panel will provide guidance on what Council should focus on over the next four years to achieve the vision.</p> <p>Through this activity the panel will also be asked to think about how the Council will know if they are doing well.</p>	<p>IAP2 level: Involve</p> <p>Council's promise to the panel is that their guidance will be strongly considered and reflected where possible in the final strategic documents.</p>
<p>Output #3: Inform the Council Plan and Financial Plan</p>	<p>Guidance on continuing to manage Council's finances responsibly</p> <p>The Panel will answer the following questions:</p> <ol style="list-style-type: none"> 1. If you had to choose between Council rate rises above the state legislated rate cap to maintain local services, or cuts in Council services to save money, what would you choose? 2. Should Council ask the users of Council facilities to pay more to cover the cost of those facilities? 3. Should Council pursue revenue through commercial choices and investments? 	<p>IAP2 level: Involve</p> <p>Council's promise to the panel is that their guidance will be strongly considered and reflected where possible in the final strategic documents.</p>
<p>Output #4:</p>	<p>Guidance on how Council makes investments in assets</p>	<p>IAP2 level: Involve</p>

<p>Inform the Asset Plan</p>	<p>The panel will answer the following questions:</p> <ol style="list-style-type: none"> 1. How should Council invest in assets over the next 10-years to achieve the Community Vision? 2. How can we ensure Councils decisions are fair and balanced across different community needs? 3. What should Council’s approach be if there are assets that are underutilised, have excessive ongoing costs, or are over the Agreed Level of Service? 	<p>Council's promise to the panel is that their guidance will be strongly considered and reflected where possible in the final strategic documents.</p>
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Following the panel workshops, the panel’s findings will be presented and considered by Councillors and staff before Council Plan priorities are presented to the broader community and other relevant stakeholders. This will be to ‘test’, by further engagement and input, Council’s draft priorities. These engagement activities will include a marketing campaign to promote the opportunity to participate in a survey, interactive online tools, and pop-up activities in the community.

At the completion of this stage of engagement, a consolidated report will be prepared for the Council to inform the development of the new draft Council Plan and any revisions to its Community Vision. These findings will also assist Council to finalise its Long-Term Financial Plan, Asset Plan and Liveability Plan. The draft Council Plan and other Strategic documents is expected to be released for public exhibition in the second half of 2025, to be considered for adoption at the Ordinary Council meeting in September 2025.

This engagement timeline has also taken into account the statutory budget preparation timelines, and engagement. These activities will also be carefully planned so as to avoid confusion, though it is inevitable that there will be overlap between these processes.

Financial and Resource Implications

In the 2024-25 budget, \$200,000 was allocated for the development of the Integrated Strategic Documents. In-house staff resources will be used to limit expenditure. The majority of the allocated budget will be expended on those parts of the project that most benefit from external resourcing, namely:

- consultancy to design and facilitate deliberative engagement independent of Council
- advertising, graphic design and publication associated with the engagement stages and final production of documents, and
- where the internal teams require additional support, due to workload and staffing pressures.

The project remains on track with respect of budget.

Task	Item budget	Total
Engagement phase: planning and implementation	\$150,000	
Communications and advertising	\$20,000	

Data analysis, report development and finalisation.	\$30,000	
Total budget		\$200,000

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

No climate emergency considerations are required for this project.

Consultation/Communication

Meaningful community participation plays a vital part in enhancing the development of Council's strategic plans. Council will use its communications and engagement strategies to engage with as many community members as possible during 2025 as the Integrated Strategic Planning documents are developed.

The proposal outlined above complies with the *Local Government Act 2020* and implements the Council's Community Engagement Policy.

The following groups are being asked to assist and actively promote the opportunity to their be involved in these engagement processes:

- Access and Inclusion Advisory Group
- Cardinia Youth Action Group
- Multicultural Advisory Group
- LGBTIQA+ Internal Action Group
- Cardinia Seniors Group
- Response Taskforce and Action team
- Cardinia Interfaith Network
- Cardinia Community Leaders Academy
- Cardinia Women and Girl Sports Participation Network

Conclusion

The *Local Government Act 2020* requires Council to undertake deliberative and broad community engagement when reviewing and adopting its strategic priorities and plans within a 12-month period of a Council election.

The proposal recommended in this report will transparently share Council's challenges for the coming Council term, and actively involve the community in helping to navigate through those challenges.

This report recommends an approach to achieve this, within the required timeframes and existing budget allocation, and fully complying with all *Local Government Act 2020* requirements.

Attachments

1. Council Plan & Integrated Strategic Planning Deliberative Engagement Approach [7.2.1.1 - 14 pages]

2. Draft Council Plan Community Engagement Summary - Council Plan 2025-2029 [7.2.1.2 - 1 page]
3. Cardinia Shire Council - Service Guide 2024-25 [7.2.1.3 - 64 pages]

Resolution

Moved Cr Nickell, seconded Cr Potter.

That Council:

1. Commences community engagement in accordance with the *Local Government Act 2020* (the Act), to:
 - (a) Facilitate the review of the Community Vision 2040, in accordance with Section 88 of the *Act*,
 - (b) Support the development of a Council Plan 2025-2029, Financial Plan 2025-2035 and Asset Plan 2025-2035 in accordance with Sections 90 - 92 of the *Act*, and
 - (c) Support the review of the Liveability Plan 2017-2029 in accordance with Section 26 of the *Public Health and Wellbeing Act 2008*.
2. Endorses the integrated engagement approach outlined in this report.

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Ross, Cr Nickell, Cr Kowarzik, Cr Roberts, Cr Potter and Cr Paton.

Against: Nil

Carried

7.2.2 Cardinia Life Redevelopment Funding Submission

Responsible GM: Debbie Tyson
Author: Michael Casey

Recommendation(s)

That Council endorses a contribution of \$10,616,000 towards stage 1A works for the Cardinia Life Redevelopment, should Council's submission to the Urban Precincts and Partnerships Program be successful.

Executive Summary

Planning for a redevelopment of Cardinia Life has been underway for over three years. Attention has been focused on a feasibility study (2021), the first round of community engagement (2022) and the development of a department of treasury and finance compliant business case (2023).

Throughout the project, Council has been consistent in messaging that the project cannot proceed without substantial external funding.

Officers recently submitted a funding application to the Federal government's Urban Precincts and Partnerships program, seeking \$45,000,000 toward the cost of works for part of the stage 1 scope. If successful, Council will need to commit \$10,616,000 towards the project.

Background

Cardinia Life is Council's premier and only indoor aquatic and leisure facility. A feasibility study completed in 2013 made recommendations that the facility, constructed in 2006, was no longer able to meet the needs of the community. Efficiencies in programming eased some of the strain on capacity at the facility, however usage continued to increase.

An updated feasibility study completed in 2021 identified that the facility has reached capacity across health and fitness, aquatics and the stadium. The study recommended components including a 50m pool, large indoor warm water pool, indoor aquatic playground, additional gym and fitness options, four additional indoor sports courts, multi-purpose program rooms, a wellness centre, café, dedicated gymnastics centre and two outdoor sports courts. The feasibility study recommended these components following a detailed review of existing facilities, usage, and industry trends, to meet community needs well into the future.

In early 2022 an extensive round of community engagement was undertaken. The community provided feedback through our online engagement platform, emails, via targeted phone calls, through interview sessions and intercept surveys, via briefing sessions, in focus groups and via drop-in sessions.

Community feedback was reviewed with findings from the feasibility study, and in consultation with consultants and the project working and control groups, to develop a project scope and staging priorities. These were presented to Council and endorsed at the September 2022 Council meeting as follows:

Aquatics:

- Existing lap pool to be repurposed to warm water pool
- Indoor 50m pool, with moveable boom, 8 x 2.5m lane widths
- Indoor pool amenities including accessible change with direct hoist access to warm water pool, and specific family change space
- Zero depth entry, soft fall/splash pad with large aquatic playground and interactive play features, all accessible. Adjoining small toddler's pool
- Spa, sauna, steam room
- Multi-purpose room on pool deck, with kitchenette and small storage
- Large pool deck storage
- Pool deck seating serving all pool beds

Health and Fitness:

- 1100m² gym space
- Group fitness room, catering for 50 participants
- Cycle studio, catering for 50 bikes
- Yoga/Pilates studio
- Multi-purpose room, with kitchenette and small storage

Stadium

- 4 indoor stadium courts, with one of these courts being a show court – seating / viewing areas focused on show court
- Multi-purpose room, with kitchenette and small storage
- Stadium amenities
- Large storage
- Unisex accessible referee change rooms and amenity
- Small office
- 1550m² gymnastics facility
- Air-conditioning and heating provided to courts

Centre

- Existing gym space to be repurposed to wellness facility
- Larger café
- Increase car parking, clearly defined, well-lit and sheltered path through parking to entrance. More accessible parking bays, and inclusion of 'long' bays for those unloading wheelchairs
- Comprehensive surveillance system with capacity for external monitoring
- Separate entrance/s, wheelchair access through all entrances / turnstiles
- Air-conditioning and heating throughout building
- Merchandising area with fitting room
- Increase staff administration space
- Two outdoor sports courts, paths of travel to and from parking/entrance, well-lit and sheltered

Other considerations requiring more investigation

- Technology
- Green rating / sustainability
- SALTO

The first stage of works is proposed to be the stadium stage, including construction of four stadium courts, a gymnastics facility, change rooms, office space, storage, and car parking. More recently this has been updated to include a full replacement of the existing stadium roof.

To support Council's funding submission to Urban Precincts and Partnerships program (outlined further below), the scope of stage 1 works has been split, with the funding

submission focusing on construction of four stadium courts, a gymnastics facility, partial car park works, and a full replacement of the existing stadium roof.

Late 2022, Deloitte was engaged to complete a department of treasury and finance compliant business case for the project. The business case developed three options for the redevelopment including:

1. A base case – doing nothing
2. Redevelop and expand in line endorsed scope
3. Redevelop and partially relocate in line with endorsed scope

Through a benefits management plan, investment logic mapping, an options assessment, risk workshop and multiple procurement workshops, option 2 was the clear top option.

Advocacy efforts have been ongoing and have included:

- A site visit and walk through at Cardinia Life with the Shadow Minister for Tourism, Sport and Events, Sam Groth.
- A meeting with the Minister for Housing, Harriet Shing, and Member of Parliament for Pakenham, Emma Vulin.
- A meeting and written correspondence with the Minister for Infrastructure, Catherine King
- Discussions with Senator Jess Walsh, and a likely upcoming site visit.

In October officers submitted a funding application to the Urban Precincts and Partnerships Program, a federal funding stream, seeking \$45,000,000 for the construction of part of stage 1.

The scope of works proposed with the application is provision of 4 indoor sports courts including a showcourt, 1500sqm gymnastic facility, partial car park works and a full stadium roof replacement.

Funding announcements are expected in January or February 2025. This stage of the project will need to be completed by December 2026.

Attached to this report are the feasibility study from 2021, the community consultation report from 2022 and the business case including masterplan and all attachments.

Policy Implications

There are no policy implications as part of this report

Financial and Resource Implications

The capital cost estimates for the project are risk adjusted, complying with department of treasury and finance requirements. The capital cost estimate report refers to the 'P90 (risk adjusted)' cost for stage 1 as \$82,720,356.

The stage 1 scope has been split as follows, to align the funding submission.

Stage 1A

- 4 indoor stadium courts, with one of these courts being a show court
- 1550m² gymnastics facility
- Partial car park and foyer upgrades

Stage 1B

- Refurbished creche

- Stadium seating
- Full car park upgrades

Stage 1A works are the focus of the funding submission, with an estimated cost of \$55,616,000. The funding submission is seeking \$45,000,000 from the federal government towards stage 1A works. If successful with the funding application, Council is required to contribute \$10,616,000.

More accurate project estimations will be determined as the project progresses through the detailed design process.

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.

1.1.2 Enrich local identity and opportunities for the community to connect through art, history and cultural expression.

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.

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

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

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

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

The existing infrastructure at Cardinia Life is not environmentally or financially sustainable. Climate change is an ongoing challenge that necessitates a holistic approach to planning and operating pools to minimise ecological footprint.

Consultation/Communication

The engagement report from initial round of community engagement is attached to this report. Further community consultation will occur through the detailed design process.

Conclusion

Planning for the redevelopment of Cardinia Life has included multiple feasibility studies, community engagement and the development of a department and treasury compliant business case.

Council has endorsed a scope for the project and prioritised stage 1 works as construction of four indoor sports courts, including a showcourt, a 1500sqm gymnastics facility, car park works and other internal refurbishments.

Officers have submitted a funding application seeking \$45M towards part of the stage 1 scope, which requires Council to commit \$10.6M towards the project, if the funding application is successful.

Attachments

Nil

Resolution

Moved Cr Thomsen, seconded Cr Owen.

That Council endorses a contribution of \$10,616,000 towards stage 1A works for the Cardinia Life Redevelopment, should Council's submission to the Urban Precincts and Partnerships Program be successful.

Cr Paton foreshadowed an alternate Motion should the current Motion fail.
Cr Nickell foreshadowed an alternate Motion should the current Motion fail.

Moved Cr Nickell, seconded Cr Ross.
That Cr Nickell be granted additional speaking time.

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Kowarzik, Cr Roberts and Cr Potter.
Against: Cr Ross, Cr Nickell and Cr Paton.

Carried

7.2.3 Torongo Park Naming

Responsible GM: Debbie Tyson
Author: Belinda Powell

Recommendation(s)

That Council undertakes a new community engagement process to determine the name for Officer District Park.

Executive Summary

Cardinia Shire Council has been made aware of an concerns regarding the chosen name for the Officer District Park, which was endorsed by Council to be Torongo Park.

The Bunurong Land Council Aboriginal Corporation (BLCAC) has advised Council that, upon further review from their new Linguistics team, the provided name of '*Torongo*' is no longer an appropriate name for the landmark park.

BLCAC have recently implemented a much more rigorous and effective standard for researching Boonwurrung language and have now advised that the word for 'heart' in Boonwurrung should properly be spelled *durru*.

As '*Torongo*' is not an accurate word for 'heart' in Boonwurrung language, and '*durru*' was not the name voted on and chosen by the community, it is recommended that Council not proceed with the name '*Torongo*' and instead, commit to finding a more appropriate name moving forward.

Background

At the commencement of preparing the masterplan for this site in 2016 it was determined to refer to the site as Officer District Park. Officer District Park was always intended to be a working title to support the design phase of this project. Geographic Names Victoria and Council's Place Naming Policy strongly encourage the use of indigenous language when considering naming of local roads, features and localities. Accordingly, it was deemed appropriate to pursue a process to identify an indigenous name for this facility

In May 2024, Council invited the community to have their say on a new name for Officer District Park.

In partnership with the BLCAC and local Koori Kids, six indigenous names were provided and put forward as potential new names for the landmark park. The names were voted on by the wider community and '*Torongo*' was chosen as the preferred name for the site.

Council was initially directed by BLCAC that the name *Torongo* was significant, because it was believed to mean "heart" in the Boonwurrung language. The name was then chosen to recognise and reflect the cultural and historical importance of the area, as well as to honour the Bunurong people and their connection to the land.

After extensive community consultation and further review from BLCAC, the name '*Torongo Park*' was formally endorsed by Council at the Council Meeting on 19 August 2024.

Discussion

The BLCAC has recently advised Council that upon further review from their new Linguistics team, that the provided name of 'Torongo' is no longer an appropriate name for the landmark park.

In a statement provided to Council, the BLCAC specified that:

The word for 'heart' in Boonwurrung should properly be spelled durru (pronounced DOO-roo, with the 'r' trilled like in Spanish/Russian/Italian).

The previous word which BLCAC provided was torongo. This word is taken directly from the journals of William Thomas, an English Protector of Aborigines during the colonization of Melbourne. As Thomas was a monolingual English speaker, he was not able to accurately hear or distinguish the sounds of Boonwurrung. For this reason, when reconstructing Boonwurrung language today, we need to compare across multiple sources and what we know about Boonwurrung language to produce an accurate form.

These sources are also still becoming available to us as we continue to research and discover records in disparate locations around the world. As these records come to light it allows us to more accurately rebuild a language devastatingly lost to colonialism.

Based on this more rigorous research, we believe that durru is the actual word for 'heart' in Boonwurrung. This is spelled using a modern, consistent, and standardized orthography (spelling system) that has recently been developed by BLCAC.

We understand that it is inconvenient to have the word changed last minute. We are now proud to say that BLCAC has implemented a much more rigorous and effective standard for researching Boonwurrung language, which will be instrumental in reawakening language in community. Having consistency in the way the language is written is very important for helping Bunurong people reconnect and relearn language.

As 'Torongo' is not an accurate word for 'heart' in Boonwurrung language, and 'durru' was not the name voted on and chosen by the community, it is recommended that Council not proceed with the name 'Torongo' and instead, commit to finding a more appropriate name moving forward.

As an interim step, whilst a new name is determined in consultation with the BLCAC and the wider community, the park will revert to being referred to as Officer District Park.

Implications for dog "off leash park" gazettal

At the Ordinary Council Meeting on August 19, 2024, Council resolved to make an order pursuant to Section 26(2) of the Domestic Animals Act in respect of this park. The Order had the effect of making a section of the park to be a dog off-leash park, to come into effect on the date that it is published in the Government Gazette. It was the stated intention to arrange for the gazettal to occur immediately upon the opening of the park.

We note that the August Council resolution used the name "Torongo Park" and identified the park by its street address. The publication of the order in the Government Gazette is still scheduled to occur on December 19 2024.

It is impractical to change the text of the order at this late stage, and it is equally undesirable that the park not be given legal status as an off-leash park, due to the confusion that this would cause in the interim. As such, the existing order will be gazetted, and an amended

(updated) order will be prepared when the outcome of the naming of the park is decided. The use of part of the park as an 'off-leash' area will not be impacted in the interim.

Policy Implications

Geographic Names Victoria and Council's Place Naming Policy strongly encourage the use of indigenous language when considering naming of local roads, features and localities. Accordingly, it was deemed appropriate to pursue a process to identify an indigenous name for this facility.

Council strives to uphold the vision outlined in the 2023 Reconciliation Action Plan, which focuses on creating '...a community that is welcoming, inclusive and respectful; promoting mutual respect and understanding of First Nations Australians, their history and culture in our community.'

Action 11 in the Reconciliation Action Plan specifically outlines that Council must 'support the protection and recognition of the traditional languages of the local area' and includes guidelines for naming and renaming opportunities for local amenities.

Financial and Resource Implications

The resources required to facilitate the process of determining a more appropriate name for Officer District Park will be accommodated within existing staff resources and operating budgets. BLCAC is committed to supporting Council in this process and working together to reach a positive resolution.

Relevance to Council Plan

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

1.1.2 Enrich local identity and opportunities for the community to connect through art, history and cultural expression.

1.1.3 Lead by example in creating an inclusive and welcoming community for all by facilitating community education, capacity building, connection and celebration of our diversity.

2.1 We support the creation of liveable spaces and places

2.1.2 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

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

Consultation/Communication

As a culturally significant site, it was deemed appropriate and desirable for the ultimate name to incorporate Bunurong Language. As a first step in the process of developing a list of potential names for the park, Council took up the opportunity to attend the Cardinia Koori kids celebration day in September 2022 to engage with more than 200 Koorie students from 21 different local schools across Cardinia Shire. As part of this day, students were invited to learn more about the cultural significance and history of the proposed Officer District Park site and what the plans were for its future.

The students were given a list of relevant words in Bunurong Language along with the English translation which they could use for inspiration or suggest their own. These were then grouped to create a shortlist.

Council officers then contacted the BLCAC to seek their feedback on the suitability of the shortlisted names, confirm the language and meanings were correct, and to seek their endorsement of the use of the language for this purpose. As well as endorsing the list of names, BLCAC also confirmed that they were happy for the word “Park” or “Reserve” to be added onto the end of the language provided.

In-principle support was then sought from Geographic Names Victoria (GNV) to ensure all names being considered would be appropriate prior to inviting the broader community to vote for their preferred name. The names considered were:

Name	Translation
Kar Din Yarr	Look to the rising sun
Ngerwin	The Sun/sunshine/sunny
Djeembana	A place to meet
Karrbul Mile	High Hill
Karrbul Biik	High land (vantage point)
Torongo	Heart

A 4-week community engagement process was undertaken from 13th May – 10th June 2024 where the broader community was given an update on the progress of the project and asked to vote for their preferred name.

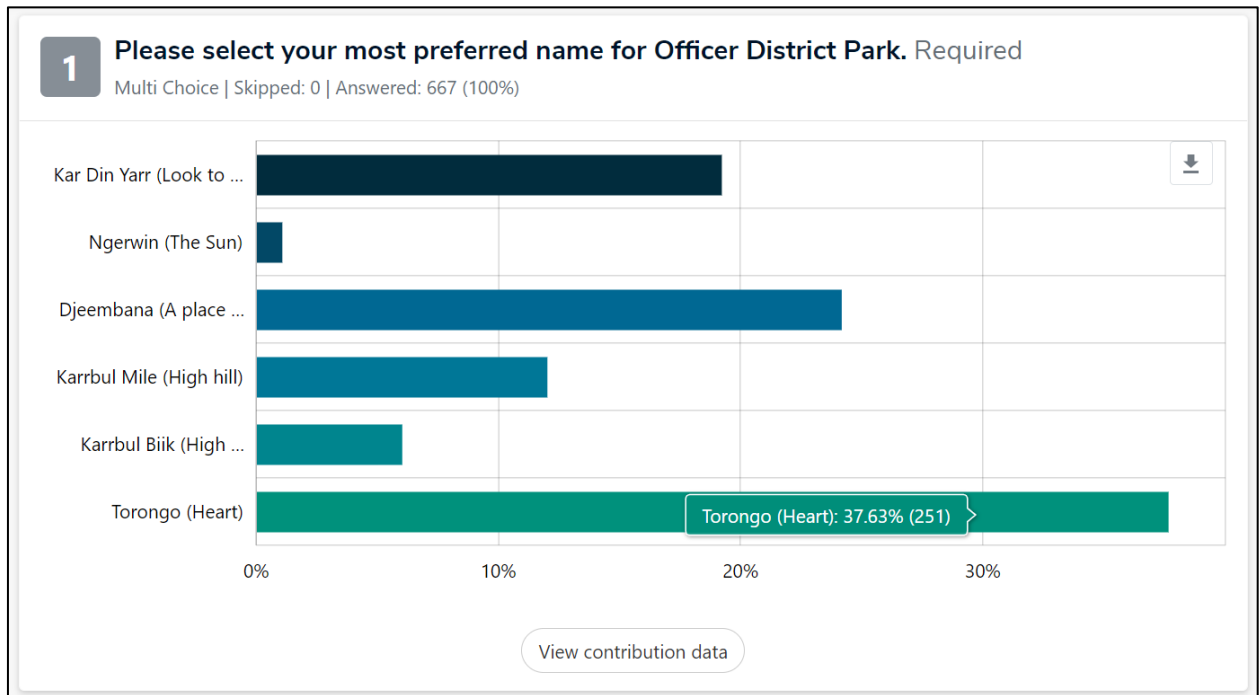
Community members were notified of the opportunity to vote via Council’s Creating Cardinia webpage, mail out (to owners and occupiers within the immediate surrounds of the park) social media posts, media releases, through the newsletters of the local schools, and through letters to local community groups.

Council officers also attended the National Reconciliation Week flag raising ceremony on 27th May, where community members could ask questions and vote in person for their preferred name. The name which received the most votes at this event was Torongo (37 of the 88 votes cast).

At the end of the engagement period there had been 3,864 views of the associated webpage and 667 online votes cast. Torongo received 251 online votes and again was the clear preference, as shown in Table 1 below.

Through the voting system, Council was unable to ascertain whether the community’s preference for ‘Torongo’ is based on the sound of the word or its meaning, which translates to ‘heart’.”

Table 1: Summary of online votes cast



Council values community feedback and relies on community engagement to help shape and inform key decisions and projects whenever possible.

Council started the initial renaming consultation process with the best of intentions to rename Officer District Park with cultural and historical significance and sensitivity in mind.

Officer District Park is a landmark project which has been delivered to benefit the wider community, and it's only appropriate that the community are involved in the decision and process of choosing a final name for this regional park.

Conclusion

The Bunurong Land Council Aboriginal Corporation has advised Council that upon further review from their new Linguistics team, that the provided name of '*Torongo*' is no longer an appropriate name for Council's new regional park.

As '*Torongo*' is not an accurate word for 'heart' in Boonwurrung language, and '*durru*' was not the name voted on and chosen by the community, it is recommended that Council not proceed with the name '*Torongo*' and instead, commit to finding a more appropriate name moving forward.

Whilst a new name is determined in consultation with the BLCAC and the wider community, the park will revert to being referred to as Officer District Park.

Attachments

Nil

Resolution

Moved Cr Thomsen, seconded Cr Pomeroy.

That Council undertakes a new community engagement process to determine the name for Officer District Park.

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Ross, Cr Nickell, Cr Kowarzik, Cr Roberts, Cr Potter and Cr Paton.

Against: Nil

Carried

7.2.4 Cardinia Life and Officer Hub roof

Responsible GM: Peter Benazic
Author: Leah Humphreys

Recommendation(s)

That Council:

1. Acknowledges the maintenance completed to date on both Cardinia Life and Officer Community Hub.
2. Acknowledges the short to medium term solutions.
3. Acknowledges that a full roof replacement of the facility is not recommended for immediate action.

Executive Summary

Significant rain events in July 2024 led to roof leaks at Cardinia Life and the Officer Community Hub, causing service disruptions for the facility users.

Following community complaints regarding roof leaks at Cardinia Life, Councillor Stephanie Davies requested at the 19 August 2024 Council meeting, through a question to the CEO, for a report to be tabled providing detail on the investigation into the roof leaks at Cardinia Life and Officer Community Hub, including the proposal of medium to long term solutions.

Ongoing leak prevention works have been in progress at Cardinia Life including resealing of joins and penetrations, and replacement of 6,000 screws. Regular inspections and preventative measures will be carried out.

Re-sealing and whirlybird replacement was also undertaken at Officer Community Hub.

Roof replacement of the existing structure will be considered as a part of the proposed redevelopment of the facility.

Background

There were several significant rain events in July 2024 which led to the cancellation of weekend basketball games. The game cancellations on the weekend of 20-21 July 2024 resulted to an online community petition with over 1000 signatures.

The Buildings & Facilities team had been organising leak repairs in the week prior. Upon receiving reports of the leaks on this weekend, the team immediately organised Council Officers, cleaners and a plumbing contractor to address the concerns.

The entire roof of the Cardinia Life facility was inspected over the five following business days with particular focus on the basketball stadium section of the roof. Gutters, silicone joins and screws over this area were re-sealed to mitigate future leaks.

The Officer Community Hub roof was also inspected with spot sealing works completed. There were several roof ventilation units that were replaced as part of these works.

Following the immediate response to the roof leaks at both facilities throughout July 2024, Council Officers sought quotations to complete significant preventative maintenance of the roofs.

The scope of works included renewal of seals on all gutters, expansion joints and penetrations. 6,000 rusted screws were replaced on the stadium roof to prevent future leaks. These works were completed by Tuesday, 29 October 2024.

There were repairs conducted on two roof leaks and further whirlybird replacements completed at Officer Community Hub by 6 November 2024.

Quarterly roof inspections have been scheduled, with the next to be completed in January 2025. A bird deterrent system will be installed to the roof to prevent silicone deterioration caused by birds eating the sealant.

While Officers have undertaken significant maintenance on the roof and will continue quarterly inspections and preventative works, roof leaks will likely still occur under different weather conditions, such as, heavy downpours, and strong winds allowing water egress.

A full re-roof of existing structures is not recommended at this time, The current leaks experienced are caused by general wear and tear and through weather and heat exposure. A full roof replacement of the Cardinia Life Basketball Stadium is estimated to cost \$600,000. A re-roof of existing structures has been included for considered as a part of the scope for the future development of the site.

Policy Implications

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

- Building Maintenance Policy
- Sport Facility Standards Policy
- Occupational Health and Safety Policy
- Asset Management Policy

Financial and Resource Implications

There will be ongoing maintenance costs incurred beyond the works completed to date, to facilitate quarterly roof inspections and maintenance as it is required.

A bird deterrent system to reduce silicone deterioration will be installed to reduce medium to long term cost of repairs and disruption to the facility users.

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.

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.

Climate Emergency Consideration

Council remains committed to Climate Change strategies through all contractor engagement, ensuring that environmentally friendly practices are adhered to, to mitigate impacts on the environment, community and Council.

Consultation/Communication

Communication with the facility managers has been regular to ensure Officers are aware of all leaks as they present, as the team remain committed to providing a safe facility for community use.

Conclusion

Suitable maintenance has been completed at Cardinia Life and Officer Community Hub to ensure that Council is able to continue providing safe community sporting facilities. Quarterly inspections of the roof condition will be conducted to ensure that leaks are repaired as they present and is safe to do so in suitable weather conditions.

A bird deterrent system will be installed to reduce on-going maintenance needs and impacts to the facility users.

Council does not recommend roof replacement of the existing structure in the short-term. This will be considered as part of the proposed redevelopment of the facility.

Attachments

Nil

Resolution

Moved Cr Owen, seconded Cr Thomsen.

That Council:

1. Acknowledges the maintenance completed to date on both Cardinia Life and Officer Community Hub.
2. Acknowledges the short to medium term solutions.
3. Acknowledges that a full roof replacement of the facility is not recommended for immediate action.

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Ross, Cr Nickell, Cr Kowarzik, Cr Roberts, Cr Potter and Cr Paton.

Against: Nil

Carried

7.2.5 Meeting Dates for 2025

Responsible GM: Wayne Mack
Author: Sharyn Tilley

Recommendation(s)

That the following meeting timetable for 2025 be adopted with all meetings to commence at 7pm and held in the Council Chamber, Civic Centre, Siding Avenue, Officer, unless otherwise notified:

Town Planning Committee Meeting	Council Meeting
February 3	February 17
March 3	March 17
April 7	April 14 <i>(Second Monday due to Easter and Anzac Day)</i>
May 5	May 19
June 2	June 16
July 7	July 21
August 4	August 18
September 1	September 15
October 6	October 20
November <i>(No meeting due to Melbourne Cup)</i>	November 17
December 1	December 15

Executive Summary

This report sets out the schedule of meetings for the 2025 calendar year, and requests Councillors consider and adopt the timetable of dates proposed.

Background

Council is required to schedule Council and Town Planning Committee meetings for each calendar year.

Current practice has been to convene a Town Planning Committee meeting on the first Monday of each month and a Council meeting on the third Monday of each month.

Discussion

It is recommended that the same meeting cycle of convening a Town Planning Committee meeting on the first Monday of each month and a Council meeting on the third Monday of each month remain for 2025. Exceptions have been made where the meeting day falls on or around a public holiday as detailed in the schedule of dates below.

Town Planning Committee Meeting	Council Meeting
February 3	February 17
March 3	March 17
April 7	April 14

	<i>(Second Monday due to Easter and Anzac Day)</i>
May 5	May 19
June 2	June 16
July 7	July 21
August 4	August 18
September 1	September 15
October 6	October 20
November <i>(No meeting due to Melbourne Cup)</i>	November 17
December 1	December 15

Policy Implications

There are no policy implications as part of this report.

Relevance to Council Plan

5.1 We practise responsible leadership

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 as part of this report.

Consultation/Communication

No consultation is required for this statutory process.

Financial and Resource Implications

There are no financial or resource impacts for Council as part of this report.

Conclusion

Council must set a meeting schedule each calendar year for all Council and Town Planning Committee meetings. It is recommended the schedule remain the same as previous years.

Attachments

Nil

Resolution

Moved Cr Roberts, seconded Cr Owen.

That the following meeting timetable for 2025 be adopted with all meetings to commence at 7pm and held in the Council Chamber, Civic Centre, Siding Avenue, Officer, unless otherwise notified:

Town Planning Committee Meeting	Council Meeting
February 3	February 17

March 3	March 17
April 7	April 14 <i>(Second Monday due to Easter and Anzac Day)</i>
May 5	May 19
June 2	June 16
July 7	July 21
August 4	August 18
September 1	September 15
October 6	October 20
November <i>(No meeting due to Melbourne Cup)</i>	November 17
December 1	December 15

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Ross, Cr Nickell, Cr Kowarzik, Cr Roberts, Cr Potter and Cr Paton.

Against: Nil

Carried

7.2.6 Appointment to Committees

Responsible GM: Wayne Mack
Author: Sharyn Tilley

Recommendation(s)

That Council:

1. Appoints Councillor representatives to the following Council committees:

Arts and Culture Reference Group	Two Councillors
Multicultural Advisory Group (MAG)	One Councillor
Cardinia Access & Inclusion Advisory Committee	One councillor
Chief Executive Officer Employment Matters Committee	Mayor Deputy Mayor One Councillor
Emerald Lake Park Advisory Committee	One Councillor
Motorsports Clubs Steering Committee	Two Councillors
Mt Shamrock Quarry Extension Environmental Review Committee	One Councillor
Improve Safety Action Team	One Councillor One Councillor as substitute
Mental Wellbeing Action Team	One Councillor One Councillor as substitute
Reduce Family Violence Action Team	One Councillor One Councillor as substitute
Financial Wellbeing and Resilience Action Team	One Councillor One Councillor as substitute

2. Appoints Councillor representatives to the following external Committees:

The Cardinia Foundation Ltd	One Councillor
Casey Cardinia Local History Reference Group	Two Councillors
Municipal Association of Victoria	Mayor of the day Deputy Mayor as substitute
National Growth Area Alliance	Mayor of the day Deputy Mayor as substitute
Outer Melbourne Councils	Mayor of the day Deputy Mayor as substitute
South East Councils Climate Change Alliance	Mayor One Councillor as substitute

Greater South East Melbourne Group of Councils	Mayor of the day Deputy Mayor as substitute
South East Australia Transport Strategy	One Councillor One Councillor as substitute
Victorian Local Governance Association	Mayor of the day Deputy Mayor as substitute
Western Port Biosphere Councillor Liaison Committee	One Councillor

Executive Summary

Council appoints representatives to several Council and external committees to meet its legislative obligations, enhance its involvement in community activities, and advocate on behalf of the community.

This report recommends that Council appoints the Mayor or Councillor representatives to Council committees and external committees.

Background

A number of Council committees and external committees exist where the Mayor or Councillors are invited to participate across a broad interest area. Some of these committees have legislative requirements, but most committees operate in an advisory capacity.

It is important for the Mayor and/or Councillors to be represented on committees and networks for a number of reasons including:

- Some committees are legislated to provide input into strategic plans
- Committees provide opportunities for Councillors and the organisation to stay connected to advocacy groups and understand emerging issues
- Provide advice to Council on a variety of issues
- Help Council achieve its Council Plan objectives

Discussion

Changes have been made to the following committees within the last 12 months since representatives were appointed to them.

CALD Advisory Group

The CALD Advisory Group has been renamed to the Multicultural Advisory Group.

Tourism Advisory Committee

The Tourism Advisory Committee is no longer required. The implementation of the State Government's Visitor Economy Partnership now supersedes this committee and requires the CEO to be a delegate.

Liveability Plan Action Teams

The Liveability Plan will be reviewed within the next 12 months which includes the governance structure of the plan. The Action Team's will remain for the next 12 months however, their future will be informed through the Liveability Plan engagement process.

Audit and Risk Committee and My Community Library (Myli)

Councillor representatives were appointed to the Audit and Risk Committee and My Community Library (Myli) at the Council meeting on 25 November 2024.

Policy Implications

Nil

Financial and Resource Implications

Nil

Relevance to Council Plan

5.1 We practise responsible leadership

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

Climate Emergency Consideration

Nil

Consultation/Communication

Officers will inform the Committee organisers who the new representatives are for their respective committees.

Conclusion

A number of Council committees and external committees exist where the Mayor or Councillors are invited to participate across a broad interest area. It is recommended that Council appoints the Mayor or Councillor representatives to the various Council committees and external committees.

Attachments

Nil

Resolution

Moved Cr Pomeroy, seconded Cr Potter.

That Council:

1. Appoints Councillor representatives to the following Council committees:

Arts and Culture Reference Group	Cr Potter and Cr Roberts
Multicultural Advisory Group (MAG)	Cr Potter
Cardinia Access & Inclusion Advisory Committee	Cr Owen and Cr Potter
Chief Executive Officer Employment Matters Committee	Mayor Deputy Mayor Cr Thomsen
Emerald Lake Park Advisory Committee	Cr Nickell
Motorsports Clubs Steering Committee	Cr Owen and Cr Paton
Mt Shamrock Quarry Extension Environmental Review Committee	Cr Owen

Improve Safety Action Team	Cr Ross
Mental Wellbeing Action Team	Cr Potter
Reduce Family Violence Action Team	Cr Potter
Financial Wellbeing and Resilience Action Team	Cr Kowarzik

2. Appoints Councillor representatives to the following external Committees:

The Cardinia Foundation Ltd	Cr Roberts
Casey Cardinia Local History Reference Group	Cr Owen and Cr Nickell
Municipal Association of Victoria	Mayor of the day Deputy Mayor as substitute
National Growth Area Alliance	Mayor of the day Deputy Mayor as substitute
Outer Melbourne Councils	Mayor of the day Deputy Mayor as substitute
South East Councils Climate Change Alliance	Mayor One Councillor as substitute
Greater South East Melbourne Group of Councils	Mayor of the day Deputy Mayor as substitute
South East Australia Transport Strategy	Cr Pomeroy
Victorian Local Governance Association	Mayor of the day Deputy Mayor as substitute
Western Port Biosphere Councillor Liaison Committee	Cr Paton

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Ross, Cr Nickell, Cr Kowarzik, Cr Roberts, Cr Potter and Cr Paton.

Against: Nil

Carried

7.2.7 Appointment of Community Asset Committees for Recreation Reserves

Responsible GM: Debbie Tyson
Author: Cameron Miller

Recommendation(s)

That Council:

1. Appoint the following persons to the respective recreation reserve Community Asset Committees appointed by Cardinia Shire Council in accordance with the *Local Government Act 2020*.

Maryknoll Recreation Reserve

President	James Kay
Secretary	Sally Cunningham
Treasurer	Sharon Sparks
Committee Member	Kelly Shepley
Committee Member	Steve Sparks

Huxtable Road Reserve

President	Pat Langley
Secretary	Leanne McLean
Treasurer	Alison McHenry
Committee Member	Rebecca Reynolds
Committee Member	Sally Moser
Committee Member	Paul McMurray

Josie Bysouth Reserve

President	Lisa Stovold
Secretary	Lisa Alderson
Treasurer	Andrew Jackson
Committee Member	Jody Marotta
Committee Member	Jess Alderson

Garfield Recreation Reserve

President	Lara Canty
Secretary	Mark Watson
Treasurer	Julie Miller
Committee Member	Chelsea Burgmann
Committee Member	Louise White
Committee Member	Judy Bishop
Committee Member	Tate Burgmann
Committee Member	Glen Wouters
Committee Member	Rodger Van Der Pas
Committee Member	Meg Platte
Committee Member	Paul Osbourne
Committee Member	Jen Belsar

Cardinia Recreation Reserve

President	Chris Beard
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Vice President	Bill Orr
Secretary	Liz Bergmeier
Treasurer	John Adlam
Committee Member	David Young
Committee Member	Luke Turner
Committee Member	Ryley Watts

2. Thanks Committee Asset Committee Members for their valuable contribution to the management of community recreation reserves.

Attachments

Nil

Executive Summary

This report advises Council of the memberships elected for five (5) Community Asset Committees and seeks formal Council appointment of these members. Community Asset Committee members make a significant contribution to community liveability and wellbeing through the management of fifteen recreation reserves.

Background

There are fifteen (15) recreation reserves within Cardinia Shire managed by Community Asset Committees:

- Twelve (12) of the reserves managed by Council appointed Community Asset Committees,
- Three (3) reserves are Crown Land overseen by the Department of Energy, Environment and Climate Action (DEECA). Council is the appointed as Committee of Management under the *Crown Land Reserves Act* for these reserves and managed by Council appointed Community Asset Committees.

Members of Reserve Community Asset Committees are elected annually, and upon election require appointment by Council resolution pursuant to *Local Government Act 2020*. Community Asset Committees can only be endorsed by Council.

This report recommends Council appoints new members for the following reserve committees following public meetings that have been conducted by Councillors or Council Officers:

- Maryknoll Recreation Reserve
- Huxtable Road Reserve
- Josie Bysouth Reserve
- Garfield Recreation Reserve
- Cardinia Recreation Reserve

Cardinia Shire Council has a huge network of volunteers who selflessly give their time, expertise, and energy to provide and develop community resources. A large part of this network is involved with managing community recreation reserves across our shire. Council values the important role that Community Asset Committees have in the improvement and ongoing management of Council's reserves and facilities. Council is committed to ensuring that these assets are maintained to a high standard by working in partnership with Community Asset Committees.

Council conducts routine maintenance and provides recreation reserve Community Asset Committees with maintenance allocations, workshops to upskill volunteers, and access to

leadership courses. To further support Committees with their work, Council has launched a Community Asset Committee online portal, as a place for committee members to access important resources, information, and key dates.

Council employs a full-time Sport & Active Recreation Liaison Officer to support the recreation reserve Community Asset Committees including providing training for volunteers and assisting committees in compliance with risk and other legislative requirements.

Policy Implications

The appointments to these five (5) reserves Community Asset Committees are consistent with both Council policy and requirements for Community Asset Committees.

Relevance to Council Plan

1.5 Our People - Variety of recreation and leisure opportunities

1.5.1 Provide active and passive recreation facilities to meet the needs of residents.

1.5.2 Increase opportunities for residents to participate in a range of sport, recreation and leisure activities.

5.2 Our Governance - Open governance

5.2.2 Govern and make decisions in the best interests of the Cardinia Shire community.

Climate Emergency Consideration

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

Consultation/Communication

Notifications of Annual General Meetings for Community Asset Committees for recreation reserves are advertised through local media and internally to all user groups of that reserve.

Financial and Resource Implications

There are no financial or resource implications as part of this report.

Conclusion

Community Asset Committees voluntarily assist Council in the ongoing management and improvement of Council's recreation reserves and facilities. This enables people to participate in sport and active recreation activities and be socially connected within their local community, leading to overall improvements in physical and mental wellbeing. This report presents the elected committee members for five recreation reserve Community Asset Committees for Council to consider their appointment.

Resolution

Moved Cr Thomsen, seconded Cr Pomeroy,

That Council:

1. Appoints the following persons to the respective recreation reserve Community Asset Committees appointed by Cardinia Shire Council in accordance with the *Local Government Act 2020*.

Maryknoll Recreation Reserve

President	James Kay
Secretary	Sally Cunningham
Treasurer	Sharon Sparks
Committee Member	Kelly Shepley
Committee Member	Steve Sparks

Huxtable Road Reserve

President	Pat Langley
Secretary	Leanne McLean
Treasurer	Alison McHenry
Committee Member	Rebecca Reynolds
Committee Member	Sally Moser
Committee Member	Paul McMurray

Josie Bysouth Reserve

President	Lisa Stovold
Secretary	Lisa Alderson
Treasurer	Andrew Jackson
Committee Member	Jody Marotta
Committee Member	Jess Alderson

Garfield Recreation Reserve

President	Lara Canty
Secretary	Mark Watson
Treasurer	Julie Miller
Committee Member	Chelsea Burgmann
Committee Member	Louise White
Committee Member	Judy Bishop
Committee Member	Tate Burgmann
Committee Member	Glen Wouters
Committee Member	Rodger Van Der Pas
Committee Member	Meg Platte
Committee Member	Paul Osbourne
Committee Member	Jen Belsar

Cardinia Recreation Reserve

President	Chris Beard
Vice President	Bill Orr
Secretary	Liz Bergmeier
Treasurer	John Adlam
Committee Member	David Young
Committee Member	Luke Turner
Committee Member	Ryley Watts

2. Thanks Committee Asset Committee Members for their valuable contribution to the management of community recreation reserves.

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Ross, Cr Nickell, Cr Kowarzik, Cr Roberts, Cr Potter and Cr Paton.

Against: Nil

Carried

7.2.8 Appointment of Community Asset Committee for Halls

Responsible GM: Debbie Tyson
Author: Hannah Milne

Recommendation(s)

That Council:

1. Makes the following appointments to the Bunyip Hall, Gembrook Community Centre, Nar Nar Goon North Hall and Garfield Community Centre Asset Committees under section 65 of the *Local Government Act 2020*.

Bunyip Hall

- Chris Kelly President
- Lindy Fitzpatrick Vice President
- Heather King Secretary
- Chris Kelly Treasurer
- Sue Anderson General committee
- Colin Tease General committee
- Russ Pendlebury General committee
- Tom Anderson General committee

Gembrook Community Centre

- John Cascone President
- Ian Purdon Secretary
- Julie Gillies Treasurer
- Garry McGough General Committee
- Pam Barton General Committee
- Sharlene McKendry General Committee
- Graeme Moore General Committee

Nar Nar Goon North Hall

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

Garfield Community Centre

- Mark Watson President
- Lara Canty Secretary
- Julie Miller Treasurer
- Roger Van Der Pas General Committee
- Judith Bishop General Committee
- Louise White General Committee
- Chelsea Burgman General Committee

- Paul Osbourne General Committee
- Meg Platte General Committee
- Glenn Wouters General Committee
- Jen Belsar General Committee
- Tate Burgmann General Committee

2. Thanks all outgoing members of the committees for their service to the community.

Executive Summary

This report seeks a Council resolution to appoint membership to the Gembrook Community Centre Community Asset Committee following a public meeting conducted by the former Ranges Ward Councillor.

This report seeks a Council resolution to appoint membership to the Bunyip Hall Community Asset Committee, Nar Nar Goon North Committee and Garfield Community Centre Community Asset Committee following a public meeting conducted by Council Officers.

Background

Members of Community Asset Committees require appointment by Council resolution in accordance with section 65 of the *Local Government Act 2020*.

At a public meeting held Wednesday 4 September 2024, the members detailed above were elected to be appointed by Council to the Bunyip Hall Community Asset Committee for the current term as specified in the Instrument of Delegation (2 years).

At a public meeting held Tuesday 10 September 2024, the members detailed above were elected to be appointed by Council to the Gembrook Community Centre Asset Committee for the current term as specified in the Instrument of Delegation (2 years).

At a public meeting held Tuesday 29 October 2024, the members detailed above were elected to be appointed by Council to the Nar Nar Goon North Hall Community Asset Committee for the current term as specified in the Instrument of Delegation (2 years).

At a public meeting held Tuesday 12 November 2024, the members detailed above were elected to be appointed by Council to the Garfield Community Centre Community Asset Committee for the current term as specified in the Instrument of Delegation (2 years).

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

Discussion

No further discussion is relevant to this report.

Policy Implications

There are no policy implications as part of this report.

Financial and Resource Implications

There are no financial or resource implications as part of this report.

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.

1.1.2 Enrich local identity and opportunities for the community to connect through art, history and cultural expression.

1.1.3 Lead by example in creating an inclusive and welcoming community for all by facilitating community education, capacity building, connection and celebration of our diversity.

1.1.4 Facilitate a partnership approach to create safer communities.

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

2.1 We support the creation of liveable spaces and places

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

5.1 We practise responsible leadership

5.1.1 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

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

Consultation/Communication

Officers have been in communications with the committees and in attendance at their meetings.

Conclusion

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

Attachments

Nil

Resolution

Moved Cr Nickell, seconded Cr Roberts.

That Council:

1. Makes the following appointments to the Bunyip Hall, Gembrook Community Centre, Nar Nar Goon North Hall and Garfield Community Centre Asset Committees under section 65 of the *Local Government Act 2020*.

Bunyip Hall

- | | |
|---------------------|----------------|
| • Chris Kelly | President |
| • Lindy Fitzpatrick | Vice President |
| • Heather King | Secretary |
| • Chris Kelly | Treasurer |

- Sue Anderson General committee
- Colin Tease General committee
- Russ Pendlebury General committee
- Tom Anderson General committee

Gembrook Community Centre

- John Cascone President
- Ian Purdon Secretary
- Julie Gillies Treasurer
- Garry McGough General Committee
- Pam Barton General Committee
- Sharlene McKendry General Committee
- Graeme Moore General Committee

Nar Nar Goon North Hall

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

Garfield Community Centre

- Mark Watson President
- Lara Canty Secretary
- Julie Miller Treasurer
- Roger Van Der Pas General Committee
- Judith Bishop General Committee
- Louise White General Committee
- Chelsea Burgman General Committee
- Paul Osbourne General Committee
- Meg Platte General Committee
- Glenn Wouters General Committee
- Jen Belsar General Committee
- Tate Burgmann General Committee

2. Thanks all outgoing members of the committees for their service to the community.

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Ross, Cr Nickell, Cr Kowarzik, Cr Roberts, Cr Potter and Cr Paton.

Against: Nil

Carried

7.2.9 Instrument of Appointment and Authorisation - Planning and Environment Act 1987

Responsible GM: Wayne Mack
Author: Sharyn Tilley

Recommendation(s)

That Council in the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, resolves that:

1. The members of Council staff referred to in the attached Instrument be appointed and authorised as set out in the instrument:
 - Ashlea FELDMAN
 - Collette BELMUDA
 - Daniel HUSSEIN
 - Kayla MCDONALD
 - Pete COURTNEY
2. That 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.

Executive Summary

That Council resolve to appoint the following staff members as Authorised Officers pursuant to Section 147(4) of the *Planning and Environment Act 1997*:

- Ashlea FELDMAN
- Collette BELMUDA
- Daniel HUSSEIN
- Kayla MCDONALD
- Pete COURTNEY

Background

Council and the CEO under delegated powers, often appoint officers to be authorised officers under the relevant legislation to allow them to perform the duties of their role.

Section 147 (4) of the *Planning and Environment Act 1997* allows Council to appoint officers to be an authorised officer for the purposes of the Planning and Environment Act 1987 and the regulations made under that Act;

Authorised officers exercise these powers in accordance with the Planning Scheme and Cardinia Shire Compliance and Enforcement Policy.

Discussion

The named officers are required to be authorised officers in the performance of their duties.

Authorised Officers under the *Planning and Environment Act 1987* can only be appointed by resolution of Council.

Policy Implications

Cardinia Planning Scheme
Compliance and Enforcement Policy

Financial and Resource Implications

Nil

Relevance to Council Plan

5.1 We practise responsible leadership

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

Climate Emergency Consideration

Nil

Consultation/Communication

Nil

Conclusion

It is recommended that Council appoint the named officers to be Authorised Officers.

Attachments

1. Instrument of Appointment and Authorisation - Planning and Environment Act - Compliance Services - December 2024 [7.2.9.1 - 2 pages]

Resolution

Moved Cr Ross, seconded Cr Nickell.

That Council in the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, resolves that:

1. The members of Council staff referred to in the attached Instrument be appointed and authorised as set out in the instrument:
 - Ashlea FELDMAN
 - Collette BELMUDA
 - Daniel HUSSEIN
 - Kayla MCDONALD
 - Pete COURTNEY
2. That 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.

ORDINARY COUNCIL MEETING 16 DECEMBER 2024

OFFICIAL - This document is a record of a Council decision or action and MUST be stored to SharePoint or a Corporate system.

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Ross, Cr Nickell, Cr Kowarzik, Cr Roberts, Cr Potter and Cr Paton.

Against: Nil

Carried

7.3 Policy Reports

7.4 Financial Reports

7.4.1 Quarterly Financial Report 2024-25 - Q1 September 2024

Responsible GM: Wayne Mack
Author: Allison Southwell

Recommendation(s)

That Council:

1. Receives and notes the quarterly financial report for the three months to 30 September 2024, for the purpose of Section 97 of the *Local Government Act 2020*.
2. Approves the project contract variation relating to the Thewlis Road Early Learning and Family Centre.
3. Approves the project contract variation relating to the Koo Wee Rup Bowls Pavilion.
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 Management Report September 2024 [7.4.1.1 - 11 pages]
2. Appendix 1 Capital Projects Summary [7.4.1.2 - 1 page]

Executive Summary

The attached quarterly finance report has been prepared as of 30 September 2024. The report includes financial year-to-date data up to quarter one of the 2024-25 financial year and is compared to the adopted budget for the full year to 30 June 2025.

Included in this report are two project contract 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 three months ending 30 September 2024.

Comprehensive result (net surplus/deficit)

A year to date comprehensive result of a \$22.5m surplus was recorded for the quarter, which is \$4.2m favourable to the adopted budget.

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

- Timing of the Victorian Grants Commission payment to Council. The full 2024-25 amount was received in July 2024.

- This is being offset by lower incomes being recognised in monetary and non-monetary contributions and user fees.

Expenses are slightly lower than budget due to:

- Materials and services show a small 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.

The current full year forecast result of \$62.9m is unfavourable to adopted budget by \$12.4m, due to:

- Timing of processing waste charges
- Decreases in capital grants following the quarterly review of the capital works program
- Lower monetary and non-monetary contributions from developers reflecting slower than expected development activity
- Net gain on asset disposal being offset by infrastructure asset write offs

Adjusted underlying result

This is the net result exclusive of 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 \$8.2m surplus is \$10.3m favourable to the adopted budget. This is mostly related to the timing of the Victorian Grants Commission payment.

The full year forecast is currently showing a deficit of \$6.9m, which is unfavourable to the adopted budget deficit of \$4.2m. This is due to the reduced comprehensive result and forecasted increases in employee costs being impacted by changes in the phasing of the capital works program and flow on effect from project management wages capitalisation.

Balance sheet and cashflow statement

Cash and investment holdings are \$147.2m as of 30 September 2024, indicating a positive cash position. The Balance Sheet presents working capital \$117.8m (total current assets of \$261.5m less total current liabilities of \$143.7m). The full year forecast working capital is expected to be positive at \$115.1m as at June 2025, reflecting Council's ability to meet its obligations as and when they fall due.

Capital program

Year to date capital expenditure of \$17.8m is \$2.1m or 10.1% lower than the year to date adopted budget (including carry forward) of \$20.8m. The full year forecast is expected to be \$1.3m higher the full year adopted budget of \$82.3m (including carry forward).

Capital project contract variations

During the election period, a small number of contract variations which exceeded the 10% contract contingency arose, which requires reporting to and the approval of Council. Due to the election period and the project costs forecast to remain within Council's adopted budget, direction was given to the contractors to proceed to ensure no further project delays and no variations for delay costs were claimed.

These are presented to Council for formal approval.

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 2024-25 financial year up to 30 September 2024. It includes analysis of the differences between the 2024-25 budget adopted in June 2024, as well as forecast of performance for the full year.

Conclusion

The report provides a summary of the September 2024 financial position for Cardinia Shire Council. Council is currently tracking ahead of the adopted budget after the first three months, with a full financial year forecast anticipated to be \$12.4m lower than adopted budget. These variances are largely due to lower income expectations, as well as slightly increased operating expenses in relation material and services and employee costs, as outlined in the attached report.

Resolution

Moved Cr Nickell, seconded Cr Ross.

That Council:

1. Receives and notes the quarterly financial report for the three months to 30 September 2024, for the purpose of Section 97 of the *Local Government Act 2020*.
2. Approves the project contract variation relating to the Thewlis Road Early Learning and Family Centre.
3. Approves the project contract variation relating to the Koo Wee Rup Bowls Pavilion.
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.

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Ross, Cr Nickell, Cr Kowarzik, Cr Roberts, Cr Potter and Cr Paton.

Against: Nil

Carried

7.5 Activity Reports

7.5.1 Community Engagement Update

Responsible GM: Wayne Mack
Author: Emma Wilkinson

Recommendation(s)

That Council notes the community engagement activities being undertaken in December 2024.

Attachments

1. Community Engagement Activity – December 2024 [7.5.1.1 - 1 page]

Executive Summary

This report provides a monthly update on Council's community engagement opportunities commencing or continuing, refer to Attachment. Providing monthly updates to Council is an action in the Engagement Strategy 2022-2026 which operationalises Council's Community Engagement Policy.

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 (the 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. In response to a Notice of Motion on 15 July 2024, 'inform' level engagements are included in these monthly reports. Inform level engagements are those which share information with the community but in which it has no ability to influence the decision or outcome. The Association is reviewing the IAP2 Spectrum and the outcome will be reported to Council as soon as information becomes available.

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

Table 1: IAP2 Spectrum of Public Participation

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.

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 tables above and in the Attachment 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 Roberts, seconded Cr Thomsen.

That Council notes the community engagement activities being undertaken in December 2024.

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Ross, Cr Nickell, Cr Kowarzik, Cr Roberts, Cr Potter and Cr Paton.

Against: Nil

Carried

7.5.2 State Projects Yearly Update Report

Responsible GM: Peter Benazic
Author: Narelle Bulleid

Recommendation(s)

That Council notes the progress, completed actions and future milestones for the State projects detailed in this report.

Executive Summary

Council's Major Projects Business Unit is responsible for the project management of key projects run by the Victorian Infrastructure Delivery Agency (VIDA) including projects being delivered by:

- Level Crossing Removal Project (LXRP)
- Regional Rail Revival (previously Rail Projects Victoria (RPV))
- Victorian Health Building Authority (VHBA)
- Major Road Projects Victoria (MRPV)

This report provides a summary of the Victorian State Government project progress during 2024 calendar year and a look ahead at activities planned for 2025.

The Council's Major Projects Business Unit has played a pivotal role in managing significant projects in collaboration with various State Government agencies. Persistent advocacy for state and federal investment in essential transport and health infrastructure has been a hallmark of the Council's efforts within Cardinia. From the outset, the Council encouraged its officers to work in partnership with the State Government. This collaboration aimed to strongly advocate for and influence the outcomes of these projects, ensuring the best possible results for the community.

Through this partnership and facilitation approach, Cardinia Shire is being seen by many of these partners as a Council where it is productive and made easy to undertake project delivery, and their projects are supported and facilitated. There is mutual benefit to our partners, Council and community to maximise these relationships, achieving enhanced deliverables, good project outcomes, effective use of resources on both sides and attracting more projects and grant funding.

This strategic approach has been instrumental in aligning the projects with the broader aspirations of the local area, extending beyond the immediate project scope for each individual project. This alignment has fostered a robust and cohesive development strategy, ensuring that the infrastructure not only meets current needs but also supports the future growth and prosperity of the community.

Background

Council's Major Projects Business Unit is responsible for liaising with the State Government agencies responsible for the following projects:

- Level Crossing Removal Projects (LXRP):
 - Pakenham – Three rail over road bridges and two stations
 - Brunt Road Officer – Road over rail bridge

- Station Street Officer – Road closure
- Station Street Beaconsfield – Road over rail bridge
- Nar Nar Goon - Station Carpark Upgrade

- Regional Rail Revival (RRR) previously Rail Projects Victoria (RPV):
 - Gippsland Line Upgrade including Bunyip Station upgrade

- Victorian Health Building Authority:
 - Pakenham Community Hospital

- Major Roads Projects Victoria:
 - Healesville – Koo Wee Rup Road Upgrade from Livestock Way to Manks Road
 - Pakenham Roads Upgrade including:
 - Healesville - Koo Wee Rup Road freeway interchange and road upgrade
 - McGregor Road freeway interchange and road upgrade
 - Racecourse Road upgrade

The establishment of the Major Projects Business Unit was a strategic move by the Cardinia Shire Council to influence and foster collaboration on significant infrastructure projects. This initiative ensures these projects integrate with the local area and act as catalysts for further investment in the region. This approach was key to Council's recent success in obtaining grant funding for the John Street, Drake Place and McGregor Road projects. These Council projects are designed to leverage and further enhance the benefits of state and federal infrastructure upgrades.

Discussion

Attachment 1 provides a summary of State Government project progress during 2024 and a look ahead at activities planned for 2025. Each project is also briefly discussed below.

Pakenham Level Crossing Removal Project

This project included the removal of three level crossings at McGregor Road, Main Street and Racecourse Road Pakenham, with a rail over road solution. A significant amount of new public open space has been created within the rail corridor under the elevated rail viaduct. The project also included the redevelopment of the Pakenham Station, the extension of the metropolitan train line to Pakenham East, and the construction of the new East Pakenham Station.

The following are notable milestones and upcoming activities:

- Construction of Ryan Road from Pinehill Drive to East Pakenham Station completed in May 2024.

- 2.5km elevated rail viaduct completed and commissioned in June 2024.

- East Pakenham Station and new platforms at Pakenham Station opened in June 2024.

- Level crossings at McGregor Road, Main Street and Racecourse Road removed between July and August 2024.

- Pakenham Station precinct final works including 450 additional car parking spaces completed in November 2024.

- Open space corridor between McGregor Road and Main Street completed and opened in November 2024 with community celebration event.

- Expected completion of the Changing Places Facility in the open space corridor and the bus interchange at Pakenham Station by the end of 2024.
- Project in defects correction period through to end of 2026.

Brunt Road Level Crossing Removal Project

This project included the removal of the Brunt Road level crossing by the construction of a new road bridge over the existing rail tracks. The new bridge was constructed between early 2023 and completed and open to vehicles, cyclists and pedestrians in April 2024

The project achieved the following notable milestones and benefits:

- Completion of all major works was achieved by August 2024
- The new Brunt Road bridge features new walking and cycling connections, improved lighting and native planting
- Approximately 100 trees and 50,000 plants, shrubs and grasses were planted as part of the project.
- New footpath and shared use path across the new road bridge, providing a direct link to local schools, shops, and services on either side of the rail line.
- Community thank you events were held throughout the project including free coffee days at the local café and several kids' fun days in the local reserves.
- Council will retain some new drainage pipe assets and some of the LXP site compound hardstand areas to use for future projects on the Gin Gin Bin Reserve.
- Traffic volume reviews since the bridge is open has shown an increase of around 7% that is likely to be attributed to the Station St level crossing closure in May 2024 and that the road has less delays.
- Project in defects correction period through to end of 2026.

Station Street Officer Level Crossing Removal Project

This project involves the removal of the Station Street Officer level crossing through the closure of Station Street on either side of the rail tracks which occurred in mid-2024.

The following are notable milestones and upcoming activities:

- As part of the project, new plants, trees, shrubs and grasses will be planted in early 2025.
- Locals will benefit from improved connections along Station Street and Officer South Road. As part of the project, we're providing the missing link between Gilbert Reserve and Officer Station on the north of the rail and Hickson Road and Officer Station on the south, all completed by mid 2025.
- Lighting will be installed along sections of the new DDA compliant footpath, improving safety for pedestrians travelling to Officer Station.
- Council continues to advocate to Department of Transport and Planning (DTP) for an alternative North-South arterial road to be constructed from Officer South Road through to Princes Highway which is a critical link in the Officer Precinct Structure Plan.

Station Street Beaconsfield Level Crossing Removal Project

This project involves the removal of the Station Street, Beaconsfield level crossing through the construction of a new road bridge over the existing tracks. The project area includes a locally significant heritage building at 20 Beaconsfield Avenue and the regionally significant Cardinia Creek parklands which are key concerns for Council among other matters.

The following are notable milestones and upcoming activities:

- The new road bridge at Station Street, Beaconsfield features a pedestrian path over the bridge, providing better connections to Beaconsfield Stations precinct and over the rail line.
- Planting will commence in 2025 and will include Australian native and indigenous trees, and 75,000 plants and shrubs will be planted in the area as part of the project.
- LXRPA has held several online meetings with the Beaconsfield Progress Association and separately with the wider community during the project to update on all works and discuss any concerns residents may have.
- LXRPA is provided funding for an additional school crossing supervisor until 2025 which has improved students' safety during the project delivery works
- The new bridge is targeted to open 2025.

Nar Nar Goon Station Car Park Upgrade

The Nar Nar Goon car park upgrade was part of the larger program known as Car Parks for Commuters and was delivered by the Level Crossing Removal Project (LXRPA) agency in 2022. The project has delivered an upgrade of the car parking area on the north side of the station which includes 50 parking spaces with accessible parking spaces, pedestrian paths, bicycle hoops, lighting and new CCTV cameras.

Asset allocation will be completed with LXRPA and Vline in 2024 and Council will commence maintaining swale drainage around the Station precinct in 2025.

Gippsland Line Upgrade – Regional Rail Revival (previously Rail Projects Victoria)

The Gippsland Line Upgrade is a project that extends along the rail line from Bairnsdale through to Southern Cross Station. Key works within Cardinia Shire included the Bunyip Station upgrade, track duplication between Bunyip and Longwarry, level crossing upgrade at Tynong, along with signalling and drainage upgrades between Nar Nar Goon and Bunyip.

Completion of the new south platform, bus interchange and kiss and ride commuter drop off zones were completed later in 2024. Council officers will continue to work with the project in terms of defects with officers actively assisting with areas south of the station.

Pakenham Community Hospital – Victorian Health Building Authority

The Pakenham Community Hospital is being delivered by the Victorian Health Building Authority. The project includes the establishment of a community hospital in Pakenham that will provide a range of integrated health and specialist services.

Works to establish the site, demolish the existing building and relocate existing services commenced in October 2024.

The main phase of construction works is expected to commence in early 2025 and continue through to the end of 2026.

Healesville-Koo Wee Rup Road Upgrade – Major Road Projects Victoria

This project included the duplication of Healesville-Koo Wee Rup Road between Southeast Boulevard and Manks Road including upgraded signalised intersections at Livestock Way and Greenhills Road and new roundabouts south of Deep Creek and at Hall Road and Ballarto Road.

The project has also delivered over 9km of shared walking and cycling paths along with rest areas at Deep Creek and Ballarto Road. The Deep Creek rest area features signage with information on the Growling Grass Frog and Southern Brown Bandicoot. The Ballarto Road rest area includes a sign developed with the Bunurong Land Council that provides information about the Indigenous heritage of the land.

Construction of the main works were completed in June and July 2024 for the two project areas. The shared walking and cycling paths opened for use at this time. Final asphalt works for the southern area were completed in November 2024.

The project is now in its defects correction period through to mid-2026.

Pakenham Roads Upgrade – Major Road Projects Victoria

This project includes three stages of works to upgrade the Princes Freeway and sections of McGregor Road, Healesville – Koo Wee Rup Road and Racecourse Road. The project is being delivered by Major Roads Project Victoria with funding from the Australian Government.

Construction of stage 1 (Princes Freeway and Healesville – Koo Wee Rup Road) is expected to be practically complete by the end of 2024.

Construction of stage 2 (McGregor Road) is expected to be practically complete by the end of 2024 with final works focusing on the upgrade of the Princes Freeway on-ramp.

The design phase for stage 3 (Racecourse Road) was completed through 2024 with early works occurring to establish the construction zone and relocate services. The main phase of construction will commence in January 2025.

Policy Implications

These projects are generally consistent with several Council policies and documents including the Pakenham Major Activity Structure Plan 2021, Pakenham Major Activity Centre Urban Design Framework 2021 and Officer Precinct Structure Plan.

Financial and Resource Implications

Council has worked closely with the Level Crossing Removal Project regarding financial and resource implications and support has been provided.

The support and facilitation outlined within this report by the Major Projects team is achieved with 6 EFT. These roles are funded by a combination of Council and grant funding.

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.

2.1.4 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

The proposed infrastructure upgrades will improve public transport provision and active transport infrastructure in the project areas. This will help encourage a transport mode shift away from cars and reduce transport related carbon emissions. Further the new infrastructure will be designed and maintained in line with climate change predictions and assumptions, such as flooding and extreme heat.

Consultation/Communication

Each of the individual projects include community consultation activities, refer to Attachment 1. Further community consultation will occur with each of these projects as necessary. Regular updates will continue to be provided.

Council's project team has regular meetings with their State Government peers at LXRP, RRR, VHBA and MRPV to review plans and provide input into the design of the projects and advocate for the best outcomes for the community.

Additionally, Council's Chief Executive Officer and General Manager Infrastructure and Environment regularly meet with the CEO and senior staff from agencies associated with VIDA to resolve any strategic issues and to advocate for additional resources to complete these projects.

Conclusion

Significant milestones have been achieved this year for the major projects currently underway throughout Cardinia but in particular projects within Pakenham. Aligning with Council's vision and liveability plans to deliver healthy, active and connected communities, these projects are improving movement and place outcomes.

The completion of the Pakenham Level Crossing Removal project has resulted in extensive open space areas being opened to the community enabling them to enjoy improved access from Henty Street for the first time, alongside upgrades to public transport and bicycle infrastructure providing safe and connected pedestrian infrastructure to ensure improved access for all. Moving into 2025, the transformative infrastructure construction program will continue with the development of the Pakenham Community Hospital and delivery of Stage 3 of Pakenham Roads Upgrade.

Simultaneously, Council will commence the delivery of the first 3 stages of the Pakenham Revitalisation Project focusing on John Street, Drake Place and Main Street which will allow motorists and pedestrians alike to move around the town centre seamlessly and safely.

Council's Major Projects team will continue to strengthen our strong working partnership with the State Government agencies and advocate for the best outcomes for our community.

Attachments

1. Major Projects Yearly Update 2024 [7.5.2.1 - 9 pages]

Resolution

Moved Cr Pomeroy, seconded Cr Thomsen.

That Council notes the progress, completed actions and future milestones for the State projects detailed in this report.

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Ross, Cr Nickell, Cr Kowarzik, Cr Roberts, Cr Potter and Cr Paton.

Against: Nil

Carried

7.5.3 Performance and Growth Reports - Q1 2024/2025

Responsible GM: Wayne Mack
Author: Owen Hardidge

Recommendation(s)

That Council receives and notes the Performance and Growth Reports for Quarter 1 2024-25.

Executive Summary

The Performance and Growth Reports for Quarter 1 2024-25 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.

Background

Introduction to the Quarterly Performance and Growth Reports

This report and the attachments are a collection of reports and information prepared for Councillors and the community every quarter. They are consistent in appearance and their data sources, to allow for accurate comparison over time. While they represent a small proportion of the activity of Council, the reports try to address areas of common Councillor and community interest.

The Ministerial Better Practice Guide that addressed Council performance and financial reporting indicates that Councils should present quarterly or biannual reports on the operation of Council to Councillors, the Audit Committee and Senior Managers.

During the first 12 months of the new Council term, Council must prepare and adopt a range of strategic planning documents, which must include the articulation of Strategic Indicators that will track the progress of Council plan initiatives and priorities. Performance reporting is inherently connected to the higher level strategic objectives, and hence officers expect that these quarterly performance reports may be adapted and adjusted as the new Council priorities take shape.

Council officers are currently working on potential strategic indicators for Council to consider, which will be an important component for Council consideration as the Council Plan and associated documents are prepared.

Attachment 1 – Performance Report 2024-2025 Q 1

This report collates a series of 'dashboards' that draw data from various Council systems and presents them in a graphical way. The dashboards presented in this report are available on the Council website (cardinia.vic.gov.au/dashboards), and are updated each quarter after they are reported in Council meetings.

Council Plan Performance refers to the Initiatives identified in the Council Plan 2021-2025 and tracks the current status of the Year 4 initiatives. More detailed progress comments can be found in Attachment 2 – Council Plan Initiatives – Progress Report 2024-25 Q 1.

Service request performance

In this report, “Requests” refers to customer enquiries recorded in Council’ Customer Relationship Management System (CRMS). This may be when a call is taken through the Customer Support call centre, or an email or other electronic request via mail@cardinia.vic.gov.au

All categories of CRMS have assigned ‘target’ completion time (expressed as days - ranging from 1 to 180 days, depending on the immediacy of the request, and the nature of the enquiry). The ‘Service Level’ is the percentage of CRMS that are completed (closed) within the ‘target’ time.

Unsealed Roads Performance

Drainage Performance

Waste Management Performance, Disposal and Recovery

Customer Service Performance and After Call Survey

Youth Engagement statistics

These dashboards summarise workloads, service completion data and proactive work volumes across key Council services. Each quarter, the relevant service managers may provide commentary on trends or particular results. These graphs will often show variation when demand surges occur, such as weather events, spikes in calls because of issues in the community.

The **after-call survey** is conducted quarterly and prompts a random selection of customers to rate the performance of Council after their CRMS request is closed. After call surveys typically have a relatively low participation rate (this quarter it is 11%) but is nevertheless a useful indicator. Survey-takers are invited to rate the knowledge, professionalism and wait time in respect of their contact, providing a rating out of 5.

Escalated complaints

The escalated Customer complaints report refers to Customer complaints, within the meaning of the *Local Government Act 2020*, and should be understood in conjunction with the Cardinia Shire Council Customer Complaints Policy.

The *Local Government Act 2020* defines 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.

and is therefore quite broad in its scope.

Due to current system limitations, this report records the number of complaints received and the closure time. This does not indicate information whether investigated complaints were substantiated (in whole or in part).

[Customer Service Charter and Complaints Policy - Cardinia Shire Council | Cardinia Shire Council](#)

LGPRF Service Measures

The Local Government Performance Reporting Framework is a key State Government initiative to collect rigorous and comparable data from all Victoria Councils across a range of key service areas. This data is reported annually, and is comparable across Councils, to support transparency across the sector.

As well as reporting the data, Councils are obliged to set targets for some designated indicators. The targets adopted by Cardinia are indicated on the graphs by yellow dotted lines. Targets have only been required since 2023/24.

Local Government Victoria provides a website and tools to easily compare the data across Councils. [Know Your Council | vic.gov.au](#)

Attachment 2 – Cardinia Initiatives Progress Report 2024-2025 Q 1

This report collates progress comments across all initiatives identified in the Council Plan. The Council Plan 2021-2025 sets out initiatives across each of the 4 years of the plan, and this report relates to the initiatives that are ongoing in the current year.

Attachment 3 – Growth Report 2024-2025 Q 1

This report combines a number of data sources that collectively indicate population and growth trends in the municipality, including in significant development precincts.

Attachment 4 – Gender Equity Action Plan Report 2024-25 Q 1

Under the Gender Equality Act 2020, all local Councils are required to have a Gender Equity Action plan, and to report progress against the plan.

This report outlines progress against the actions outlined in the key focus areas of the Cardinia Shire Gender Equality Action Plan (GEAP) 2021 – 2025.

Future Improvements and changes to Performance and Growth Reports

Over the next 6-9 months, as the new Council Plan is developed, Council will develop new strategic indicators which will be the primary performance indicators for the Council term. It is expected that this will, in turn, drive improvements to the Quarterly Performance and Growth Reports, in order to provide Councillors and the community for more informative performance reports.

Summary of results for Quarter 1 24-25




Council Plan initiatives





The Council Plan 2021-25 was adopted on Monday 21 June 2021. This is the last reporting year for the new Council Plan.

The Council Plan is structured around five strategic objectives that underpin the overarching strategic direction for the term of the Plan. Under each strategic objective is a series of strategies, initiatives, and indicators. Council initially adopted 28 Council Plan initiatives for 2024-25. After reviewing the “Implement the Business Innovation Strategy” initiative with Councillors, it was decided to integrate this priority into the Economic Development Strategy. Consequently, this initiative is not included in the current Financial Year reporting. We are committed to 27 Council Plan initiatives for 2024-25, all of which are on track for timely completion.

Key results to note this quarter

The following table identifies some of the key changes or trends that are reflected in the attached reports:

<p>LGPRF indicators showing improvement</p>	<ul style="list-style-type: none"> • Time taken to action food complaints • Time taken to action animal requests • Planning decisions upheld at VCAT • Missed Bins (per 10,000 collections)
<p>LGPRF indicators that were stable and remain high</p>	<ul style="list-style-type: none"> • Sealed roads maintained to standards • MCH 4 weeks KAS participation • MCH Infant enrolment
<p>LGPRF indicators that showed a decline</p>	<ul style="list-style-type: none"> • The percentage of planning application decisions made within the 60-day timeframe has dropped from 63% to 46.8%. • Animals reclaimed • Council decisions closed to public • Councillor attendance rate at Council meetings • Waste diverted from landfill
	<p>Customer Support after call survey</p> <p>Post call survey results continue to show stable satisfaction with professionalism, wait time & knowledge of Customer Support call takers.</p>
	<p>Waste Management service performance</p> <p>Waste management performance results continue to meet the organisation’s target, achieving a 96% service level for the quarter, the highest in the past four years.</p> <p>The ‘Missed Bins’ metric displayed continuous 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 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.</p>
	<p>Service request performance</p> <p>The share of incoming service requests, across the organisation, which were actioned and closed within service standard, sat at 80% for the quarter, lower than our target of 90%. The total number of incoming service requests increased by 18%, compared to the same time last year.</p> <p>A significant backlog of outstanding storm-related customer requests (Trees and Vegetation on Council or Public land) continues to impact the overall organisational request levels.</p>

	<p>Customers experience survey</p>	<p>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.</p> <p>We achieved a satisfaction score of 3.42 in quarter 1. The score is based on 153 responses received from 1,127 surveys sent.</p>
	<p>Unsealed Roads performance</p>	<p>The service level for unsealed road related requests this quarter was 96%, higher than the 90% target. There has been an increase in the number of unsealed road service requests received this year, compared to the same time last year.</p> <p>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).</p> <p>A total of 498 corrugation or pothole complaints requests were received in this quarter, and this is a 49% increase compared to the same time last year.</p>
	<p>Drainage service performance</p>	<p>The service levels achieved for drainage related requests this quarter was 79%. The decrease in drains cleared this month is due to training sessions for new and upskilling staff, and a reduced need for contractors in July and August. However, re-engaging contractors in September led to an increase in output.</p> <p>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).</p>
	<p>Customer Support performance</p>	<p>Customer Support performance improved this quarter. We met our revised target of answering 80% of calls within 90 seconds, achieving a service level of 81%. Additionally, under our previous target of answering 80% of calls within 300 seconds, we reached 95%.</p>

Growth and Residential development trends

The household growth rate in the Shire has rebounded to four households per calendar day for the current financial year. This quarter, the number of residential subdivision lot applications lodged was 3% higher compared to the same time last year. Conversely, the issuance of statements of compliance for residential lots has witnessed a decrease of 39% in comparison to same period last year. The number of building permits issued was 4% lower than the same time last year. Residential building completions was 10% higher than same time last year, with 337 residential building completions processed this quarter. The number of non-residential building completions processed is 25% lower than the same time last year. 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.

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.

During Q1 of 24/25 financial year 5 applications were lodged under various programs seeking a total of \$59,621,121. Of these applications none have so far been assessed and remain pending. There have been 1 unsuccessful and 3 successful applications from the 23/24 financial year totalling \$357,000 assessed in Q1.

Legislative Program

Council continues to monitor proposed legislation as Bills are introduced into parliament. The Local Government Amendment (Governance and Integrity) Act 2024 passed both houses of Parliament on 19 June receiving Royal Assent on 25 June. The legislation introduces a model Councillor Code of Conduct, mandatory annual professional development training for elected representatives, Mayor and Deputy Mayor training and strengthens 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.

The Victorian Independent Remuneration Tribunal made a Determination on 3 July providing for an annual adjustment of 3.5% to the values of allowances payable to Mayors, Deputy Mayors and Councillors.

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 6.

Cardinia Shire Council's Progress report was submitted to the Commission for Gender Equality in the Public Sector (CGEPs) in February 2024. Council has been deemed compliant for its workplace gender audit.

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 1 2024-25 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 Ross, seconded Cr Pomeroy.

That Council receives and notes the Performance and Growth Reports for Quarter 1 2024-25.

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Ross, Cr Nickell, Cr Kowarzik, Cr Roberts, Cr Potter and Cr Paton.

Against: Nil

Carried

8 Reports By Councillors

Cr Owen addressed Council by reporting on:

- Council's new delegate to the Cardinia Foundation and wished Cr Roberts all the best in that role. He acknowledged the generous contributions of Adam Sadiqzai to the Foundation.
- Mt Shamrock Quarry Environment Review Committee and commented on a recent announcement from Holcim.
- 40th Anniversary Year Upper Beaconsfield Cricket Club celebration following the recommencement of the Club following Ash Wednesday.

Cr Thomsen addressed Council by reporting on:

- Pakenham Carols and commented on the huge success of this event.
- Lakeside Resident Group Christmas event at Dragon Park.
- Opening of Officer District Park this week.

Cr Potter addressed Council by reporting on:

- Comely Banks Recreation Reserve, Officer where the Pakenham Eels hosted the Melbourne Storm team, and commented that it was inspiring to see the young players see their hero's.
- Opening of the Officer SES facilities.
- Cardinia Creative Community, Officer event to celebrate their 1 Year Anniversary which showcased cultural diverse and inter-generational local talent.
- Good Choice Youth Awards and shared that all the nominees were inspiring.
- Pakenham Library hosted an event for 16 days of activism against family violence including an inspirational presentation from Australian of the Year 2015, Rosie Batty.
- Officer & District Annual General Meeting (AGM) and shared that they are looking for new members.

Cr Roberts addressed Council by reporting on:

- Multicultural Advisory Committee, members changeover meeting.
- Women's Friendship Café catchup.
- Cardinia Foundation and commented that she is looking forward to representing Council on the Foundation.

Cr Pomeroy addressed Council by reporting on and recognising the volunteers in the community, that she has been attending many AGMs and Christmas festivals across the Shire. Cr Pomeroy gave a particular shoutout to Nar Nar Goon, Bunyip, Garfield and Tynong for holding community Christmas celebrations.

Cr Ross addressed Council by reporting on:

- Pakenham Carols
- Pakenham Parkrun
- Leadership Graduation Program
- Good Choice Youth Awards and highlighted one of the nominee's achievements.

Moved: Cr Ross, seconded: Cr Thomsen

That Cr Ross be granted additional speaking time.

- Council Citizenship Ceremony, which is a really exciting event.
- Council Bus Tour and commented that Councillors were shown various sites throughout the Shire.

Cr Paton addressed Council by reporting on:

- Volunteering and how impressed she has been with the level throughout the Shire.
- Koo Wee Rup Menshed and applauded the work they do.
- Remembrance Day celebrations across the Shire.
- Koo Wee Rup RSL and promoted the Museum that includes many war memorial items.
- Council Bus Tour
- Opening of the newly constructed Koo Wee Rup Bowls Club.
- Lang Lang & District Business Community Group and applauded the work they do in the community.

Cr Nickell addressed Council by reporting on:

- Community Volunteers putting together a community Christmas carols event.
- Risk & Audit Committee Meeting and acknowledged outgoing member for their service, Michael Said.

9 Presentation Of Petitions

Nil

10 Notices Of Motion

10.1 Notice of Motion 1108 - Cr Paton

Motion

I hereby give notice of my intention to move the following motion at the Council Meeting to be held at 7.00pm on Monday 16 December 2024:

That Council:

1. Confirms in principle support for the Riding for the Disabled Association of Victoria (RDAV) to be granted a 20 year lease for its use of 775 Five Mile Road Pakenham.
2. Commences community engagement under section 115 of the Local Government Act 2020 for this lease, noting that the community engagement would not occur over the Christmas and New Year period.
3. Requests a report be brought to Council, at the earliest possible date, with the results of the community engagement and recommendation delivered in time for a Motion to be put to the Council Meeting in March 2025.

Resolution

Moved Cr Paton, seconded Cr Cr Owen.

That Council:

1. Confirms in principle support for the Riding for the Disabled Association of Victoria (RDAV) to be granted a 20 year lease for its use of 775 Five Mile Road, Pakenham.
2. Commences community engagement under section 115 of the *Local Government Act 2020* for this lease, noting that the community engagement would not occur over the Christmas and New Year period.
3. Requests a report be brought to Council, at the earliest possible date, with the results of the community engagement and recommendation delivered in time for a Motion to be put to the Council Meeting in March 2025.

For: Cr Thomsen, Cr Pomeroy, Cr Owen, Cr Ross, Cr Nickell, Cr Kowarzik, Cr Roberts, Cr Potter and Cr Paton.

Against: Nil

Carried

11 Urgent Business

Nil

12 Councillor Questions

Nil

13 Mayoral Minute

The Mayor, Cr Kowarzik acknowledged the momentous occasion of celebrating 30 years of Cardinia Shire Council. The Mayor, provided some reflections on how the community has adapted, grown and thrived in the face of both opportunities and challenges over the past three decades.

The Mayor shared that one of the important items for next year, will be for the elected Councillor group to come together to begin to shape the next 4 years of Council's direction, with the development of a new Council Plan. He further added that contribution and feedback from a variety of members from the community will be the best way to achieve a well-rounded Plan, he encouraged everyone to get involved, to shape the future of our community.

The Mayor closed his comments by thanking everyone for their hard work, resilience, and collaboration throughout the year and to take care over the Christmas period.

14 Confidential Business

Nil

15 Meeting Closure

Meeting closed at 9.37pm.

Minutes confirmed
Chairperson