



Cardinia

MINUTES OF GENERAL COUNCIL MEETING

MONDAY, 15 MAY 2017

MINUTES OF GENERAL COUNCIL MEETING

held in the Council Chambers, 20 Siding Avenue, Officer
on Monday, 15 May 2017

The meeting commenced at 7pm

PRESENT: Mayor, Brett Owen, Chairman

Councillors Michael Schilling, Carol Ryan, Collin Ross, Jodie Owen, Graeme Moore, Ray Brown, Jeff Springfield, Leticia Wilmot

Messrs Garry McQuillan (CEO), Derek Madden (GMCS), Andrew Paxton (GMPD), Jenny Scicluna (GMCWB), Andrew Barr, (Acting GMIS), Sharon Voltan (EA GMCS).

OPENING PRAYER

Almighty God we humbly request that you bestow your blessings upon this Council, direct and prosper our deliberations to the advancement of your glory and to the betterment of the peoples of Cardinia Shire. Amen.

The Mayor welcomed to the meeting Emily Bloxidge, Young Citizen of the Year and her father Mr Brad Bloxidge. The Mayor also acknowledged the support given to Emily by her parents.

ACKNOWLEDGEMENT OF TRADITIONAL LANDOWNERS

The Cardinia Shire Council respectfully acknowledged that we are on the traditional land of the Bunurong and Wurundjeri people.

APOLOGIES: Mike Ellis (GMAS), Doug Evans (MG)

CONFIRMATION OF MINUTES OF MEETINGS

Moved Cr J Owen Seconded Cr R Brown

THAT MINUTES OF THE FOLLOWING MEETINGS BE CONFIRMED-

- General Council Meeting 24 April 2017
- Town Planning Committee 1 May 2017

Cd.

DECLARATION OF PECUNIARY AND OTHER INTERESTS

Nil.

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TOWN PLANNING**1 ADOPTION OF PLANNING SCHEME AMENDMENT C215 (CARDINIA WESTERN PORT GREEN WEDGE MANAGEMENT PLAN)**

FILE REFERENCE INT1729596

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Brooke Templeton

RECOMMENDATION

That Council:

1. Adopt the modified Amendment C215 to the Cardinia Planning Scheme under Section 29 of the Planning and Environment Act 1987 and submit the Amendment to the Minister for Planning for approval under Section 31 of the Planning and Environment Act 1987
2. Adopt the changes made to the Cardinia Western Port Green Wedge Management Plan (May 2017)

Attachments

1	Planning Scheme Amendment C215 documents	55 Pages
2	Cardinia Western Port Green Wedge Management Plan (May 2017)	95 Pages
3	Panel report - Cardinia Planning Scheme Amendment C215 (23 March 2017)	38 Pages

EXECUTIVE SUMMARY:

Planning Scheme Amendment C215 implements the findings of the *Cardinia Western Port Green Wedge Management Plan (May 2017)* in order to improve policy control for the management and protection of the Cardinia portion of the Western Port Green Wedge. The Amendment was placed on exhibition from Thursday 1 September 2016 until Monday 3 October 2016 and 26 submissions were received. As there were unresolved submissions to the Amendment, on 12 December 2016, Council resolved to request that the Minister for Planning appoint an independent Planning Panel to consider all of the submissions received.

The Panel hearing was held on Tuesday 7 March 2017 at Cardinia Shire Council. On 24 March 2017, the Panel Report was received with a number of minor recommended changes to the Amendment as well as to the *Cardinia Western Port Green Wedge Management Plan (May 2017)*.

In addition to the recommendations by the Panel, a number of other minor changes have been made in response to recently amended State Planning Policy undertaken by the Victorian Government as a result of the recently released *Plan Melbourne 2017 - 2050*.

Officers support the Panel's recommendations and in response to this, minor changes have been made to the Amendment documents, as well as the *Cardinia Western Port Green Wedge Management Plan (May 2017)*.

BACKGROUND:

The *Cardinia Western Port Green Wedge Management Plan (May 2017)* (the management plan) was adopted by Council in July 2016 and since this time, work has progressed in order to implement key elements of the management plan through a proposed policy, which occurred through the exhibition of Cardinia Planning Scheme Amendment C215.

The Amendment was placed on exhibition from Thursday 1 September 2016 until Monday 3 October 2016 with 26 submissions received. Four (4) submissions were in support and 22 submissions sought changes to the Amendment, with no submissions directly opposing the Amendment. A number of the changes requested were made, however, not all of the changes sought were able to be accommodated for various reasons.

As there were a number of unresolved submissions, at the 12 December 2016 General Council Meeting, Council resolved to refer all submissions received for consideration to an independent Planning Panel, to be appointed by the Minister for Planning.

THE PANEL REPORT

The Panel hearing for Planning Scheme Amendment C215 was held on 7 March 2017 at Cardinia Shire Council with Council and six submitters requesting to be heard. The Panel report was provided to Council and released to the public on 31 March 2017.

The Panel report provides the following minor recommended changes:

The Panel recommends that Amendment C215 to the Cardinia Planning Scheme be adopted with the changes as shown in the amended version of clause 22.05 attached as Appendix B to this report, subject to the following further changes:

- *Amend the wording in Table 1 of clause 22.05 to clarify what is meant by “along the UGB”.*
- *Amend any plans in the local policy or municipal strategic statement to remove the location of the ‘future airport’, or include a note making it clear that the location shown is indicative only.*
- *Amend the drafting of clause 22.05 to remove the word “must” and better distinguish between policy guidance and application requirements.*

Further recommendations

The Panel makes the following recommendations for further work outside the scope of the Amendment:

- *Council should seek advice from the Department of Environment, Land, Water and Planning on the merits of preparing township strategies for Nar Nar Goon, Tynong and other green wedge settlements that at least provide guidance for infill development on existing residential land.*
- *Council should amend the Cardinia Western Port Green Wedge Management Plan as required to include the changes tabled at the Panel Hearing, with further changes to ensure consistency with the final form of the Amendment.*

The Amendment documents have been updated to reflect these recommendations which have resulted in only minor changes. As a separate process, the matter of the growth of the green wedge settlements will be raised with the Department of Environment Land Water and Planning (DELWP) (including a number of other matters) in response to the recently released *Plan Melbourne (2017 - 2050)*.

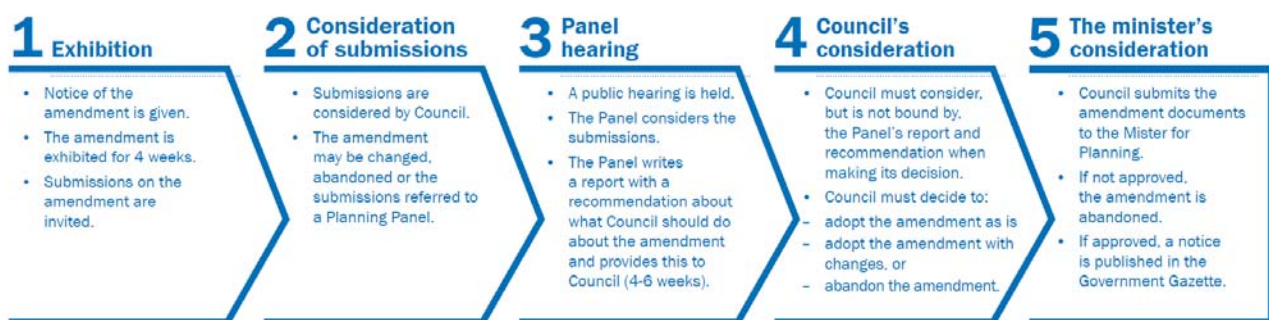
Changes to the management plan

The management plan has been updated to reflect these recommendations which have resulted in only minor changes. In addition to those recommended by the Panel, the following changes have also been made in response to recently amended State Planning Policy, undertaken by the Victorian Government:

- Updates to reflect the recently refreshed version of *Plan Melbourne 2017-2050* and revised State Planning Policy Framework (SPPF)
- Amendment from the Metropolitan Planning Authority (MPA) to the Victorian Planning Authority (VPA) to appropriately address their name change.

Next steps

We are at the final **Stage 5** of the Planning Scheme Amendment Process as detailed below in Figure 1.



If Council resolves to adopt the Amendment, officers will prepare the final documents and submit these to the Minister for Planning for approval (Stage 5). Approval timeframes of the Amendment cannot be confirmed and are subject to process undertaken by DELWP.

POLICY IMPLICATIONS

Plan Melbourne Metropolitan Planning Strategy 2017 - 2050

Plan Melbourne is the Metropolitan Planning Strategy for Melbourne and sets the vision for and guides Melbourne's growth through to the year 2050. It identifies the importance of properly managing green wedge areas so that valued features and attributes are protected to avoid irreversible land use change and support their ongoing productivity. This will be achieved through localised planning statements, protecting extractive resources, protecting agricultural land and supporting agricultural production and maintaining a permanent Urban Growth Boundary around Melbourne. This will provide a clear policy signal about long-term development options and protect the values of non-urban land.

The relevant directions and initiatives of *Plan Melbourne* are as follows:

- **Direction 1.4 – Support the productive use of land and resources in Melbourne's non-urban areas**

Policy 1.4.1 - *Protect agricultural land and support agricultural production*

Policy 1.4.2 - *Identify and protect extractive resources (such as stone and sand) important for Melbourne's future needs*

- **Direction 2.1 - Manage the supply of new housing in the right locations to meet population growth and create a sustainable city**

Policy 2.1.1 - *Maintain a permanent urban growth boundary around Melbourne to create a more consolidated, sustainable city*

- **Direction 4.5 - Plan for Melbourne's green wedges and peri-urban areas**
 Policy 4.5.1 - *Strengthen protection and management of green wedge land*
 Policy 4.5.2 - *Protect and enhance valued attributes of distinctive areas and landscapes*
- **Direction 6.3 Integrate urban development and water cycle management to support a resilient and liveable city**
 Policy 6.3.1- *Reduce pressure on water supplies by making the best use of all water sources*
 Policy 6.3.3 - *Protect water, drainage and sewerage assets*
- **Direction 6.5 - Protect and restore natural habitats**
 Policy 6.5.3 - *Protect the coastlines and waters of Port Phillip Bay and Western Port*

State Planning Policy Framework (SPPF)

The directions of *Plan Melbourne* are reflected in policy contained in the State Planning Policy Framework (SPPF) of the Cardinia Planning Scheme.

Clause 9 Plan Melbourne of the SPPF requires consideration of *Plan Melbourne*.

Clause 11.06 Metropolitan Melbourne also requires the consideration of Plan Melbourne and sub Clause 11.06-4 Place and identity identifies the strategy to *strengthen the protection and management of green wedge land*. Sub Clause 11.06-7 Green wedges has the objective to *protect the green wedges of Metropolitan Melbourne from inappropriate development*. The relevant strategies are as follows:

- *Ensure strategic planning and land management of each green wedge area to promote and encourage its key features and related values.*
- *Support development in the green wedge that provides for environmental, economic and social benefits.*
- *Consolidate new residential development within existing settlements and in locations where planned services are available and green wedge area values can be protected.*
- *Plan and protect major state infrastructure and resource assets that serve the wider Victorian community, such as airports and ports with their associated access corridors, water supply dams and water catchments and waste management and recycling facilities.*
- *Protecting important productive agricultural areas such as Werribee South, the Maribyrnong River flats, the Yarra Valley, Westernport and the Mornington Peninsula.*
- *Support existing and potential agribusiness activities, forestry, food production and tourism.*
- *Protect areas of environmental, landscape and scenic value such as biodiversity assets, national and state parks, Ramsar wetlands and coastal areas.*
- *Protect significant resources of stone, sand and other mineral resources for extraction purposes.*

Clause 12.01 Biodiversity seeks to protect biodiversity and Clause 12.01-2 Landscapes seeks to improve the landscape qualities, open space linkages and environmental performance in green wedges and non-urban areas. 12.02 Coastal areas seeks to enhance and encourage sustainable use of coastal areas. Climate change impacts and coastal inundation and erosion are addressed in Clause 13 Environmental Risks.

Clause 14 Natural Resource Management is also of relevance and sub clause 14.01-1 Protection of agricultural land of which the objective is to protect productive farmland which is of strategic significance in the local or regional context.

Sub Clause 14.01-2 Sustainable agricultural land use seeks to encourage sustainable agricultural land use.

Sub Clause 14.02-2 Water quality is also of relevance of which the objective is *to protect water quality*.

Local Planning Policy Framework (LPPF)

The Cardinia Municipal Strategic Statement (MSS) includes as further strategic work to *prepare Green Wedge Management plans for the three green wedges in conjunction with the relevant councils and government departments*.

Clause 21 of the Cardinia Planning Scheme identifies a number of key issues in relation to the protection of the green wedge, the importance of biodiversity values, the environmental, agricultural and landscape values of the green wedge and the importance of protecting these.

The Municipal Strategic Statement (MSS) provides the vision for land use planning and development within Cardinia Shire and identifies the following in relation to the green wedge. Clause 21.01 Cardinia Shire key issues and strategic vision identifies that a key influence within the shire is urban growth, including urban pressures on the rural hinterland and management of green wedge areas. The following relevant key issues are identified:

- *The protection of environmentally significant areas including the northern hills and the Western Port coast.*
- *The protection and management of biodiversity.*
- *The protection of the Koo Wee Rup swamp area which contains important groundwater reserves and horticultural soils in the Western Port basin.*
- *The management of urban growth, including urban pressures on the rural hinterland.*
- *The protection and sustainable use of agricultural land.*

Western Port is also identified as a major landscape feature within the shire.

Clause 21.02 Environment identifies that the majority of Cardinia Shire is located within the Western Port catchment, which includes a Ramsar wetland. Of relevance is sub Clause 21.02-2 Landscape of which the objective is *to recognise and protect the diverse landscape and areas of significant landscape value*. It identifies the following relevant key issues:

- *Protecting significant landscapes, including the protection of the specific features of each landscape.*
- *Recognising that the landscape is an important element in the sustainable development of tourism in the municipality.*
- *Recognising the pressures to develop land in locations of high scenic value.*

Clause 21.02-3 Biodiversity identifies the diverse environment that is Cardinia Shire. The objective is to achieve a net gain in the quantity and quality of native vegetation in the municipality.

Clause 21.04 Economic development is also of relevance.

The objective of sub Clause 21.04-2 Agriculture is to *maintain agriculture as a strong and sustainable economic activity within the municipality*. The following key issues are also identified:

- *Maintaining and protecting high value of agricultural land within the municipality.*

- *Protecting productive agricultural land from incompatible uses and inappropriate development and subdivision, including non-soil based farming on lands with high soil quality.*
- *Accessing sustainable water supplies for agricultural activities.*
- *Recognising the impact of intensive farming on surrounding uses.*
- *Developing Green Wedge Management Plans to fulfil statutory, strategic, environmental, economic and social requirements.*

Further strategic work is identified in this clause and requires the preparation of Green Wedge Management plans for the three green wedges in conjunction with the relevant councils and government departments.

Clause 21.03 Settlement and housing provides guidance in relation to rural townships and identifies that setting clear limits for development of the townships and designing with regard to the surrounding unique characteristics of the townships as key issues.

Clause 22.02 Sand extraction – Lang Lang to Grantville region identifies that this region 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 objective of this clause is to *protect sand resources in the Lang Lang – Grantville area and to provide for the extraction of these resources and rehabilitation of sites in a manner which protects the significant environmental, social and economic values of the area.*

Particular provisions

Clause 57 Metropolitan Green Wedge Land is also of relevance and seeks to (inter alia) *protect green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values.* Further, it also seeks to *protect productive agricultural land from incompatible uses and development.*

Clause 57 Metropolitan Green Wedge Land applies to land outside of the UGB (unless otherwise specified). The purpose of this clause is to:

- *Protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values.*
- *To protect productive agricultural land from incompatible uses and development.*
- *To ensure that the scale of use is compatible with the non-urban character of metropolitan green wedge land.*
- *To encourage the location of urban activities in urban areas.*

The clause also provides for additional controls on uses on green wedge land above and beyond those authorised under the other zones that make up the green wedge.

Preparing a Green Wedge Management Plan – Planning Practice Note 31

The Victorian Government have prepared a series of practice notes on the operation of the Victorian Planning Provisions, planning schemes as well as a range of planning processes and topics.

Planning Practice Note 31 has been prepared to help guide the preparation of green wedge management plans and outlines the general requirements that should be met in the preparation of the document.

The *Cardinia Western Port Green Wedge Management Plan (May 2017)* has been prepared in accordance with this practice note and responds appropriately to all of the policy outlined above.

RELEVANCE TO COUNCIL PLAN

The following relevant key challenges within the 2016 - 17 Council Plan have been identified:

Managing the natural and built environment, including climate change

- The quality of our natural and built environments affects our communities. They must be developed and managed in a way that contributes to the health and safety of present and future generations.
- Existing natural environmental values such as biodiversity and waterways need to be protected and improved.
- Climate change is affecting our agricultural areas, community health, parks and recreational facilities.

Supporting and increasing agricultural productivity

- With the majority of Cardinia Shire's land being rural, the hills and southern rural regions are important to the economy at a local and national level.
- Council needs to protect and strengthen these areas, and recognises that agriculture is facing pressure from the changing world economy, changing climate and other environmental conditions, as well as the demands of development and the ageing of our farming community.
- Council will take up every opportunity to enhance agricultural production particularly in the southern rural region (Bunyip Food Belt) by using recycled water from the Eastern Treatment Plant at Carrum.

Objectives

Section 3 Our environment:

- The objective is *we will continue to continue to plan and manage the natural and built environment for present and future generations.*
- Action 3.5.4 of the Council Plan seeks to ensure that *the planning of rural (green wedge) areas protects and enhances important agricultural, environmental, natural resource, infrastructure and recreational values.*

Section 4 Our economy:

- The objective is *we will create and support local employment and business opportunities for our community and the wider region.*

Section 4.2 Maintain strong agricultural activities:

- In order to achieve the above, the following actions are listed:
- *4.2.1 Support our farmers and growing agricultural industry in adapting to the changing economy and climate.*
- *4.2.2 Identify innovative ways to value add to the region's primary production and transportation.*
- *4.2.3 Advocate for the development of roadways to value add to the region's primary production and transportation.*

CONSULTATION/COMMUNICATION

All submitters have received email notification of the release of the Panel report and also notified of this General Council Meeting agenda.

FINANCIAL AND RESOURCE IMPLICATIONS

The adoption of the *Cardinia Western Port Green Wedge Management Plan (May 2017)* and the inclusion of the proposed local planning policy Clause 22.05 Western Port Green Wedge provides a policy framework to assist with future land use and development applications in the green wedge. It also provides a sound policy framework to assist Council planners when assessing and making decisions on applications in the green wedge.

CONCLUSION

The changes made to the Amendment and supporting management plan as recommended by the Panel and those made in response in relation to recent State Policy Planning Policy are minor and administrative in nature and ensure that the Amendment and management plan are up to date and are sound planning documents.

The approval of Amendment C215 provides Council with a clear policy position on the protection and management of the green wedge, that will assist in the assessment of use and development planning permit applications. Therefore, it is recommended that Council resolve to adopt Amendment C215 to the Cardinia Planning Scheme under Section 29 of the Act and submit to the Minister for Planning for approval under Section 31 of the Act.

1 ADOPTION OF PLANNING SCHEME AMENDMENT C215 (CARDINIA WESTERN PORT GREEN WEDGE MANAGEMENT PLAN)

Moved Cr G Moore Seconded Cr J Owen

That Council:

1. Adopt the modified Amendment C215 to the Cardinia Planning Scheme under Section 29 of the Planning and Environment Act 1987 and submit the Amendment to the Minister for Planning for approval under Section 31 of the Planning and Environment Act 1987
2. Adopt the changes made to the Cardinia Western Port Green Wedge Management Plan (May 2017)

Cd.

GENERAL REPORTS**2 DECLARATION OF PROPOSED SPECIAL CHARGE SCHEME FOR CONSTRUCTION OF INFRASTRUCTURE TO SERVICE HILL, O'SULLIVAN AND PEET STREETS' INDUSTRIAL AREA, PAKENHAM**

FILE REFERENCE INT1729616

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Andrew Barr

RECOMMENDATION

That Council having considered the submissions as circulated, minutes and recommendations dated 11 April 2017 from the Committee of Councillors appointed to consider submissions pursuant Section 223 of the Local Government Act 1989 in relation to the proposed Hill, O'Sullivan and Peet Streets Industrial Area Special Charge Scheme:

1. Adopt the recommendations of that Committee as set out in Attachment 5 and advise the three submitters accordingly;
2. Refer the growing traffic congestion in Bald Hill Road for investigation and request VicRoads to expedite its planned improvements to Koo Wee Rup Road and the Bald Hill Road intersection;
3. Endorse the draft designs, estimates of cost and specifications generally describing the infrastructure services including sealed roads, intersections (including the Peet Street service road/intersection with Koo Wee Rup Road and the Bald Hill Road intersections with O'Sullivan and Hill Streets), kerb & channel, reticulated water and sewerage services, underground drainage, underground electricity, street lighting and telecommunications required to service land within the O'Sullivan – Hill – Peet Streets Industrial Area but excluding widening and kerb & channel in Bald Hill Road and footpaths all as set out in the estimate in Attachment 3 and authorise the General Manager Assets and Services to adjust those plans as necessary to facilitate construction of these works and services;
4. Confirm adoption of the proposed area of the scheme and method of apportionment set out in Attachments 2 and 4 respectively;
5. Declare a special charge in accordance with Section 163 of the Local Government Act, 1989 ('the Act') as follows:
 - a. A special charge is declared for a period until the works have been completed and the scheme finalised.
 - b. The special charge be declared for the purposes of defraying any expenses incurred by Council in relation to the construction, project management, administration, survey, review of engineering designs, land acquisition, authority approvals and charges for provision of infrastructure services to the properties enclosed by bold black line on the Plan including construction of:
 - i. Hill, O'Sullivan and Peet Streets and Koo Wee Rup Road service road and associated intersections including engineered fill, pavements, kerb & channel, underground drainage and seal;
 - ii. The Peet Street - Koo Wee Rup Road intersection to VicRoads design requirements;
 - iii. Drainage services compliant with Melbourne Water's Deep Creek South Drainage Scheme;
 - iv. Underground electricity supply;
 - v. Reticulated water supply and sewerage compliant with South East Water's servicing requirements;
 - vi. Reticulated gas and telecommunications supply infrastructure; and
 - vii. Associated ancillary works;

as described in Attachment 3 of this report, the works Council considers is, or will be of special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this resolution);

- c. The special benefit accruing to those properties to be levied is considered to include:
 - i. Improved drainage including provision of legal points of discharge and lessened flooding of properties;
 - ii. Improved access including sealed all-weather access, lessened mud, dust, and potential vehicle damage;
 - iii. Improved access to utility services including electrical, water supply, sewerage services and / or communications;
 - iv. Increased subdivisional and development opportunity for all properties to be levied;
- d. The following be specified as the area for which the special charge is declared;
 - i. all those properties described in Attachment 4 of this report and shown enclosed by the bold black line on the attached Plan. (Attachment 2 of this report).
- e. The following be specified as the land in relation to which the special charge is so declared;
 - i. all properties described in Attachment 4 of this declaration.
- f. The following be specified as the criteria which form the basis of the special charge so declared;
 - i. those properties fronting, abutting, adjacent or capable of being serviced by the works;
- g. The following be specified as the manner in which the special charge so declared will be assessed and levied;
 - i. Costs for each property shall be apportioned on the basis of:
 - The relative development potential considered to be released by this scheme proceeding comprising a factor of 1.0 where a property is considered to be already sufficiently serviced with road access, water, sewerage and electrical services to be developed in isolation or a factor of 2.0 where that is considered not to be the case;
 - The estimated cost attributable to the construction of each type of infrastructure;
 - The extent to which each property is considered to be serviced by each type of new infrastructure;
 - The area of each property;
 - The 'apportionable length of abuttal' to the new road comprising length of frontage and rear abuttal and 30% of any side abuttal;
 - ii. With the cost of providing each type of infrastructure being distributed to the relevant properties in proportion to:
 - Road Construction – the estimated construction cost apportioned 20% in proportion to area and 80% in proportion to the apportionable length of abuttal with the area and apportionable length of abuttal weighted by the relevant development potential factor;
 - Water Supply, Sewerage, Electrical and Communications Services – the estimated cost of providing each service being separately distributed in proportion to the area of each lot deemed to benefit from that service weighted by the relevant development potential factor;
 - Drainage – the estimated construction and outfall fee costs being distributed 80% in proportion to the sum of the approximate area of the lot receiving discharge benefits and approximate area of the lot receiving protection benefits from the works and 20% in proportion to the area of lots attracting a development potential factor of 2.0 units but subject to exemption for those portions of properties that have previously paid the full Melbourne Water Corporation levy toward the Deep Creek South Drainage Scheme;
 - iii. the special charge will be levied by sending a notice to the person who is liable to pay, pursuant to section 163 (4) of the Local Government Act 1989.
- h. The total cost of the works is the amount shown in Attachment 3 of this report estimated at \$10,298,823.95.
- i. The total amount of the special charge to be levied is the amount shown in Attachment 4 of this report estimated at \$10,298,823.95.
- j. Having regard to the preceding parts of this resolution but subject to Sections 166 (1) and 167(6) of the Local Government Act 1989, it be recorded that;

- i. the owners of the land described in columns 1, 2 and 3 of the table in Attachment 4 are estimated liable for the respective amounts set out in column 4 of the table; and
 - ii. such owners may, subject to any further resolution of Council pay the special charge in the following manner:
 - The charge will become due and payable within one month of the issue of the notice requesting payment pursuant to Section 167 (3) of the Local Government Act 1989.
 - The charge may be paid by:
 - lump sum within one month after the issue of the notice without incurring interest, or
 - instalments of principal and interest over a period of four years comprising:
 - Year 1 – Four equal quarterly instalments of principal and interest calculated to repay 70% of the special charge including accumulated interest;
 - Years 2 to 4 – Quarterly instalments of principal and interest to repay the outstanding balance;
 - Interest will not be charged for three months after the issue of the notice provided the person liable makes timely payment in accordance with the repayment arrangements that may be agreed on by Council.
 - In accordance with Sections 167(6)(b) and 172 of the Act, the rate of interest which is payable on instalments is set at the 180 day dealer bill rate as published in the Australian Financial Review plus 3.3 percent which is considered to be equal to Council's borrowing rate plus one percent and reviewed every three months (provided that it shall not exceed the rate fixed by the Governor in Council by Order for the purposes of Section 172 (2A) in which case the rate of interest shall be the maximum rate fixed by the Governor in Council by Order for the purposes of this section).
 - k. There are no incentives for prompt payment, rebates or concessions associated with this special charge; and
6. Authorise the General Manager Assets and Services to acquire the required land including easements as necessary to enable construction of the works as set out in the endorsed plans as may be adjusted to facilitate construction of these works and services

Attachments

1	Process chart	1 Page
2	Plan of scheme area	1 Page
3	Estimate of cost and description of works	2 Pages
4	Apportionment table	1 Page
5	Confidential minutes and recommendations of Committee of Councillors circulated to councillors only	2 Pages
6	Letters of objections circulated to councillors only	5 Pages

EXECUTIVE SUMMARY

This report seeks to have a Special Charge Scheme declared to fund construction of infrastructure to service the O'Sullivan – Hill – Peet Streets Industrial Area, Pakenham (refer Attachment 1 and Attachment 2) In general terms this infrastructure includes construction of Hill, O'Sullivan and Peet Streets and the Peet Street / Koo Wee Rup Road intersection and service road to industrial standards, and underground drainage, underground electricity, water, sewerage and communications infrastructure to service this old partly serviced estate.

This Scheme follows the Design Scheme reaching the stage where plans and estimates of cost are sufficiently developed to enable the Construction Scheme to be prepared. The design scheme remains to be finalised once the plans and approvals are completed ready for construction. Plans and approvals cannot be finalised until immediately prior to construction.

Much of this estate remains undeveloped and is beyond the ability of the existing landowners to coordinate its development. Landowners have requested Council to facilitate its development via a special charge scheme so costs are fairly shared. The scheme provides for landowners to meet the full cost consistent with other commercial developments.

The total project cost is estimated to be \$10,298,823.95. It is intended individual properties only contribute to infrastructure from which they will directly benefit. It is proposed to distribute costs for each service across the properties deemed to benefit by provision of that service, generally on the basis of relative area. A weighting is also proposed to reflect the additional benefit received by those properties that are otherwise very difficult to develop (and are presently undeveloped).

Proposed contributions range from \$410 for those few properties only receiving access to upgraded telecommunications services to \$1.882 million for the largest property that currently has no services or access. These larger properties are owned by 'developers' wishing to develop and subdivide their land as a commercial venture but are currently not able to proceed because it is not viable to do so individually. Attachment 3 sets out the proposed contributions for each property.

Four separate meetings were held and a land owner survey was conducted in April 2016 prior to commencing the statutory consultation process to implement a special charge scheme to construct the works. Survey responses yielded a reasonable level of support with owners of 20 of the 32 individual titles, responsible for approximately 90% of the project cost, supporting construction of the works.

Three objections and submissions were received in response to Council's statutory notice of intention to declare the special charge relating to 9 of the 37 affected rateable properties. These 9 properties would be responsible for 2.9% of the scheme levy and comprise 7.5% of the affected land area.

The appointed Committee of Councillors has considered all three submissions noting that objections were received from less than 50% of rateable properties proposed to be levied so that the scheme may therefore proceed. In short, the submissions alleged the distribution of costs are unfair, some properties will not receive special benefit, Council should contribute as they believe the works will provide community benefit, they have already provided services so should not be levied and contributions would be better sought via developer levies. The Committee has considered all three submissions and the issues raised in them and considers the scheme to be fairly structured and compliant with the legislative requirements. It should therefore proceed without modification.

This report concludes Council may proceed to implement the special charge scheme to fund construction of infrastructure to service the Hill, O'Sullivan and Peet Streets Industrial Area and declare the special charge.

BACKGROUND

The purpose of this report is to declare a special charge to fully fund construction of infrastructure to service the O'Sullivan – Hill – Peet Streets Industrial Area, Pakenham as shown on the Plan in Attachment 2. This is an old estate subdivided prior to subdividers being required to provide basic services and much of the estate remains without trafficable roads and constructed drains, electricity, water supply and sewerage infrastructure rendering the land virtually incapable of being used.

Ownership of the land is considered too fragmented for any one land owner to properly coordinate development of the area. The high costs of providing services by the first landowner to develop

their land and the free ride afforded to later adjoining property owners has and continues to stymie development of the area.

Consequently, several of the landowners requested Council employ its Special Rate and Charge powers to co-ordinate construction and fairly distribute the cost of these essential infrastructure works between all benefiting landowners on an equitable basis.

In view of the significant up-front cost to prepare designs and cost estimates, Council resolved to approach this project via two Special Charge Schemes comprising:

- Scheme 1 – To prepare designs, specifications and estimates of cost to fully service the area; and
- Scheme 2 – A subsequent scheme to construct the infrastructure to service the area.

The first scheme is sufficiently progressed to provide adequate design plans, specifications and estimates of cost enabling the second scheme to be prepared and presented. The first scheme cannot be finalised as the plans, specifications and agreements involving the service authorities cannot be finalised more than 2-3 months before construction commences. This is because service authority approvals will lapse. It is therefore proposed to finalise the first scheme closer to the time of construction and when plans, specifications and public authority agreements are finalised.

The scheme encompasses an area of 32.7 ha of industrial land containing 32 titles comprising 37 rateable properties. Works comprise construction of Hill, O'Sullivan and Peet Streets together with servicing infrastructure as shown within the bold black line on the Plan in Attachment 2 including sealed roads, intersections, kerb & channel, reticulated water and sewerage services, underground drainage, underground electricity, street lighting and telecommunications. The estimated cost of constructing this infrastructure is \$10,298,823.95.

A special charge may be levied on properties deriving 'special benefit' from proposed works to offset those costs. Many of these properties are already partly supplied with these services however none are fully serviced. These properties will receive varying degrees of special benefit from the supply of additional services. In accordance with principles established by VCAT, it is also not necessary for these property owners to avail themselves of the 'special benefit' to be deemed to be in receipt of it.

In the case of Scheme 2 (construction scheme), it is considered that these properties will receive special benefit to varying degrees including special benefit in terms of:

- Provision of sealed all-weather access or improved access to the land including dust and mud reduction;
- Improved access including additional alternative access to and from Koo Wee Rup Road;
- Provision of reticulated water supply and / or sewerage services or improved access to those services;
- Access to or improved access to the electricity supply grid via an underground high voltage and low voltage supply and associated amenity benefits;
- Provision of street lighting and associated security and access improvements;
- Provision of proper drainage providing improved protection from flooding and / or ability to legally concentrate drainage discharges within approved limits without risk of litigation;
- Exemption from further contributions to Melbourne Water Corporation's Deep Creek South Drainage Scheme in the event of further development of the site;
- Provision of access to broadband telecommunications infrastructure (National Broadband Network);
- Provision of all services (reticulated water, sewerage, electricity and communications infrastructure, outfall and local drainage and fully constructed sealed roads) at more economical cost as part of a group scheme than if undertaken individually by any one landowner; and

- Improved amenity, economic development opportunities and property values.
- Contributions for the works have been assessed on a service by service basis. This involved the estimated costs of constructing each proposed infrastructure service (i.e. road, drainage, water, sewerage, electricity and telecommunications...etc.) being distributed between the properties receiving benefit, apportioned on the basis of area and weighted by a factor reflecting the improved development potential realised if this scheme proceeds. Consequently, contributions vary considerably depending on what services individual properties derive a benefit from, the property's size/portion of the property benefitting and its ease and ability to be developed separate to this scheme (it is not viable to develop some properties in isolation to this scheme due to the high initial cost of bringing services in). Apportioned costs are set out in Attachment 4 - Apportionment Table together with a more detailed description of the apportionment methodology applied for each service provided to each property.

Council resolved to give notice of its intention to declare the special charge for scheme 2 (construction scheme) at its 21 February 2017 to commence the statutory process. Notices were subsequently issued to all affected landowners and ratepayers resulting in three submissions and objections as follows:

	Objections and Submissions	Total No	% Objecting
Titles	3	32	9.7%
Rateable Properties	9	39	23.1
Special Charge	\$303,000	\$10,298,823.95	2.9%
Proportion of Area	2.46 ha	32.66 ha	7.5%

This report deals with those submissions and objections received through the formal consultation process and seeks to have Council declare the special charge to fund construction of infrastructure to service the O'Sullivan - Hill - Peet Street Industrial Area.

POLICY IMPLICATIONS

The proposed scheme has been developed in accordance with the provisions of the Local Government Act 1989, Cardinia Shire Council's Special Rate and Charge Scheme Policy and 5 year Special Rate and Charge Scheme Program which is based on community benefit, health, safety, amenity and landowner support.

In particular, this scheme is premised on installation of underground electricity in accordance with Council's policy for servicing of new industrial estates and provides for the full cost of this infrastructure to be met by the benefitting landowners. This reflects the commercial nature of the developments being serviced by this infrastructure and Council's policies providing for developers to meet the full cost of servicing their developments.

RELEVANCE TO COUNCIL PLAN

Development of Special Rate and Charge Schemes directly relates to the Council Plan goal of increasing the use of these schemes to finance road and drainage improvement programs. Additionally, the proposed special charge schemes for design and construction of infrastructure to service the O'Sullivan Road, Hill Street and Peet Street industrial area in Pakenham is referred to as a specific goal.

The O'Sullivan - Hill - Peet Street Industrial Area Special Charge Scheme No. 2 for construction of the required infrastructure is listed on the current Special Rate and Charge Scheme program with the anticipated commencement being in the 2017/2018 financial year.

CONSULTATION/COMMUNICATION

Questionnaire / surveys and meetings of landowners were conducted in 2007, 2008, 2010 and 2011 in the lead up to the design scheme. The formal consultation process to establish the design scheme was also conducted involving notification of landowners and seeking of submissions and objections.

During the design process, a further four landowner meetings were conducted and at least five letters were issued advising of progress and enclosing a survey of affected landowners to assess the levels of interest/support for the proposed construction scheme. This survey letter provided preliminary estimates of apportioned costs to individual landowners and led to modification of the proposed works and distribution of costs. At that time owners of 20 of the 32 individual titles, responsible for approximately 90% of the project cost, supported construction of the works.

Notice of intention to declare the special charge to construct the works was issued in March 2017 resulting in 3 objections and submissions with respect to 9 of the 37 affected rateable properties. These 9 properties are responsible for 2.9% of the proposed scheme levy and comprise 7.5% of the affected land area.

As objections from fewer than 50% of affected rateable properties, there is no impediment to Council proceeding to declare the special charge.

The 3 submissions were considered by Council's appointed Committee of Councillors. Key issues raised in submissions were that the distribution of costs is unfair, some properties will not receive special benefit, Council should contribute as the works will provide community benefit and Council will receive additional rate revenue through development of the area, some landowners have already provided services so should not be levied and contributions would be better sought via developer levies.

The Committee has considered all three submissions (Attachment 6,7 and 8) and the issues raised in them and considers the scheme to be fairly structured and compliant with the legislative requirements as set out in Attachment 5 - Minutes and Recommendations of Committee of Councillors. In particular, all properties will receive special benefit notwithstanding the fact that several owners may choose not to avail themselves of that benefit. The cost distribution includes a weighting toward the undeveloped land which is considered to receive proportionately greater benefit from the proposed works. Landowners are only being levied for works that will provide additional benefit to their property.

One submission pointed out the current traffic issues on Bald Hill Road and that increased traffic as result of the works will further exacerbate the situation. Traffic issues in Bald Hill and Koo Wee Rup Roads are a growing issue associated with development of the wider area and a contributing reason for removal of proposed kerb & channel works in Bald Hill Road from the scheme. It is considered likely Bald Hill Road will require widening in the future leading to destruction of any new kerb and channel in Bald Hill Road. Widening will require further traffic management studies and is beyond the scope of this scheme. That is not considered sufficient reason to curtail development of this estate when most of the cause is associated with development of other land in the region.

The Committee concluded the scheme should proceed without modification and submitters be advised of its recommendations with respect to the issues raised. Landowners dissatisfied with Council's decision may seek a further review before VCAT.

FINANCIAL AND RESOURCE IMPLICATIONS

The estimated total project cost is \$10,298,824 wholly recoverable from the benefitting property owners as set out in the table in Attachment 4 - Apportionment Table.

As the project relates to capital works, Council is required to provide a plan whereby those levied may pay by instalments of principal and interest over at least four years. It is intended to have the major contributors responsible for most of the cost pay their contributions 'up front'. Additionally, the terms of the payment option, if requested, will be structured to reasonably match outgoing cash flows during the construction phase so that 70% of landowner's contributions are collected in the first year with the balance including interest repayable over the following three years. The interest rate provided for in the legislation is generally less attractive than if the landowners arrange their own financing.

The hardship provisions of Council's Special Rates and Charges Policy provide for assistance to adversely affected persons who can demonstrate genuine hardship as a result of levying a special charge.

CONCLUSION

The Peet, Hill and O'Sullivan Streets industrial area is unable to be developed by the landowners acting alone. Affected landowners have sought Council intervention to facilitate its development and Council possesses special rate and charge powers that may be exercised to properly service this area and share the cost of that servicing fairly amongst all benefitting landowners. Designs and estimates of cost have been prepared under a separate special charge scheme so that the extent of works and associated costs are now known. The relatively few numbers of submissions and objections received during the formal notification process indicates a very high level of support particularly from the owners of over 90% of the affected land who are responsible for over 97% of the cost. It is therefore concluded there is more than sufficient support to proceed to declare the special charge.

2 DECLARATION OF PROPOSED SPECIAL CHARGE SCHEME FOR CONSTRUCTION OF INFRASTRUCTURE TO SERVICE HILL, O'SULLIVAN AND PEET STREETS' INDUSTRIAL AREA, PAKENHAM

Moved Cr M Schilling Seconded Cr C Ross

That Council having considered the submissions as circulated, minutes and recommendations dated 11 April 2017 from the Committee of Councillors appointed to consider submissions pursuant Section 223 of the Local Government Act 1989 in relation to the proposed Hill, O'Sullivan and Peet Streets Industrial Area Special Charge Scheme:

1. Adopt the recommendations of that Committee as set out in Attachment 5 and advise the three submitters accordingly;
2. Refer the growing traffic congestion in Bald Hill Road for investigation and request VicRoads to expedite its planned improvements to Koo Wee Rup Road and the Bald Hill Road intersection;
3. Endorse the draft designs, estimates of cost and specifications generally describing the infrastructure services including sealed roads, intersections (including the Peet Street service road/intersection with Koo Wee Rup Road and the Bald Hill Road intersections with O'Sullivan and Hill Streets), kerb & channel, reticulated water and sewerage services, underground drainage, underground electricity, street lighting and telecommunications required to service land within the O'Sullivan – Hill – Peet Streets Industrial Area but excluding widening and kerb & channel in Bald Hill Road and footpaths all as set out in the estimate in Attachment 3 and authorise the General Manager Assets and Services to adjust those plans as necessary to facilitate construction of these works and services;
4. Confirm adoption of the proposed area of the scheme and method of apportionment set out in Attachments 2 and 4 respectively;
5. Declare a special charge in accordance with Section 163 of the Local Government Act, 1989 ('the Act') as follows:
 - a. A special charge is declared for a period until the works have been completed and the scheme finalised.
 - b. The special charge be declared for the purposes of defraying any expenses incurred by Council in relation to the construction, project management, administration, survey, review of engineering designs, land acquisition, authority approvals and charges for provision of infrastructure services to the properties enclosed by bold black line on the Plan including construction of:
 - i. Hill, O'Sullivan and Peet Streets and Koo Wee Rup Road service road and associated intersections including engineered fill, pavements, kerb & channel, underground drainage and seal;
 - ii. The Peet Street - Koo Wee Rup Road intersection to VicRoads design requirements;
 - iii. Drainage services compliant with Melbourne Water's Deep Creek South Drainage Scheme;
 - iv. Underground electricity supply;
 - v. Reticulated water supply and sewerage compliant with South East Water's servicing requirements;
 - vi. Reticulated gas and telecommunications supply infrastructure; and
 - vii. Associated ancillary works;

as described in Attachment 3 of this report, the works Council considers is, or will be of special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this resolution);

- c. The special benefit accruing to those properties to be levied is considered to include:
 - i. Improved drainage including provision of legal points of discharge and lessened flooding of properties;
 - ii. Improved access including sealed all-weather access, lessened mud, dust, and potential vehicle damage;
 - iii. Improved access to utility services including electrical, water supply, sewerage services and / or communications;

- iv. Increased subdivisional and development opportunity for all properties to be levied;
- d. The following be specified as the area for which the special charge is declared;
 - i. all those properties described in Attachment 4 of this report and shown enclosed by the bold black line on the attached Plan. (Attachment 2 of this report).
- e. The following be specified as the land in relation to which the special charge is so declared;
 - i. all properties described in Attachment 4 of this declaration.
- f. The following be specified as the criteria which form the basis of the special charge so declared;
 - i. those properties fronting, abutting, adjacent or capable of being serviced by the works;
- g. The following be specified as the manner in which the special charge so declared will be assessed and levied;
 - i. Costs for each property shall be apportioned on the basis of:
 - The relative development potential considered to be released by this scheme proceeding comprising a factor of 1.0 where a property is considered to be already sufficiently serviced with road access, water, sewerage and electrical services to be developed in isolation or a factor of 2.0 where that is considered not to be the case;
 - The estimated cost attributable to the construction of each type of infrastructure;
 - The extent to which each property is considered to be serviced by each type of new infrastructure;
 - The area of each property;
 - The 'apportionable length of abuttal' to the new road comprising length of frontage and rear abuttal and 30% of any side abuttal;
 - ii. With the cost of providing each type of infrastructure being distributed to the relevant properties in proportion to:
 - Road Construction – the estimated construction cost apportioned 20% in proportion to area and 80% in proportion to the apportionable length of abuttal with the area and apportionable length of abuttal weighted by the relevant development potential factor;
 - Water Supply, Sewerage, Electrical and Communications Services – the estimated cost of providing each service being separately distributed in proportion to the area of each lot deemed to benefit from that service weighted by the relevant development potential factor;
 - Drainage – the estimated construction and outfall fee costs being distributed 80% in proportion to the sum of the approximate area of the lot receiving discharge benefits and approximate area of the lot receiving protection benefits from the works and 20% in proportion to the area of lots attracting a development potential factor of 2.0 units but subject to exemption for those portions of properties that have previously paid the full Melbourne Water Corporation levy toward the Deep Creek South Drainage Scheme;
 - iii. the special charge will be levied by sending a notice to the person who is liable to pay, pursuant to section 163 (4) of the Local Government Act 1989.
- h. The total cost of the works is the amount shown in Attachment 3 of this report estimated at \$10,298,823.95.
- i. The total amount of the special charge to be levied is the amount shown in Attachment 4 of this report estimated at \$10,298,823.95.
- j. Having regard to the preceding parts of this resolution but subject to Sections 166 (1) and 167(6) of the Local Government Act 1989, it be recorded that;
 - i. the owners of the land described in columns 1, 2 and 3 of the table in Attachment 4 are estimated liable for the respective amounts set out in column 4 of the table; and
 - ii. such owners may, subject to any further resolution of Council pay the special charge in the following manner:
 - The charge will become due and payable within one month of the issue of the notice requesting payment pursuant to Section 167 (3) of the Local Government Act 1989.
 - The charge may be paid by:
 - lump sum within one month after the issue of the notice without incurring interest, or
 - instalments of principal and interest over a period of four years comprising:
 - Year 1 – Four equal quarterly instalments of principal and interest calculated to repay 70% of the special charge including accumulated interest;

- Years 2 to 4 – Quarterly instalments of principal and interest to repay the outstanding balance;
 - Interest will not be charged for three months after the issue of the notice provided the person liable makes timely payment in accordance with the repayment arrangements that may be agreed on by Council.
 - In accordance with Sections 167(6)(b) and 172 of the Act, the rate of interest which is payable on instalments is set at the 180 day dealer bill rate as published in the Australian Financial Review plus 3.3 percent which is considered to be equal to Council's borrowing rate plus one percent and reviewed every three months (provided that it shall not exceed the rate fixed by the Governor in Council by Order for the purposes of Section 172 (2A) in which case the rate of interest shall be the maximum rate fixed by the Governor in Council by Order for the purposes of this section).
- k. There are no incentives for prompt payment, rebates or concessions associated with this special charge; and
6. Authorise the General Manager Assets and Services to acquire the required land including easements as necessary to enable construction of the works as set out in the endorsed plans as may be adjusted to facilitate construction of these works and services

Cd.

FINANCIAL REPORTS

3 QUARTERLY FINANCIAL REPORT

FILE REFERENCE INT1729583

RESPONSIBLE GENERAL MANAGER Derek Madden

AUTHOR Richard Williams

RECOMMENDATION

That the quarterly financial report for the period 1 July 2016 to 31 March 2017 be received and noted.

Attachments

1 Financial performance report 10 Pages

EXECUTIVE SUMMARY

This report details Council's financial performance for the nine months ended 31 March 2017.

BACKGROUND

The report is broken into a number of parts highlighting different components that affect the financial result of Council:

- Income statement – analysed by Income, Expenditure and Non recurrent items;
- Balance sheet;
- Cashflow statement; and
- Capital Works

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

Monitoring the financial performance of the organisation against the annual budget and longer term financial outlooks. Manage the municipality's finances and assets in a responsible way.

CONSULTATION/COMMUNICATION

Accountants within the Finance business unit meet monthly with Departmental Managers to discuss their year-to-date progress against the budget for both the Operating and Capital Works programs. Results of these discussions provide input to the completion of the Monthly Financial Performance Report and are further discussed with the relevant General Manager.

FINANCIAL AND RESOURCE IMPLICATIONS

The analysis undertaken as part of the Financial Performance Report is based on the differences between the 2016-17 budget adopted in April 2016 and the actual result as at 31 March 2017.

The operating result for the nine months ended 31 March 2017 is a surplus of \$5.734m. This is \$4.153m better than the budgeted surplus of \$1.581m.

Operating income is \$2.869m favourable to budget, predominantly in Rates & Charges, Statutory Fees & Fines and Interest. Operating expenditure is \$1.284m favourable to budget, mainly in Materials & Services, partly offset by Depreciation.

The total cash balance as at 31 March 2017 is \$82.617m, which is \$31.314m higher than at the end of June 2016. Excluding developer related funds, the cash balance is \$40.880m. Capital Works expenditure for the nine months to 31 March 2017 is \$25.202m, which is \$9.960m more than at the same time last year.

For further details, Councillors are referred to the detailed Financial Performance Report attached.

CONCLUSION

It is appropriate that the Council receives and notes the Financial Performance Report for the period 1 July 2016 to 31 March 2017.

3 QUARTERLY FINANCIAL REPORT

Moved Cr J Owen Seconded Cr C Ross

That the quarterly financial report for the period 1 July 2016 to 31 March 2017 be received and noted.

Cd.

ACTIVITY REPORTS**4 QUARTERLY PERFORMANCE REPORT 2016-17 QUARTER 3**

FILE REFERENCE INT1729588

RESPONSIBLE GENERAL MANAGER Derek Madden

AUTHOR Jo Battin

RECOMMENDATION

That the Quarterly Performance report for quarter 3 2016-17 be received and noted.

Attachments

1 Quarterly Performance report 56 Pages

EXECUTIVE SUMMARY

To present the Quarterly Performance report for the January to March 2016-17 period.

BACKGROUND**Development for the shire**

Construction has commenced on the Pakenham East rail stabling yard, 118 hectares alongside the railway at the end of the Pakenham line. This depot will include maintenance facilities, a stabling yard and a train simulator, and will potentially cater for future train maintenance. Council was pleased with the State Government's announcement that the project would provide 400 jobs during construction and create more than 100 long-term positions.

The State Government has also reinforced identifying a site for an airport for the south-east within the next five years through its Plan Melbourne document. The development of this facility will drive growth and new jobs in transport, logistics, tourism and agriculture in the region.

The construction and operation of a third airport for Melbourne over the next 10 to 15 years has the potential to deliver significant economic and social benefits for residents of Cardinia Shire and the broader region, including:

- creating an expected 1,000+ jobs created during the construction phase
- delivering up to 6,000 ongoing jobs post-construction
- helping to unlock the potential of the region's fresh food and agricultural industries to new and emerging markets
- boosting the region's tourism industry by delivering millions of passengers annually to the doorstep of Phillip Island, the Mornington Peninsula and Gippsland
- bringing air travel closer to 1.8 million people
- opening new opportunities and delivering significant efficiency gains for local export businesses.

Council believes developing a south-east Melbourne airport will be essential to supporting population and employment growth in the region and to protecting Melbourne's liveability and competitiveness.

Celebrating our citizens

Council celebrated Australia Day, welcomed new citizens, and acknowledged Cardinia Shire's citizens of the year at the Australia Day ceremony in January.

The Australia Day 2017 award winners were:

Citizen of the year: Wayne Collins

Senior citizen of the year: Michael Allery

Young citizen of the year: Emily Bloxidge

Community event of the year: Cardinia Relay for Life

Council acknowledges the winners and all nominees for their many contributions and ongoing commitment to the communities they love and serve.

New website

Council's new website was launched this quarter. Using the latest in responsive design and accessibility functions, the site has a major focus on customer experience allowing for speedy completion of tasks such as pet registration, applying for permits and paying rates.

Our statistics show that about 65 per cent of website visitors access it via a mobile device, so the website has a dynamic design that is both functional and visually appealing on a range of digital devices.

The site also includes a wide range of online forms, giving residents more ways than ever before to transact online with Council.

Major projects delivered

Council completed a number of major projects this quarter, delivering quality facilities for our community.

- Arena Child and Family Centre opened to the new school year with almost full enrolments. The \$2.7 million centre was made possible with support from the Victorian Department of Education and Training. It will provide an integrated service including pre-kindergarten, kindergarten, maternal and child health services, playgroups and spaces for a range of community focussed groups and additional services such as early intervention and counselling.
- Bunyip netball and tennis multi-use pavilion was delivered and features home and away change rooms, accessible toilet, social spaces, umpire's change room, office, kitchen, and storage space. Council's capital works budget provided \$720,000 and Sport and Recreation Victoria's Community Sports Infrastructure Fund - Female Friendly Facilities category provided \$100,000.
- Heatherbrae pavilion was completed, delivering the final stage of the development of the Heatherbrae Recreation Reserve. The \$2.76 million project to construct the pavilion was jointly funded by Council with the Department of Environment, Land, Water and Planning's 2015-16 Interface Growth Fund. This project delivered new change rooms, social and storage spaces in both netball and main pavilions, kitchen, offices, meeting and storage spaces.
- Chandler Reserve pavilion in Emerald was completed. This \$1.657 million project to extend the pavilion and upgrade existing change room facilities was jointly funded by Council with the

Australian Government's Community Development Grants program, the Emerald Sporting club and Emerald Recreation Reserve Committee.

Investors in People Gold accreditation

In February, Council became the first Australian organisation to achieve Gold accreditation against the global Investors in People Standard, meeting a long list of criteria about how we support, lead and develop our staff. This accreditation is in place until 2019 and demonstrates our commitment to high performance through good people management.

Investors in People is the international standard for people management, defining what it takes to lead, support and manage people effectively to achieve sustainable results. The standard reflects the latest workplace trends, essential skills and effective structures required to outperform in any industry.

This accreditation is international recognition of Council as an employer of choice and as a high performing workplace with commitment to excellence.

With almost 400 staff working collaboratively to achieve our shared organisational goals for the benefit of the community, investing in our people is paramount to success. We make a conscious effort to develop a skilled and professional workforce that continually strives to go from good, to great, to excellent.

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

A major component of the attached report details progress in delivering the actions adopted to deliver the Council Plan.

CONSULTATION/COMMUNICATION

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial implications involved in receiving this quarterly performance report.

CONCLUSION

It is appropriate to receive the quarterly performance report and note the contents.

4 QUARTERLY PERFORMANCE REPORT 2016-17 QUARTER 3

Moved Cr J Owen Seconded Cr C Ross

That the Quarterly Performance report for quarter 3 2016-17 be received and noted.

Cd.

5 QUARTERLY ENVIRONMENT REPORT

FILE REFERENCE INT1729730

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Desiree Lovell

RECOMMENDATION

That the report be noted.

Attachments

Nil.

EXECUTIVE SUMMARY

This report provides a summary of some key environmental sustainability projects currently being undertaken by Council. Projects have been categorised according to the Sustainable Environment Strategy themes:

- Climate change and energy conservation
- Development and built environment
- Water conservation
- Waste minimisation and sustainable procurement
- Natural systems

A similar report will be presented each quarter highlighting new programs or projects that have achieved significant milestones.

BACKGROUND

There are a broad range of environmental actions taking place throughout the organisation. While many of these occur within or are led by the Environment Unit, the vast majority of the organisation is involved in environmental sustainability to some degree. Below is a highlight of some of the key projects currently being undertaken.

All actions fall within the Council Plan 2016-17 under the key performance area of Environment 'we will continue to plan and manage the natural and built environment for present and future generations'.

Climate change and energy conservation

Council Plan action – Reduce Council's energy consumption and help the community to do likewise.

1 New home advisory service

The new homes, new energy advisory service provides new home buyers with assistance and support to build homes that use less energy and provide a greater level of comfort.

The sustainable design information centre was opened in early March and is being run by SECCCA as part of the program and is funded through a \$330,000 Victorian Government grant. Parklea are hosting the information centre in their land sales office within the Timbertop Estate.

Staff are employed each weekend to manage the centre and provide guidance and advice to those looking at building new homes.

2 *Solar schools program*

In late February, Council assisted environmental consultant bhive Environmental and Powershop launch the solar schools program to Cardinia Shire schools. The solar schools program assists local schools access free solar electricity systems.

The program involves Powershop providing the financial contribution for the school's solar installation when the target number of people from the school community switch their electricity provider to Powershop. Powershop offers affordable electricity and has been ranked Australia's greenest power company for two years running, it is also Australia's first and only 100 percent certified carbon neutral electricity retailer.

The program will assist Council meet its community emissions reduction target of at least a 36 percent reduction on a per capita basis by 2024. bhive Environmental are currently promoting the program and discussing its details with local schools.

3 *VEEC program*

The Victorian Government's Victorian energy efficiency target (VEET) scheme allows energy saving activities to be completed free of charge for residents and businesses. Council has entered into a partnership with Energy Makeovers in relation to the VEET scheme. This involves Energy Makeovers offering and promoting free VEET activities to Cardinia Shire residents and businesses. Council's role is to also promote the offer.

Some of the activities being promoted include weather sealing homes to stop draughts, the installation of standby power controllers, water efficient showerheads and the upgrading of lights with LED globes. These activities save energy costs and improve comfort.

Council has been promoting this program via its environmental newsletter and website. Reporting from Energy Makeovers has indicated that from July 2016 to January 2017, 17 premises in the Shire had energy upgrades undertaken through the program. 276 LED downlights were installed at these premises to replace inefficient halogens. The program is resulting in cost savings for our community and greenhouse gas emissions reductions.

Development and built environment

4 *Solar electricity Gembrook Preschool*

Council officers have worked with the Gembrook Preschool to prepare and submit a grant application for \$10,000 to fund a solar electricity system for the site. The project has been shortlisted for funding through the Australian Government's solar communities program. If installed, the system will save the preschool approximately \$1,250 per annum on its electricity costs and also reduce its environmental impact.

Water conservation

Council Plan action – Plan to manage water in an integrated manner, including the reduction of potable water consumption by Council and households.

5 *Water efficiency audits*

The Integrated water management plan includes a detailed action plan for each of the ten years of implementation. In 2016-17 the plan identified the need for water audits of key council facilities. A consultant has been engaged to complete audits of both Cardinia Life and Holm Park Reserve. The audit analysis will include reviewing water use of swimming pools, amenities such as toilets, basins, showers and kitchen fittings, air-conditioning systems and cooling towers, grounds maintenance, fire services, leakage measurement through flow metering and any water reuse arrangements that may be in place.

At completion of the audits, the consultant will provide officers with a report outlining practical and innovative actions to further reduce water use at these facilities, including the costs of actions, the savings they will achieve, and the payback period.

Waste minimisation and sustainable procurement

Council Plan action – reduce the amount of waste going to landfill to meet the State governments waste and resource recovery policy targets.

6 November Biannual Green and Hard Waste Collection

Council's contractor, WM Waste Management delivered its first collection in November, resulting in a significant increase in material recovered to an impressive 25 percent of all materials. This was made possible through inclusion of the new streams of TVs and computers and couches, and improved processes to maximise recovery. The previous contract delivered recovery rates in the range of 3 – 13.5 percent, so Council is looking to continue these improved results with future collections.

7 Waste and Resource Recovery Strategy update

The Waste and resource recovery strategy is currently under review, with a draft strategy due for released for community consultation in June. It is intended to review the feedback and adopt the final document by the end of 2017. The strategy will identify the key achievements of the previous strategy, the challenges moving forward and will include an action plan. The actions are planned to fall under the categories of regional actions, reducing waste, green waste, education, litter and Illegal dumping, leading the Way, advocacy, development and contracts.

8 New bin infrastructure for public places

Public Place litter and recycling bins have been upgraded at sites across the shire, through installation of new bins with improved national branded signage that enables users to separate litter from recycling more easily. These upgrades will continue with recycling bins installed at suitably selected locations. These upgrades aim to increase recovery in public places and also reduce contamination levels, which can be an issue in public places. Recycling currently makes up an average of 26 percent of tonnes collected from public place bins.

Natural systems

Council Plan action – Preserve and improve out bushland and natural environment by implementing weed management strategy and programs and continuing activities on high conservation bushland reserves and roadsides.

9 Mount Cannibal achieves state significance

The Friends of Mt Cannibal Reserve have successfully advocated for Mt Cannibal Reserve to have state environmental significance. This is due to the wide diversity of indigenous plants including over 52 species of orchids and several endangered orchids such as the Wine Lipped Spider Orchid. The distinctive steep elevation of Mt Cannibal has created a unique diversity of five different vegetation classes over 53 hectares. The friends group and Council are working together to implement a weed control strategy to help conserve the reserves rare flora. This includes making application to external grant organisations in an effort to bolster Council funds for critical weed control works. The revised listing as State significance increases Council's chances of raising external funding.

10 Indian Myna program improvements

Council currently sells Indian Myna Traps for \$50. The handmade Pee Gee Traps have proven both cost effective and successful at catching Indian Mynas. Council is currently selling approximately two traps per week.

With the success of the trap selling program, the trap loaning program has come to an end. This is due to a range of factors including staff resources to administer the program and the cost of traps reducing from \$400 to \$50, making trap purchase more affordable.

Residents can purchase a trap at any time. Those few remaining residents who were still on the loan waiting list have all been contacted and many have opted to buy a trap given the reduced cost. The last of those residents wishing to loan the traps, now have a trap.

11 Cannibal Creek biodiversity project

This collaborative project currently involves nine stakeholders to engage and encourage sustainable land management among the local community and improve biodiversity values along Cannibal Creek.

The group has been successful in extending the project area over 2017/18 financial year and has received a Melbourne Water grant of \$42,000. This builds on the \$50,000 grant over the 2016/17 financial year.

The works involve engaging land holders along Cannibal Creek to educate them on the local biodiversity assets that exist in the area and to address local weed threats. Extensive weed populations that are worthy of Melbourne Water capital works projects are also mapped by the community to assist Melbourne Water to prioritise these tasks.

Pest animal fox control also occurs in this project and involves 40 properties over a 2400-hectare area. 194 foxes have been controlled over the life of the program which is a model for community coordinated pest animal control in the Port Phillip and Western Port region.

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

Nil.

CONSULTATION/COMMUNICATION

Where internal and external consultation has taken place it is captured in the background information above.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

CONCLUSION

This report provides a summary of some of the current projects. Initiatives continue to focus on both improving council services as well as leading and assisting the community to reduce their impact on the environment.

5 QUARTERLY ENVIRONMENT REPORT

Moved Cr J Owen Seconded Cr C Ross

That the report be noted.

Cd.

6 MAJOR PROJECT AND STRATEGIES ACTIVITY REPORT

FILE REFERENCE INT1729624

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Andrew Barr; Mark Howard; Desiree Lovell; Walter Carmignani

RECOMMENDATION

That the report be noted.

Attachments

Nil.

EXECUTIVE SUMMARY

As part of the reporting process to Council, this monthly report provides an update of the current status of major projects and strategies in progress. It includes an update on major projects, capital works, special charge schemes, asset management and strategies current at the time of this report.

CAPITAL WORKS

Recreation reserves

IYU Recreation Reserve pavilion

External concrete and paving works are underway and are 50 percent complete. The building is at lockup stage with internal fit out encompassing joinery, tiling, floor finishes nearing completion. Internal/external painting is complete. Works are scheduled for completion by end of May 2017

Chandler Recreation Reserve pavilion

The passenger lift has been commissioned. The installation of the awnings over the doorways are in progress with completion by end of May 2017.

James Bathe Recreation Reserve

Architectural Design has commenced on the building with the consultation process established and underway. Schematic design remains ongoing as part of the consultative process. Civil design is to be completed end of May.

Nar Nar Goon netball court reconstruction

The new courts have been poured, the lights installed and most other works complete. It is planned to lay the playing surface once the weather has improved (expected completion May 2017).

Mountain Road Recreation Reserve resurfacing works

Works on the resurfacing of the main Mountain Road Recreation Reserve main sports oval have been completed. A maintenance period of 12 weeks has commenced, following which, it will be handed back to Council to maintain. There are some minor works still required to the little athletics oval to reach practical completion but these are being delayed due to inclement weather.

Deep Creek Reserve

The tender for the Deep Creek civil works and building package closed on 9 May. The tenders are currently being assessed. This parcel of works includes the entrance roads and car parks, eco building, drainage and associated services.

Bulk earthworks have commenced. Works are expected to take eight weeks and be complete by the end of June, pending weather conditions.

The playground design is now complete, and the tender for this component will be advertised later in the year.

Lang Lang Recreation Reserve

Works are continuing on site and the contractor has undertaken a considerable amount of earthworks, making substantial progress on the wetlands, ovals and surrounds, these works are now starting to be delayed due to inclement weather.

Cockatoo-Gembrook Trail

The tender for the construction of the Cockatoo-Gembrook Trail is currently being advertised. This package of works includes full construction of the 6.5km trail from McBride Street in Cockatoo to Gembrook Station. The trail follows existing road reserves and the Puffing Billy train line between the towns to create a unique and scenic trail.

Roads, paths, drains and bridges

2016-17 Roads program

The reseal and resurfacing program is now complete, with the exception of a handful of asphalt resurfacing jobs which were programmed for later in the financial year to minimise the impact on the public, such as Emerald Lake Park.

Spencer Street reconstruction in Nar Nar Goon is nearing completion. It is expected that this will be complete in the coming weeks.

2016-17 Unsealed roads re-sheeting program

The unsealed roads re-sheeting program has been completed for 2016-17. Approximately 41 kilometres of unsealed roads were replenished with new crushed rock material that has been lost due to varied weather conditions and general wear and tear.

2016-17 Pedestrian Bicycle Strategy Path

As identified in the Pedestrian Bicycle Strategy, a footpath is currently being constructed in Dalmore Road and Ballarto Road, Cardinia.

The 850 metre path creates a safe link from Cardinia Recreation Reserve entrance, along Ballarto Road and Dalmore Road abutting the reserve. It also links Cardinia Primary School crossing to the recreation reserve entrance in Ballarto Road and the side entrance on Dalmore Road.

2016-17 Bridge renewal program

The replacement of the Bunyip-Modella Road Bridge is nearing completion with the bridge now open to vehicles under a traffic management. The guardrail works are expected to be completed by the end of May. Further intersection improvements on the south side of the bridge (Evans Road) are currently being investigated.

Construction works on the Manestar Road Bridge works are scheduled to commence in late May.

CONCLUSION

This regular activity report is provided for Councillor's information.

6 MAJOR PROJECT AND STRATEGIES ACTIVITY REPORT

Moved Cr J Owen Seconded Cr C Ross

That the report be noted.

Cd.

REPORTS OR MINUTES OF COMMITTEES

The Mayor advised that various minutes had been received from Council Committees and recent Council Briefing sessions that were available for any interested Councillors.

REPORT BY DELEGATES

Heritage Springs Committee.

Cr Schilling attended the Heritage Springs Committee. The Committee have contributed to development of the Estate and are encouraging members within the Estate to join as membership is declining. If anyone in the gallery are from that area, he would strongly encourage them to get involved. Meetings are held every Wednesday at Heritage Springs Primary School 7pm.

Launch of the short film 'Marcus'

Cr Schilling attended the launch of the short film 'Marcus'. A short film produced by young people who identify as same sex attracted and/or sex and gender diverse from Cardinia Shire. Cr Schilling would encourage people to see this film when it is rolled out.

Youth Council update

The Youth Council are meeting on a fortnightly basis and are currently looking for the best model for the committee. Should start to see some good outcomes in this area.

Young Achievers Award night

Cr Ryan will be attending this awards night to be held on 26 May. Channel 7 will be there and hopefully be able to get some funding.

Head Space

Cr Ryan visited the Head Space offices in Narre Warren. Cr Ryan is giving as much support as possible and would like to see Head Space come to the shire on a permanent basis.

Cr Ryan also attended the History Reference Group, the Youth Planning Reference Group and will be attending the Gala dinner for mental health which is a fantastic event and hopefully will get some much needed financial support.

Cr Moore

Represented Mayor at Nar Nar Goon kindergarten in presenting children with badges on healthy eating program.

Biggest morning tea is being held by the CFA in Nar Nar Goon 10am Friday. Will be held in honour of Debbie Bramley who recently passed away.

Cr Moore also thanked Cr Ryan for attending the Nar Nar Goon Anzac service.

Cr Wilmot thanked Councillors Brown and Ross for attending Anzac Services in Ranges Ward. Greatly appreciated.

The Mayor also thanked Councillors for attending Anzac services throughout the Shire.

REPORT BY THE MAYOR

The Mayor advised of the following activities since the previous Council Meeting:

- Official Opening of Arena Child and Family Centre with Daniel Mulino

- Minister Hutchins attended IYU Reserve to inspect the components funded by the Growing Suburbs Fund
- Shadow Minister Georgie Crozier met with CEO and staff to discuss growth area needs around service provision

CEO & Mayor Meetings

- CEO met with Georgie Crozier and Brian Paynter
- CEO attended State Budget luncheon with Tim Pallas
- CEO attending the LIFT Grant announcement by Hon Wade Noonan
- CEO/Mayor attended the Cardinia IYU Soccer Reserve Completion event opened by Natalie Hutchins
- CEO met with Daniel Mulino
- Mayor met with Jason Wood MP
- Mayor presided Citizenship Ceremony with Russell Broadbent MP and Brian Paynter MP in attendance

Recent grant applications

- Melbourne Water, Living Rivers Grant Application – Lang Lang Community and Recreation Precinct – Wetlands construction grant from Melbourne Water
- Melbourne Water, Living Rivers Grant Application – Water Sensitive Urban Design (WSUD) Officer
- Grant application was lodged with Sustainability Victoria for an Litter and Illegal Dumping Grant for \$6000.
- Successful grant of \$15,000 under the Local Roads to Market program through the Agriculture Infrastructure and Jobs fund – enable bridge assessments on a number of Councils bridges in the to assess their load limits
- A range of Community Recreation Infrastructure items were provided to Russell Broadbent for his consideration.
- Project timelines, key milestones and communications plans submitted to the State Government for projects funded as part of round 2 of the Interface Growth Fund.
- \$5million sought from the State Government through the Growth Areas Infrastructure Contributions fund for the Pedestrian and Cycle Path from Beaconsfield to Pakenham East.

PRESENTATION OF PETITIONS

Nil.

NOTICES OF MOTION

Nil.

COMMUNITY QUESTION TIME

Mayor: We have received two questions received from Mr Richard Stanios. As Mr Stanios is not present, written responses will be provided to Mr Stanios.

Question 1:

I'm a resident of Blue Horizons Estate and now the estate has grown almost to capacity there appears to be a need to reassess the safety of it's roadways. The eastern half has quite wide roads and traffic flows well, whereas the western half has much narrow roads and smaller home blocks which is causing a problem with the parking of vehicles and speed which has become a concern for the safety of our residents and its children. some of the Sudanese residents with much larger than average families have expressed concern, as best they can, and I would like the council to look at the installation of speed bumps and additional smaller roundabouts along the western half of Blue Hills Boulevard in particular at the intersection of Bluehills boulevard and Nepeta Way. The bend at the 'T' intersection and parked vehicles about it contribute to a dangerous thoroughfare especially with speeding cars and i was hoping that the planning council could revisit the configuration of the estate as a whole.

Question 2 :

Prior to the last council election I received a promotional leaflet at the Cardinia Road train station one morning personally from Cr Collin Ross. I read the leaflet and it stated that Cr Ross was the only councillor to vote against rate rises. I asked Cr Ross if it were true, he responded with 'no there was one other councillor who voted with him against any rate rises'. My question to Cr Ross is to ensure a true and correct representation is given to rate payers will he be changing an current or future promotional material made by and for him to ensure the portrayal is a true one?

Mayor: We have received two Questions from Mrs Jillian Ronald and I note that Jillian is in the gallery. I will refer your first question to General Manager Community Wellbeing, Ms Jenny Scicluna.

Question 1.

On Sunday 12 February 2017 a luncheon was held at the gallery room at the Cardinia Cultural Centre as a fundraiser to support the light horse and field artillery museum. Sixty two paying guests booked through the cultural centre ticketing system at a cost of \$55 per person.

What has caused the council to delay the payment for the fundraising event for the light horse and field artillery museum which now stands at 92 days?

Answer:

Thank you for your question Mrs. Ronald.

I understand that the fundraiser went very well. Unfortunately, there was a clerical error that meant that the balance of the funds raised, once catering costs were deducted, were deposited to a Cardinia Cultural Centre income account instead of to the Light Horse Museum as intended. The officer responsible apologises for this error and informs me that she spoke to you this morning once she became aware of the error today. My understanding is that arrangements have now been made for prompt payment of the balance.

Mayor: Mrs Ronald, do you have a supplementary question?

Mrs Ronald: Would the Cardinia Shire Council consider introducing Industry Standard protocol for ticket proceeds received in advance of events?

GMCWB, Ms Jenny Scicluna: I will take the question on notice and provide a written response to you in due course.

Question 2

The Cardinia Cultural Centre has become a progressive, vibrant and diverse venue supporting the Arts in Cardinia. It is important to acknowledge that this has been possible through the employment of Mark Fawcett in his position of Team Leader Art and Culture with Cardinia Shire Council. His passion, drive, commitment and knowledge of the Arts Industry has facilitated the growth and success of the Centre. His ability to work and communicate with Art Groups, key stakeholders and the utilization of his established networks within the arts industry have ensured a standard of entertainment and community engagement not seen before in Cardinia Shire. His sudden and unexpected resignation is a terrible loss to the residents of Cardinia and those who travel to our shire to go to the Cultural Centre.

Could you please inform me of the increased usage and income of the Cardinia Cultural Centre over the last four years?

Answer:

Once again, thank you for your question and interest in the local Cardinia Arts Community. Thank you also for your acknowledgement of the efforts of our former staff member. Mr. Fawcett was

employed by Council from 16th June 2015 to 26th April 2017. During his time at Council Mr. Fawcett made a significant impact, built positive relationships and attracted the respect of many community members before he resigned from his position.

In answer to your question, in 2013-14 the income for the cultural centre was \$621,904, in 2014-15 the income was \$728,263 and in 2015-16 it was \$618, 620.

In this current year the financial year to date figures suggest that the centre will meet income budget expectations. (\$520,599)

Unfortunately, I am unable to provide detailed usage figures at such short notice, however by way of indication in 2013 the theatre hosted 115 shows, in 2014 the theatre hosted 80 shows, in 2015 it hosted 93 shows and in 2016, 110 shows. The current year has delivered 68 shows. These figures are merely an indication of activity as there are also un-ticketed events, room hires and functions that are not considered.

Mayor: Mrs Ronald do you have a supplementary question?

Mrs Ronald: Could you please issue me with the Strategic Business & Marketing Plan which references the redevelopment of the Cultural Centre.

GMCWB response: That business plan is definitely available. I expect it has already been presented to the Arts and Culture group so will forward in due course.

We have also received a series of Questions from Mrs Gloria O'Connor. I note that Gloria is in the gallery.

Your first question is addressed to General Manager Community Wellbeing, Ms Jenny Scicluna.

Question 1.

Who was responsible for choosing the specific location of the Mr. Yakerboo and Blue Dog symbols in the main street of Pakenham?

Answer:

GMCWB: Thank you for your question Mrs. O'Connor.

The Arts and Culture Reference Group, made up of Councillors, staff and community members felt that a Main Street location was desirable and would add vibrancy to the street scape. Artists were encouraged to link their submissions with the history and personality of Pakenham. The selected artist, Julie Squires, nominated a site close to where the art is installed at present. Officers from the traffic engineering department assessed three potential sites for line of sight and traffic and pedestrian safety before the final exact location was determined. Traders were also consulted as part of the project.

Mayor: Do you have a supplementary question?

Gloria O'Connor: I am disappointed with the location of the sculptures as at times they are obscured by other material placed on the footpath.

Mayor: Thank you Gloria for your supplementary question. First in relation to the compliance matters that you raised, I will ask Mr Paxton to get our compliance services to investigate whether there are any breaches in relation to any signage. Ms Scicluna do you have anything further responses for Mrs O'Connor in relation to issues raised in her supplementary question.

GMCWB: I don't think there is anything further that I can add except that there were several conversations with the artist who felt strongly that she wanted the positioning of the artwork close to a park bench so that parents could sit there and their children could play on the installation and she felt that was the best location. We looked at two other locations closer to the roundabouts at each end but because they created line of sight issues for traffic in particular they weren't deemed suitable so out of the three locations that were considered that was the one preferred by traffic engineers and the artist herself.

Mayor: Thank you Mrs O'Connor we acknowledge your views on that.

Your next two questions will be referred to General Manager Planning and Development, Mr Andrew Paxton.

Question 2:

With regard to the proposed new hotel complex in Officer, why is it considered essential to include gambling machines, what approvals are required and could Council approve a hotel only?

Answer:

GMPD: The planning application for 1 Station Street Officer is made by an individual, they have made an application for the uses and development that they believe will make an economic business for them. Council needs to consider the application as lodged on its merits against the Cardinia Planning scheme.

Mayor: Mrs O'Connor, do you have a supplementary question?

Gloria O'Connor: Has a decision been made and when it will be done?

GMPD: Further information has been requested and Officers are still waiting on this before being able to assess the application. If this information is not received the application will be deemed to lapse.

Question 3:

Regarding the state government multi- purpose train building and maintenance project on land between Pakenham, would you please advise the following: The zoning of the land prior to the government project proposal? Were any Council approvals necessary or does the government project take precedence over local government planning, environment and/or zoning requirements? What is the situation concerning the obvious and massive clearance of onsite vegetation and trees planned along the adjoining roadsides? Have there been any conservation, endangered species and habitat matters plus the general environmental impact, to be considered by Council?

Answer:

GMPD: The land which the State Government Purchased and on which they have let a contract for the design construction and maintenance was Green Wedge.

The Department of Environment Land Water and Planning is responsible for all planning approvals on the site. Council is still seeking to understand what has been approved on site by the Minister and how any impacts are being offset or minimised.

Council has raised a number of issues and questions in relation to this project having walked the site with their contractors and are still waiting to understand how these concerns and questions are being addressed.

Mayor: Do you have a supplementary question?

Mrs Gloria O'Connor: Further question in relation to the ribbons on the roads and what they mean. Is all the vegetation being lost?

GMPD: Council is seeking to work with Downer EDI, the State Government to assess which vegetation will be lost as part of the project. At the present time Council will need to approve any works in Oakview Lane.

Mayor: Gloria and Jill you will both receive written responses to your questions.

Mayor called upon Derek Madden to speak about the Special Council meeting.

GMCS, Mr Derek Madden spoke about the Special Council meeting to be held tomorrow evening at 7pm. It is the finalisation of the public consultation period. Three members of the public have asked to speak to their submissions. Meeting is open to any interested public to attend.

Thank the gallery for their attendance.

URGENT BUSINESS AND MOTIONS WITHOUT NOTICE

Nil.

COUNCILLOR QUESTION TIME

Nil.

Meeting closed at 8.01pm

Minutes Confirmed
Chairman