



# Cardinia

**MINUTES OF GENERAL COUNCIL MEETING**

**MONDAY, 18 SEPTEMBER 2017**

## MINUTES OF GENERAL COUNCIL MEETING

held in the Council Chambers, 20 Siding Avenue, Officer  
on Monday, 18 September 2017

The meeting commenced at 6.12pm to consider a confidential matter 'in camera'  
and was adjourned at 6.14pm to reconvene at 7pm

**PRESENT:** Mayor, Brett Owen, Chairman

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

Messrs Garry McQuillan (CEO), Mike Ellis (GMAS), Derek Madden (GMCS), Debbie Tyson (A/GMPD), Jenny Scicluna (GMCWB), Doug Evans (MG)

### 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.

### ACKNOWLEDGEMENT OF TRADITIONAL LANDOWNERS

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

### APOLOGIES:

Cr Jodie Owen

### CONFIRMATION OF MINUTES OF MEETINGS

Moved Cr J Springfield Seconded Cr G Moore

### THAT MINUTES OF THE FOLLOWING MEETINGS BE CONFIRMED-

- General Council Meeting 21 August 2017
- Town Planning Committee 4 September 2017

Cd.

### DECLARATION OF PECUNIARY AND OTHER INTERESTS

Nil.

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## TOWN PLANNING

### 1 **AMENDMENT C223 - DALMORE HALL**

FILE REFERENCE INT1761109

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Celeste Grossi

#### RECOMMENDATION

That Council:

1. Receive and consider all submissions received during the exhibition of Planning Scheme Amendment C223.
2. Adopt Amendment C223 to the Cardinia Planning Scheme under Section 29 of the *Planning and Environment Act 1987* (the Act) and submit to the Minister for Planning for approval under Section 31 of the Act.

#### Attachments

- 1 Dakmore Hall Heritage Citation (2004) 5 Pages
- 2 Planning Scheme Amendment C223 documents 7 Pages

#### EXECUTIVE SUMMARY

Dalmore Hall is a historic community building with local level heritage value located at 231 Dalmore Road, Dalmore.

Amendment C223 (the Amendment) seeks to amend the Schedule to the Heritage Overlay (Clause 43.01) to apply Heritage Overlay 275 (HO275) to Dalmore Hall and respond 'Yes' to the column in the Schedule that states 'Prohibited uses may be permitted?'. The Amendment will facilitate the restoration of Dalmore Hall and ensure its preservation through the use of the Hall as a dwelling.

The Amendment was on public exhibition from Thursday 20 July 2017 to Monday 21 August 2017 and during this time no submissions were received. EPA Victoria, Melbourne Water and South East Water responded as having no objection to this amendment. As there were no objecting submissions received an independent planning panel is not required to be appointed by the Minister for Planning to consider submissions. Therefore, it is recommended that the Amendment be adopted by Council under Section 29 of the Act and submitted to the Minister for Planning for approval pursuant to Section 31 of the Act.

#### BACKGROUND

Dalmore Hall is located at 231 Dalmore Road, Dalmore. According to the Heritage Citation, the Hall was constructed in the early 1920s and was the hub of Dalmore community life. Historically the Hall was used for dances, suppers, school concerts, church services, gymnasium classes, farewell function and kitchen teas for newlyweds. The Hall also played an important role during WWII where fundraising for the Red Cross occurred. A reunion at the Hall was held in 1975, with approximately 200 people congregating at the Hall to celebrate its past. The Hall was very much the heart of the Dalmore community and acted as a gathering place for the community to celebrate, worship and honour its citizens. Dalmore Hall is a significant building in Cardinia Shire's history.

The Hall is in need of repair and maintenance, including the replacement of rotting weatherboards, repair of damaged windows, roof and gutters and requires re-stumping. If these repair works are not commenced in the near future, Dalmore Hall is at risk of suffering from 'demolition by neglect'.

The owner of Dalmore Hall has approached Council seeking to restore the Hall and to use it as a dwelling.

The property is zoned Special Use Zone - Schedule 1 which prohibits the use of the land as a dwelling. A mechanism in the Heritage Overlay can be used to facilitate such proposals, where the Schedule to the Heritage Overlay can allow prohibited uses when the use will specifically result in the preservation of a heritage place. There is strategic justification for a Heritage Overlay to be applied in the heritage citation prepared by Graeme Butler & Associates in 2004.

The Amendment seeks to amend the Schedule to Clause 43.01 to apply Heritage Overlay 275 (HO275) to Dalmore Hall and respond 'Yes' to the column in the Schedule what states 'Prohibited uses may be permitted?'. This will facilitate the restoration of Dalmore Hall and its preservation as a place of local significance in the Shire.

On the 24 April 2017, Council resolved to seek authorisation from the Minister for Planning to prepare Amendment C223 to the Cardinia Planning Scheme. Authorisation was received, and officers proceeded to place the Amendment on public exhibition from Thursday 20 July 2017 to Monday 21 August 2017.

## **POLICY IMPLICATIONS**

### **State Planning Policy Framework**

The State Planning Policy Framework seeks to support the objectives of planning in Victoria which are outlined under Section 4 of the *Planning and Environment Act 1987*. These objectives include:

- *To conserve and enhance those buildings, areas or other places which are of scientific, architectural or historical interest, or otherwise of special cultural value; and*

Clause 15.03-1 'Heritage conservation' includes the following objective:

- *To ensure the conservation of places of heritage significance.*

It includes the following strategies:

- *Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.*
- *Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific or social significance, or otherwise of special cultural value.*
- *Encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations.*
- *Support adaptive reuse of heritage buildings whose use has become redundant.*

### **Local Planning Policy Framework**

Clause 21.01-2 'Key influences' includes the following key influence:

- *The protection and enhancement of areas and places of heritage significance.*

Clause 21.02-6 'Post-contact heritage' includes the following key issues:

- *Protecting recognised sites and precincts of heritage significance with State, Regional and Local Significance.*

- *Defining the extent of heritage places to be included in a Heritage Overlay.*

And the following strategies:

- *Defining the extent of heritage places to be included in a Heritage Overlay.*
- *Promote the conservation of sites of local heritage interest.*
- *Encourage and support the reuse of existing heritage places for appropriate land uses.*
- *Provide the opportunity for a permit to be granted for a use that might otherwise have been prohibited if that use will assist in the preservation of the heritage site.*
- *Recognise the significance of heritage buildings and sites in contributing to the character of townships within the municipality.*

### **Planning Practice Note 1 – Applying the Heritage Overlay**

Planning Practice Note 1 provides guidance about the use of the Heritage Overlay. The practice note states that *places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay* should be included in the Heritage Overlay. The Heritage Citation provided as attachment 1 to this report provides this justification. This citation has been prepared in accordance with Planning Practice Note 1 as it outlines what is significant, how it is significant and why it is significant.

The Amendment supports the above policies and practice note by ensuring that Dalmore Hall is identified as significant and preserved for future generations. While Dalmore Hall may no longer be used in accordance with its original purpose, the application of a Heritage Overlay to the land will enable the building to be used as a dwelling, which otherwise would have been prohibited, therefore ensuring the conservation of the hall.

### **RELEVANCE TO COUNCIL PLAN**

Strategic objective 3.5.3 of the Council Plan discusses the need to provide for sustainable development within rural townships that takes into account, amongst other things, their existing character. It is considered that Dalmore Hall was of significant importance to the township of Dalmore as a community hub for a wide variety of events for the majority of the 20th century. It therefore represents an important part of the existing character and history of Dalmore and as such should be conserved.

### **CONSULTATION/COMMUNICATION**

All adjoining land owners/occupiers were notified as part of the exhibition of the Amendment. The land owner has intended to restore the Hall for use as a dwelling for some time and has had a number of conversations with the owners of neighbouring properties in relation to its restoration over the past few years.

As a result of this initial consultation with DELWP, Council sought authorisation from the Minister for Planning to prepare Amendment C223. In accordance with section 8A (7) of the Act Council prepared the Amendment and placed it on public exhibition from Thursday 20 July 2017 to Monday 21 August 2017.

Notice of the amendment was given by direct mail (written and e-mail) to all owners and occupiers of properties directly affected by the Amendment as well as all properties directly adjacent. Notice was also provided to Ministers, community groups, service authorities and government agencies. This equated to a total of 27 letters and emails being set as part of the notification process .

Additionally, the Amendment was promoted using the following methods:

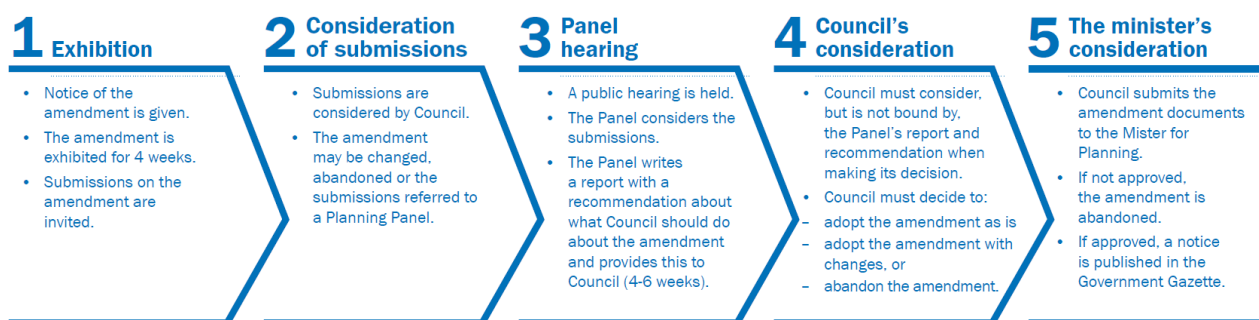
- Notice in Pakenham Gazette - Wednesday 19th July 2017
- Relevant Council departments notified
- Notice in Government Gazette
- Cardinia Shire Council website
- DELWP website
- Cardinia Shire Council Civic Centre customer service

At the conclusion of the public exhibition period, no objecting submissions were received in response to the Amendment. EPA Victoria, Melbourne Water and South East Water prepared submissions in support of the amendment.

No.	Submitter	Submission	Council response
1.	Environment Protection Authority (EPA)	Support.  EPA has no concerns with the proposed amendment. EPA notes that Council should consider that a dwelling is a sensitive use in an agricultural area.	Noted.
2.	Melbourne Water	Support.  Melbourne Water does not object to the proposed amendment.  The property is located in the Koo Wee Rup protection District and adjacent to the West Dalmore Road Drain.	Noted.
3.	South East Water	Support  South East Water as the Water Supply and Sewerage Authority has no objection to Amendment C223.	Noted.

**Next steps**

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



**Figure 1. Steps in the Planning Scheme Amendment process**

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. Approval of the Amendment concludes this process.

#### **FINANCIAL AND RESOURCE IMPLICATIONS**

The Amendment has been funded out of the operating budget of the Strategic and Economic development department. Officers recognise the positive impact this proposal will have on conserving an important historical building. The only remaining fee is that of the cost of the Amendment of \$231.10.

#### **CONCLUSION**

There were no objecting submissions therefore an independent Planning Panel is not required to be appointed by the Minister for Planning to consider the submissions received. Given this, we request that the Amendment be submitted to the Minister for Planning for approval under Section 31 of the Planning and Environment Act (1987). This concludes the Amendment process.



## 1 AMENDMENT C223 - DALMORE HALL

Moved Cr G Moore Seconded Cr R Brown

That Council:

1. Receive and consider all submissions received during the exhibition of Planning Scheme Amendment C223.
2. Adopt Amendment C223 to the Cardinia Planning Scheme under Section 29 of the *Planning and Environment Act 1987* (the Act) and submit to the Minister for Planning for approval under Section 31 of the Act.

Cd.

## **2 BUILDINGS AND WORKS, CHANGE OF USE TO A HOTEL, USE OF LAND FOR SALE AND CONSUMPTION OF LIQUOR, INSTALLATION AND USE OF LAND FOR EIGHTY (80) ELECTRONIC GAMING MACHINES, REDUCTION IN BICYCLE FACILITY REQUIREMENTS AT 1 STATION STREET, OFFICER**

FILE REFERENCE INT1761338

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Angela Gleeson

### **RECOMMENDATION**

That Planning Permit T170024 be issued for building and works, change of use of land to a hotel, use of land for sale and consumption of liquor, installation and use of land for 80 electronic gaming machines, reduction of bicycle facilities subject to the conditions attached to this report

### **Attachments**

1	Locality map	1 Page
2	Development plans	13 Pages
3	Precinct Structure plans	3 Pages
4	Appendix A - Assessment of Clause 22.03 Gaming Policy	4 Pages

### **EXECUTIVE SUMMARY:**

APPLICATION NO.:	T170024
APPLICANT:	Ratio Consultants Pty Ltd on behalf of T C Rice Pty Ltd
LAND:	Lot 1 TP189196J, 1 Station Street, Officer
PROPOSAL:	Building and works, change of use of land to a hotel, use of land for sale and consumption of liquor, installation and use of land for 80 electronic gaming machines, reduction of bicycle facilities
PLANNING CONTROLS:	Urban Growth Zone Schedule 4 Development Contributions Plan Overlay Schedule 4 Land Subject to Inundation Overlay (part of land) Road Zone Category 1 Zone Officer Precinct Structure Plan September 2011 Cardinia Creek Conservation Management Plan Officer Native Vegetation Precinct Plan September 2011, Officer Development Contributions Plan and Conservation Management Plan 15 September 2011
NOTIFICATION & OBJECTIONS:	The application was not required to be advertised under Clause 37.07-13 Exemption from notice and review of the Urban Growth Zone  Eight (8) submissions against the proposal were received
KEY PLANNING CONSIDERATIONS:	Electronic Gaming Machines Liquor consumption Design and built form

Compatibility of the use  
Officer Precinct Structure Plan

RECOMMENDATION: That a permit be granted subject to conditions.

**BACKGROUND:**

The site forms part of the approved Officer Precinct Structure Plan (September 2011) and the future Officer Town Centre.

Council has received a proposal for the use and development of the land for a hotel, residential hotel (52 room motel), office and installation and use of land for eighty (80) electronic gaming machines and reduction of bicycle facilities. The hotel development and the gaming machines are the main considerations of the proposal, as the residential hotel (motel) and office uses do not require a planning permit.

A detailed planning report provided by Ratio Planning consultants highlights the social and economic benefits, impacts and an analysis of the use and development. The consultant’s report concluded that the proposal would have a positive social and economic impact on the local community and should be supported. However, a highly detailed social and economic impact assessment and ‘net benefit’ which provides a more in depth analysis of the gaming component of the application, will be required to be undertaken by the applicant and further considered by the Victorian Commission for Gambling and Liquor Regulation (VCGLR) when the applicant makes an application to the VCGLR for the electronic gaming machine licences.

In relation to net benefit, there is ongoing debate about whether it is necessary to demonstrate that there will be a net social and economic benefit flowing from the approval of the planning application for gaming machines. A worthy tribunal decision to note is *Prizac Investments Ors V Maribynong CC Ors* (Red Dot) (2009) VCAT 2616 and *CK Sons Pty Ltd v Bayside CC* (2010) VCAT 505, where it was clarified that it is not relevant as part of a gaming planning application to demonstrate that a proposal will result in a net community benefit. The key issues in a planning application for a gaming venue relate to the appropriateness of the location and the proposal itself, which has been considered within the planning assessment.

The report highlights the relevant sections of the Cardinia Planning Scheme, Officer Precinct Structure Plan and other relevant strategies that the proposal is in accordance with. It is considered that the proposed subdivision is consistent with the provisions of the Cardinia Planning Scheme and the Officer Precinct Structure Plan (PSP).

The application is exempt from the notice provisions under the Urban Growth Zone clause 37.07-13. Whilst the application was not formally advertised, eight (8) submissions were received opposing the application.

**SUBJECT SITE**

The site is 1.555 hectares and is located on the east side corner of Station Street and the south side of Princes Highway. Access is from an existing crossover is located on Station Street.

The site currently contains one dwelling on the land that was used as the former Harkaway Homes display homes site.

The topography of the land is generally flat with a very slight fall from north to south. The site has an interface to the drainage corridor to the east.

The site forms part of the Officer Precinct Structure plan area and more specifically is part of the Major Activity Centre and within the town centre. The new Officer town centre is proposed to be a major activity centre.

The main characteristics of the surrounding area are:	
North	Princes Hwy and a range of mixed uses and vacant land.

East	A Melbourne Water drainage reserve exists.
South	Residential dwellings and some vacant land. Part of the vacant land contains a Melbourne Water drain.
West	Residential dwellings.

*Planning history:*

Planning Application No:	Proposal	Determination
T160414	Two lot subdivision of land	Approved 8 February 2017
T140395	Use and development of the land for a display home	Approved 13 May 2015
T020894	Use and development of the land for the construction of two dwellings in stages and to be used as display homes	Approved 28 April 2002

**PROPOSAL**

The proposal is for two multi storey buildings. One building contains the hotel entertainment venue, which includes a bistro and dining areas, sports bar, function rooms, a gaming room with eighty (80) electronic gaming machines (EGM's), the second building is for offices and a fifty-two (52) room motel to operate in conjunction with the hotel, and the multi deck car parking is provided for all uses.

The Use/s:	
Hotel:	<ul style="list-style-type: none"> <li>Consists of 481 patrons.</li> <li>Ground floor - Bistro with external terrace, lounge with external terrace and a gaming lounge for 80 electronic gaming machines.</li> <li>First floor – level the layout includes two function rooms and a roof top bar. The pedestrian entrances to the hotel will be via Princes Highway, Station Street and also via rear car park.</li> <li>The proposed hours of operation will be 7am to 3am with external terraced areas and roof top bar closing at 1am, the proposed gaming room is proposed to operate between 7am and 2am.</li> <li>The red line plan shows the licensed area is around the hotel building and terrace areas and includes all levels.</li> </ul>
Motel:	<p>The proposed motel and office building will be over four levels to Princes Highway reaching a proposed maximum height of approximately 14 metres above ground level.</p> <p>Consists of 52 king size rooms located on the first, second and third floors. A motel foyer is adjacent to the hotel. The ground floor level includes the motel lobby, which is located at the western end of the building. The Hotel contains a central reception area for both the Hotel and Motel. Guests would check in at the Hotel and proceed to the Motel lobby stair area to obtain access to the motel accommodation.</p> <p>A dedicated covered area is proposed on the northern side of the Hotel sports lounge to allow motel guests an access to and from the hotel for check in and check out and for breakfast which will be served at the hotel.</p> <p>At first, second and third floor level are a 52 kind size motel rooms accessible via two lift/stair cores.</p> <p>The proposed motel is to be included on the red line plan to allow for quests to consume liquor via room service.</p>
The development:	
Site Layout:	

<b>The Use/s:</b>	
<p>The proposal applies to the northern portion of the site. The contemporary hotel is a three storey building and is oriented to the corner of Princes Hwy and Station Street.</p> <p>The total gross floor area for the motel and office is 3285sqm and the gross floor of the hotel is 2,533 squares.</p> <p>A landscape plan has been provided with the application that shows a variety of planting where opportunities exist including planting along the drainage corridor to the east of the site.</p>	
Ground floor layout for motel and office:	<ul style="list-style-type: none"> <li>• Motel lobby at the west end of the building with stairs and lift.</li> <li>• Office 1 is 165sqm.</li> <li>• Office 2 is 140sqm.</li> <li>• Office 3 is 125sqm.</li> <li>• All access provided via an entry lobby from Princes Highway and the car park.</li> </ul>
First, second and third floors:	<ul style="list-style-type: none"> <li>• 16 rooms are provided on this level with direct access to the deck car parking.</li> <li>• 17 rooms are provided on level two.</li> <li>• 18 rooms are provided on level three.</li> </ul>
<b>Hotel:</b>	
Ground floor:	<ul style="list-style-type: none"> <li>• The gross floor of the hotel will be 2,533 squares with a maximum of 524 patrons.</li> <li>• Proposed hours of operation are from 7am to 3am with external terraced areas and roof top bar closing at 1am.</li> <li>• The gaming room is proposed to operate between 7am to 2am.</li> <li>• Entry to the hotel from Princes Highway into a foyer.</li> <li>• Outdoor terraces areas to Princes Highway and Station Street.</li> <li>• Terrace area that provides for a beer garden (120sqm – 72 seats) accessed from the sports bar.</li> <li>• Terrace area for dining (123sqm – 88 seats) is accessed from the bistro.</li> <li>• Terrace area for garden room available for private functions (68sqm).</li> <li>• At the entry of the hotel is the lounge, which provides for 17sqm and 4 seats, second lounge with café and buffet 109sqm and 27 seats, bistro 293sqm and 208 seats and kids play located behind the bistro and family area.</li> <li>• Sports bar 114sqm 72 seats, gaming lounge 299sqm 80 EGM's, which is located away from the bistro and main public areas.</li> <li>• The bars are centrally located and the kitchen, back of house and service areas are located to the rear of the hotel facing the car park area.</li> <li>• The hotel can be accessed from either the Princes Highway or from the car park to the rear of the hotel.</li> </ul>
First Floor	<ul style="list-style-type: none"> <li>• There are two large function rooms on this level, function room A is 237sqm and provides for 164 seats, function room B is 159sqm and provides for 86 seats.</li> <li>• The roof top terrace is 190sqm and provides for 122 seats.</li> <li>• An additional kitchen is located on this level along with an administration office and plant and equipment.</li> </ul>
Built form design:	<ul style="list-style-type: none"> <li>• The hotel building is to be constructed to the boundary of the land facing both Station Street and Princes Highway.</li> <li>• The motel and offices are also to be constructed to the boundary of the land facing Princes Highway.</li> <li>• Solar panels are located on the roof.</li> <li>• Underground water tanks are provided.</li> </ul>
Vehicle access, car parking:	<ul style="list-style-type: none"> <li>• 257 Car spaces are provided for the uses.</li> <li>• 481 patrons are proposed for the hotel.</li> <li>• 13 spaces for the office use, 52 spaces for the motel uses and 192 spaces proposed for the hotel.</li> <li>• Vehicle access to the site is proposed via a new road known as Orchard Street, which is accessed from Station Street. The car park is accessed via two entry points to an</li> </ul>

The Use/s:	
	<p>area of at grade and elevated decked car parking.</p> <ul style="list-style-type: none"> <li>• Loading areas are provided to each building.</li> </ul>

## PLANNING SCHEME PROVISIONS

### State Planning Policy Framework (SPPF)

The relevant clauses of the SPPF are:

- 10 Operation of the State Planning Policy Framework
- 11 Settlement
- 11.01 Activity Centres
- 15 Built Environment and Heritage
- 15.01-1 Urban Design
- 15.01-4 Design for Safety
- 15.01-5 Cultural Identity and Neighborhood Character
- 17 Economic Development
- 18.01-1 Land use and transport planning
- 18.02-3 Principal Public Transport Network
- 19 Infrastructure

### Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- 21.01 Cardinia Shire Key Issues and Strategic Vision
- 21.02 Environment
- 21.03 Settlement and Housing
- 21.04 Economic Development
- 21.06 Particular Uses and Development
- 22.03 Gaming
- 22.04 Highway Development

**Relevant Particular/ General Provisions and relevant incorporated or reference documents**

The relevant provisions/ documents are:

- Clause 52.06 Car Parking
- Clause 52.07 Loading and Unloading of Vehicles
- Clause 52.27 Licensed Premises
- Clause 52.28 Gaming
- Clause 52.34 Bicycle Facilities
- Clause 52.16 Native Vegetation Precinct Plan
- Clause 65 Decision Guidelines
- Officer Precinct Structure Plan September 2011
- Officer Native Vegetation Precinct Plan September 2011, Officer Development Contributions Plan and Conservation Management Plan 15 September 2011.

**Zone**

The land is subject to the **Urban Growth Zone Schedule 4** and the specific provisions of the zone apply.

**Overlays**

The land is subject to the following overlays:

- Development Contributions Plan Overlay (Schedule 4)
- Land Subject to Inundation Overlay applies to the eastern and southern portions of the site.

**PLANNING PERMIT TRIGGERS**

The proposal is for building and works, change of use of land to a hotel, use of land for the sale and consumption of liquor, installation and use of land for eighty (80) electronic gaming machines and a reduction of bicycle facilities requires a planning permit under the following clauses of the Cardinia Planning Scheme.

Why a permit is required:

Zone	
Clause 37.07 Urban Growth Zone - Part B where a structure plan applies (Officer Precinct Structure Plan approved September 2011 and incorporated into the scheme).	The provisions of clauses 37.07-9 to 37.14 apply.  Refer to schedule 4 of the zone.
Schedule 4 Urban Growth zone sub clause 2.3 specific provisions, use of land.	A hotel is a section 2 use and requires a permit subject to the condition that it must be located in an area shown as Core, Gateway or Highway Business in Map 2 and must be in conjunction with another use.
Hotel Section 2 Use:	A permit is required for the use as it is located within the gateway precinct and is being offered in conjunction with the motel use.
Schedule 4 Urban Growth zone sub clause 2.7 specific provisions, buildings and works	A permit is required to construct a building or construct or carry out works.

Overlay	
Clause 44.04-2 Land Subject to Inundation	A planning permit is required to construct a building or construct or carry out works on the land. The east side of the land is partly located within the overlay.
Clause 45.06 Development Contributions Overlay, Schedule 4	A permit must not be granted to construct a building or construct or carry out works on the land until a development contributions overlay has been incorporated into the scheme. The permit granted must be consistent with the provisions of the relevant development contributions plan and include any conditions required set out in the relevant schedule to this overlay. The Officer Development Contributions Plan has been incorporated into the scheme and applies to this development.
Particular Provisions	
Clause 52.27 Licensed Premises	A permit is required for the use of land for the sale and consumption of liquor.
Clause 52.28 Gaming	A permit is required for the installation and use of land for 80 electronic gaming machines.
Clause 52.34 Bicycle Facilities	A permit is required for a reduction in bicycle facility requirements.

Please note that a full assessment against the above provisions and the relevant sections of the State and Local Policy is included within the discussion.

Under the Urban Growth Zone Schedule 4, the office use and the motel use, which is defined as a residential hotel in the planning scheme and does not require a permit for the use of the land under section 1 of the zone, as it is located in the area shown as Gateway in Map 2 of the zone.

Under clause 52.06-3 Car parking of the planning scheme, a permit is not required for the car parking as the appropriate amount of car spaces have been provided for the proposed uses.

## PUBLIC NOTIFICATION

Pursuant to Clause 37.07-13 Exemption and Review of the Urban Growth Zone, an application under any provision of this scheme which is generally in accordance with the precinct structure plan applying to the land, is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of section 64 (1), (2) and (3) and the review rights of section 82(1) of the *Planning and Environment Act 1987* unless the schedule to this zone specifies otherwise.

In this instance, the schedule to the zone does not list anything other than the above, therefore the proposal is considered to be generally in accordance with the Officer Precinct Structure Plan (September 2011) that applies to the land.

Pursuant to Clause 44.04-4 of the Land Subject to Inundation Overlay, an application under this overlay is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Planning and Environment Act 1987.

As a result of the above, the application was not advertised.

Eight (8) submissions have been received regarding the proposal. The submissions generally relate to the gaming component of the application, which have been summarised below. However, Council cannot consider the submissions as formal objections, as the proposal is exempt from notice and review. Summary of submissions:



- Negative community and social consequences of pokie machines.
- Domestic violence will be exacerbated.
- Location too close to a child care centre and schools.
- Venue too close to a future supermarket where people could walk from the supermarket to the venue.
- Venue too close to a busy commercial and retail precinct.
- Not in a discreet location for addicted gamblers.
- The demographic is classed as relatively disadvantaged.
- Officer growth area is attracting young families where mortgage stress can be at its highest level.
- The Shire has one of the highest unemployment levels in the state.
- There will be an increase in crime.
- Location is not appropriate.
- Issues with traffic congestion, hours of operation, noise and lighting from the venue.
- Lack of community consultation and no right of appeal.

## REFERRALS

The application was referred to the following referral authorities.

Authority:	Clause referred:	Response:
VicRoads	Clause 52.29	No objection to the proposal.
Victorian Commission for Gambling & Liquor Regulation (VCGLR)	Clause 52.27	The commission does not intend to offer any comment or submission on the application.
Melbourne Water	Clause 44.04-5	No objection subject to conditions
Victoria Police		No response received.

**DISCUSSION**

**Cardinia Planning Scheme:**

Assessment against the relevant Planning Scheme controls

Planning Scheme reference	Assessment
<b>State Planning Policy Framework</b>	
<p>The following State Planning Policies are relevant in the assessment of this application:</p> <ul style="list-style-type: none"> <li>• Clause 11 Settlement</li> <li>• Clause 15 Urban Design</li> <li>• Clause 17 Economic Development</li> <li>• Clause 19 Infrastructure</li> </ul>	<p>The following comments are made with respect to the policies within the State Planning Policy Framework:</p> <p>The proposal is consistent with the relevant Clauses of the State Planning Policy Framework, specifically the proposal meets the intent of Clauses 11, 15, 17, 19 and 21.04 by promoting jobs and investment by promoting economic growth and meets the community need for entertainment uses.</p> <p>The key strategies of the framework are to improve access to jobs across Melbourne and closer to where people live and to support activity centres by providing for a broad range of land uses that are of a high quality design and amenity.</p> <p>The proposal is consistent with Clause 15 by providing a strong built form on a key corner 'gateway' site and further expands on the objective to achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.</p> <p>Relevant strategies to consider refer to the public realm, safety, pedestrian spaces, and architectural quality. The policy guidelines for planning to consider are the Urban Design Guidelines for Victoria in assessing the design and built for new development.</p>
<p>Clause 21.01 Cardinia Shire Key Issues and Strategic Vision</p>	<p>The key issue for Cardinia relevant to this proposal is economic development and to ensure the development of a balanced local economy and local employment opportunities for residents.</p> <p>The attraction of new business, particularly to the employment corridor and to encourage an attractive, sustainable built form in existing and future development.</p> <p>The location and characteristics of gaming venues.</p> <p>The proposal is consistent with Cardinia Shires strategic vision which is that Cardinia will be developed in a planned manner to enable future generations to enjoy and experience the diverse and distinctive characteristics of our Shire. In addition to this statement, the proposal is attracting a new venue which is attracting a new business to Cardinia in a location that is supported by the provisions of the Officer PSP. The proposal also provides for a range of employment opportunities for local people.</p>
<p>Clause 21.04 Economic development</p>	<p>Economic development is critical to the overall wellbeing of the Shire in both creating employment opportunities for residents and attracting business investment.</p> <p>The proposal is consistent with this policy direction as it is located within the urban growth corridor and is within an emerging town centre. The</p>

Planning Scheme reference	Assessment
State Planning Policy Framework	
Clause 21.04-3 Activity centres	<p>proposal provides for employment opportunities for local residents and is essentially attracting a new multi purpose use to the Officer town centre.</p> <p>Activity centres provide a range of retail, commercial, entertainment and community services activities integrated with housing in a location which is highly accessible by road, public transport, foot and bicycle. Activity Centres are a focus for community activity and interaction in a location with a strong sense of place and urban character.</p> <p>A key issue for Cardinia is facilitating development of retail, commercial, community, residential and entertainment activities within activity centres, to meet the needs of the existing and future community.</p> <p>The design and location of the proposal achieves the objective by providing for a development that provides for employment, is accessible and the multi storey built form to the key gateway corner.</p>

Planning Scheme reference	Assessment
Local Planning Policy Framework	
<p>The following Local Planning Policies are relevant in the assessment of this application:</p> <ul style="list-style-type: none"> <li>• Clause 11 Settlement</li> <li>• Clause 17</li> <li>• Clause 19</li> <li>• Clause 21.04 – MSS</li> <li>• Gaming 22.03 (discussed further in the report)</li> </ul>	<p>The proposal is consistent with the relevant Clauses of the Local Planning Policy Framework and the following comments are made with respect to the policies within the Local Planning Policy Framework:</p> <p>The proposal is appropriately located within an ‘Urban Growth Area’, where the key principles for the development of precincts include attracting business investment and to create diverse employment opportunities. The Officer Town Centre is proposed to become a vibrant well serviced activity centre with development that achieves good urban design outcomes with strong character.</p> <p>Economic development is critical in the wellbeing of the municipality in terms of providing employment opportunities and attracting business investments. Officer is identified as a major activity centre that is still yet to be developed for this purpose. It is important to encourage development that provides a diverse mix of employment opportunities for works and people with businesses.</p> <p>The policy framework aims to encourage development that optimises the provision of adequate, integrated and functional car parking, urban design outcomes, safe and accessible pedestrian and a high quality built form.</p> <p>The proposal is consistent with the relevant objectives of Clause 21.06-2 Community safety, as the proposal has been designed to be consistent with safer design principles. The proposal maximises activity by creating a mix of uses on the site, visibility and surveillance of the public environment by providing safe movement through good connections and access has been provided with the appropriate siting and design of the buildings and car park.</p> <p>The local planning policy framework for Clause 21.06-4 Gaming, the objective is to minimise the negative impacts of gaming on the community by ensuring gaming machines are only located within venues that are appropriately located and have appropriate venue characteristics.</p>

Planning Scheme reference	Assessment
Local Planning Policy Framework	
	<p>The objectives of local planning policy Clause 22.03 Gaming, are to discourage new gaming machines in vulnerable or disadvantaged areas, achieve positive social, economic and environmental outcomes in the location and relocation of gaming machines and avoid exacerbating the risk of problem gambling.</p> <p>To locate gaming machines where the community has a choice of non-gambling entertainment or recreation activities within the gaming venue and the local area and to protect the amenity of areas surrounding gaming venues.</p> <p>The above is addressed further in the report.</p> <p>In response to the proposal has taken into consideration the above policy directions as the proposed venue is appropriately located within the 'gateway' precinct as identified within the Officer PSP and Urban Growth Zone Schedule 4. The venue provides for a range of choice in relation to entertainment and dining.</p>

Planning Scheme reference	Assessment
Zone	
Clause 37.07 Urban Growth Zone Schedule 4 (UGZ4) - Officer Precinct Structure Plan (September 2011)(OPSP) - Officer Town Centre	<p>The proposal is consistent with the relevant provisions of the UGZ4 (Officer Town Centre). The land is shown as MAC Peripheral Commercial to the north of Orchard Road and the land to south is proposed as residential land. The land is identified as being within the 'Gateway' precinct.</p> <p>Map 1 of schedule 4 shows the subject site as being located within the major peripheral commercial area. Clause 2.1, the use and development provision, breaks up the town centre into precincts. Map 2 identifies the subject land as being within the 'gateway' precinct.</p>

Planning Scheme reference	Assessment
Overlay	
Clause 44.04 Land Subject to Inundation	Part of the land is affected by the overlay. The application was referred to Melbourne Water who had no concerns with the proposal.
Clause 45.06 Development Contributions Plan 4	<p>Officer development contributions plan applies and is applicable to the land and the development proposal.</p> <p>A condition will be placed on the permit requiring development contributions for the development.</p>

Planning Scheme reference	Assessment
Particular Provisions	
Clause 52.06 Car parking:	<p>Pursuant to Clause 52.06-3, a permit is not required if the number of spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for a new use of land is less than or equal to the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land.</p> <p>Clause 52.06-5 provides for the table that specifies the number of car parking spaces that are required for the use.</p> <ul style="list-style-type: none"> <li>Hotel requires 0.4 spaces to each patron permitted.</li> <li>Office requires 3.5 spaces to each 100sqm of net floor area.</li> </ul>

Planning Scheme reference	Assessment
Particular Provisions	<p>Pursuant to Clause 52.06-6 number of car parking spaces required for other uses and a use of land is not specified in table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the parking overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority.</p> <p>A comprehensive traffic report was provided by Ratio (July 2017).</p> <p>A 257 space car park is proposed within a ground level and deck car park. The ground floor provides for 170 spaces including 8 disabled spaces and the deck car park provides for 87 spaces.</p> <p>Access to the car park is provided from the new road (Orchard Street) via two new access points.</p> <p>Under this clause 257 car spaces are proposed for the uses as follows:</p> <p>Hotel – 481 patrons at a rate of 0.4 spaces to each patron permitted requires 192 spaces.</p> <p>Office 1 – 165sqm at a rate of 3.5 spaces per 100sqm net floor area requires 5 spaces.</p> <p>Office 2 – 140sqm at a rate of 3.5 spaces per 100sqm net floor area requires 4 spaces.</p> <p>Office 3 – 125sqm at a rate of 3.5 spaces per 100sqm net floor area requires 4 spaces.</p> <p>Motel – 52 rooms at a rate of 1 space to each unit and one to each manager dwelling, plus 50 percent of the relevant requirement of any ancillary use is 52 spaces.</p> <p>Therefore, the proposed uses adequately meet this clause by providing enough car spaces on the site for the uses.</p> <p>A waste management plan was provided which demonstrates how waste will be stored on the site and how waste vehicles can move through the site to collect waste bins and how waste will be disposed of.</p> <p>Waste collection times are proposed as follows:  Hotel: 7am to 6pm Monday to Friday.  Office/Motel: outside of the building during trading hours.</p> <p>Loading:  Two loading bays are proposed, one for the hotel which is located in the south west corner of the site and one for the motel and office use located in the north east corner of the site.</p> <p>The size and locations of the loading bays for each building comply with the provisions of this clause. Council's traffic and waste departments have reviewed the reports and the plans with the swept path diagrams and had no objection to the proposal.</p>

Planning Scheme reference	Assessment
Particular Provisions	
	<p>Traffic Generation:</p> <p>The proposed mix of land uses for the site are expected to generate peak activity at different days and times of the week. As a result, the site is considered to benefit from the complementary mixed use nature of the development with reduced net traffic impacts overall. The peak periods observed for the area were the obvious times when people are going to and from work or dropping off and picking up children to school. Weekends were viewed to have less demands than during the week.</p> <p>The traffic report concluded that the proposed parking is in accordance with the statutory requirements and is expected to cater well for the peak parking demands. The provision of access to and from the site is appropriate and that the traffic anticipated to be generated from the proposal is expected to be comfortably accommodated by the surrounding road network. In addition the traffic report was reviewed by Council's Traffic Engineers who had no concerns or comment on the proposal.</p>
Clause 52.27 Licensed Premises	<p>The decision guidelines require consideration of the impact of the sale or consumption of liquor permitted by the liquor licence, hours of operation, patron numbers and cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.</p> <p>The proposal is not within close proximity to other licensed premises and therefore it is not considered to have a cumulative impact on the amenity of the surrounding area. Furthermore, the proposed venue provides for the serving of food and has a variety of entertainment spaces which suggest how the venue will operate with an emphasis on dining, functions and entertainment.</p> <p>The hours of operation are considered to be appropriate and in line with other venues in Pakenham, Officer and Beaconsfield.</p> <p>The number of patrons for the venue is set and can be managed through the planning permit and the license from the VCGLR.</p> <p>Therefore, it is considered that the proposal complies with this clause and the decision guidelines.</p>
Clause 52.28-2 Gaming	<p>The proposal is consistent with the provisions of Clause 52.28 as follows:</p> <ul style="list-style-type: none"> <li>• There are no current uses in proximity of the site that would result in impulse gambling or frequent pedestrian movements past the site.</li> <li>• The 'Gateway' and 'Highway business' precincts of the town centre are the only locations within Officer where gaming is an allowable use.</li> <li>• The site is within the 'Gateway' precinct of the town centre where a mix of uses are supported such as hotels, motels, office and showrooms. The proposed land use mix is not necessarily a day to day use like supermarkets and other retail nature uses that would encourage impulse gambling.</li> <li>• The subject site is well removed from the core town centre retail precinct.</li> <li>• The 'Highway' business precinct on the opposite side of Princes</li> </ul>

Planning Scheme reference	Assessment
Particular Provisions	
	<p>Highway is an allowable gaming location under this clause, despite the existing uses not being reflective of a strip shopping centre.</p> <ul style="list-style-type: none"> <li>The venue is physically separated from this centre by Station Street. Station street is considered to be the end of the centre where there is no potential for further day to day retail uses located east of Station Street that might normally encourage continued pedestrian movement towards the venue.</li> </ul> <p>In relation to the social and economic impacts of the location of the machines, the area immediately surrounding the venue has a SEIFA score that sits within the eight decile and is therefore located in an area exhibiting few signs of disadvantage. The majority of the surrounding area within 2.5kms is located within the eight decile or above.</p> <p>The relevant considerations is as to whether the site can accommodate the proposal and whether the gaming premises provides a full range of hotel facilities or services to patrons or full range of club facilities or services to members and patrons. It is considered that the venue is appropriate for gaming in this location as it provides a full range of facilities and services for patrons such as a bistro, function rooms, sports lounge, alfresco terrace and a range of other bar areas.</p> <p>The proposed hours of operation for the gaming room from between 7am and 2am provides for a 5 hour break in play that exceeds the recommend 4 hour break in play.</p> <p>Therefore, it is considered that the proposal complies with this clause and the decision guidelines.</p>
Clause 52.29 Land Adjacent to a Road Zone, Category 1	The land is adjacent to the Road Zone Category 1 zone being Princes Highway. There is no access to Princes Highway, the access is provided via a new road to be constructed from Station Street.
Clause 52.35-2 Bicycle facilities	<p>The rates for the provision of bicycle facilities are as follows:</p> <p>Hotel – 1 to each 25sqm of bar floor area available to the public plus 1 to each 100sqm of lounge floor area available to the public for employees. The area for the bar is 689sqm the area for the lounge is 539sqm which requires 33 employee spaces and 33 visitor spaces.</p> <p>Motel – 1 to 40 rooms. The number of rooms provided is 52, therefore 1 space is required.</p> <p>A total of spaces for employees is 34 and spaces for visitors is 33.</p> <p>The development has a requirement to provide a total of 67 bicycle spaces for the site. A total of 27 bicycle spaces are proposed as part of the development.</p> <p>Based on the types of uses on the site, it is considered appropriate to allow a reduction in bicycle spaces for the site.</p> <p>Furthermore, the clause requires that showers and change rooms be provided for employee bicycle parking. A requirement of 4 showers and 4 change rooms are required. One combined shower and change room is provided which is a shortfall of 3 showers/change rooms. It is</p>

Planning Scheme reference	Assessment
Particular Provisions	
	<p>considered to be excessive to provide the total of 4 shower/change rooms in this instance, as staff generally will work in shifts and one shower/change room is considered appropriate in this instance.</p>
<p>Clause 64.02 Land in conjunction with another use</p>	<p>Under section 2 of the Urban Growth Zone Schedule 4, the use of land for a hotel must be in conjunction with another use.</p> <p>This clause is relevant to the consideration of the application in relation to the nexus between the hotel use and the residential hotel (motel) use. The clause states that if a provision of this scheme provides that a use of land must be used ‘in conjunction with’ another use of the land:</p> <ul style="list-style-type: none"> <li>• There must be an essential association between the two uses; and</li> <li>• The use must have a genuine, close and continuing functional relationship in its operation with the other use.</li> </ul> <p>It is considered that the use meets the in conjunction test, as there is a direct association between the uses and occupants of the motel will use the entertainment facilities within the hotel.</p> <p>The proposal shows that the occupants of the motel will have a dedicated breakfast area within the hotel and can also use the hotel for dinner, drinks and entertainment. The motel and hotel are on the same site and utilise the same car parking facilities.</p> <p>The reception for the motel is located within the hotel. Motel guests can order food via room service deliver with food prepared within the hotel kitchen and beverages from the hotel.</p> <p>The management of the hotel will be by employees of the motel as both uses are to be operated by the same company.</p> <p>Therefore, it is considered that the proposal complies with the above clause as hotel has an essential association with the motel and will also have a genuine, close and continuing functional relationship with the motel.</p>



Planning Scheme reference	Assessment
Officer Precinct Structure Plan – Incorporated Document	
The application has been assessed against the provisions and requirements of the Officer Precinct Structure Plan (PSP), as summarised below. The subject site is located within the major peripheral commercial area and is identified as being within the ‘gateway’ precinct.	
Plan 5 Future Urban Structure	<p>Describes how the PSP delivers the vision and shows the subject site as being located within the MAC peripheral commercial area. The Officer Town Centre (OTC) is the major activity centre (MAC) and the focus of the precinct is to provide residents with convenient access to office and retail developments, community facilities and jobs.</p> <p>The proposal is appropriately located in accordance with the future urban structure.</p>
Plan 6 Officer Land Use Budget	The site is shown as property number 202.
Plan 7 Image and Character	<p>The subject site is located within character area 9 – Officer Town Centre. The relevant objective is to create a high profile image and distinct character through the provision of intensively developed built form.</p> <p>The development is consistent with the relevant planning and design guidelines to be met as the design of the proposal provides for an innovative urban design and architecture that complements the character of the precinct.</p>
<p>Plan 9 Employment</p> <p>Table 9 – Hierarchy of Activity Centres</p> <p>Table 10</p> <p>4.301 Employment and activity centre</p>	<p>The plan shows the subject site within the Activity Centre boundary and located within the peripheral commercial area. The development provides for a landmark entry to Officer Town Centre with a strong built form to Princes Highway and Station Street.</p> <p>The plan shows the subject site within the Activity Centre boundary and located within the peripheral commercial and office uses.</p> <p>Refers to layout and structure, built form and massing. It is considered that the proposal complies with relevant planning and design guidelines to be met as the proposal provides for the following:</p> <ul style="list-style-type: none"> <li>• Entrances to buildings at ground level to provide for pedestrian amenity.</li> <li>• Links are provided to the pedestrian network.</li> <li>• Buildings located on prominent corner site with greater storeys, well articulated frontages to create the illusion of height where needed.</li> <li>• Appropriate use of high quality building materials.</li> <li>• Provision of well coordinated off street car parking appropriately located behind the buildings within a multi deck car parking facility.</li> </ul> <p>The relevant objectives are to:</p> <ul style="list-style-type: none"> <li>• Strengthen the local and regional economy by creating opportunities for new business.</li> <li>• Provide for jobs in the community that reduces the potential for out-commuting for work.</li> <li>• Maximise accessibility to employment areas by public transport, cycling and/or walking.</li> </ul> <p>:</p>

Planning Scheme reference	Assessment
Officer Precinct Structure Plan – Incorporated document	
<p>Table 10a: Major activity centre, planning and design guidelines to be met for the 'gateway' precinct</p>	<p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>• To ensure a landmark entry to Officer Town Centre.</li> <li>• Establish Princes Highway as a strong, attractive and interesting corridor that promotes a sense of arrival to Officer Town Centre.</li> <li>• To facilitate a coordinated development solution for existing small lots.</li> <li>• Buildings are to be a minimum of three storeys or equivalent height.</li> <li>• Zero setback of buildings are to be provide to the lot line on the Princes Hwy.</li> <li>• Buildings to be provided to both frontages of corner sites.</li> <li>• Off street car parking to be provided.</li> <li>• Buildings to obscure car parking from view of Princes Hwy.</li> <li>• A coordinated car parking system provided between lots.</li> <li>• Use of transparent glazed facades, minimal blank walls.</li> </ul> <p>In response to the proposed development is appropriately located and achieves the above objectives by providing a high profile landmark entry to the corner which presents as multi storeys in height.</p> <p>The car park is well obscured to the rear of the proposal with development wrapping around both corners to screen the deck car parking.</p> <p>More importantly the proposal provides for a new business within Cardinia Shire which creates employment opportunities for local people and is a catalyst to providing the beginning of the development of the town centre to Officer.</p>
<p>4.5 Open Space and Natural Systems</p> <p>Plan 11 Open Space Network</p> <p>Plan 12 Integrated Water Management</p>	<p>The relevant objectives of this section:</p> <ul style="list-style-type: none"> <li>• Provide and develop a network of quality, well distributed, multi-functional and appropriate sized open space areas that are well connected to meet the active and passive needs of the community.</li> <li>• Protect and enhance areas of environmental significance and integrate these areas with open space systems where practicable.</li> <li>• Maximise the integration and sharing of space with publicly accessible encumbered land.</li> <li>• Incorporate pedestrian and bicycle paths through the open space network.</li> </ul> <p>The drainage corridor which is located to the east boundary of the site and runs in a north south alignment, which is identified as other encumbered public open space, with an area of inundation.</p> <p>The extent of the overall drainage corridor extends from the north to the south of the Officer PSP boundary. The drainage corridor follows a specific drainage line that meets with retarding basins and open space. The role of encumbered land is to provide for overland flows and stormwater retention and to maintain access to services.</p>

Planning Scheme reference	Assessment
Officer Precinct Structure Plan – Incorporated document	
	<p>Whilst the drainage corridors main function is to be for the conveyance of stormwater flows, it will also provide a shared function as a pedestrian path way which provides a pedestrian link to the broader area.</p> <p>The role of linear open space is to serve a variety of purposes including:</p> <ul style="list-style-type: none"> <li>• Drainage and water management.</li> <li>• Wildlife corridors,</li> <li>• Visual buffers and</li> <li>• Movement corridors (for pedestrians, cyclists)</li> <li>• Includes both encumbered and unencumbered land.</li> </ul> <p>The relevant guidelines to be met:</p> <p>Water Sensitive Urban Design:</p> <ul style="list-style-type: none"> <li>• Design and layout of open space areas is to maximise efficient water use, stormwater quality and the viability of vegetation through use of Water Sensitive Urban Design (WSUD) initiatives.</li> <li>• Incorporate stormwater management and techniques to improve stormwater quality, particularly along drainage lines.</li> </ul> <p>Integrated Open Space Network:</p> <ul style="list-style-type: none"> <li>• Consider significant view lines to and within the precinct to enhance open space opportunities within the urban area.</li> <li>• Ensure pedestrian and bicycle routes are provided with good surveillance.</li> <li>• Design streetscape planning, pedestrian/bicycle paths and landscaping of adjoining development to compliment and integrate with the adjoining parkland design.</li> <li>• Ensure the design of drainage reserves, retarding basins and wetlands are integrated with the open space network.</li> </ul> <p>In response to the above, it is considered that the proposal meets the relevant guidelines above, as the proposal has been designed with the linear open space network in mind. Appropriate landscaping and footpaths will be provided within the open space/drainage corridor which will provide a level of pedestrian activation and enhance the area through landscaping opportunities that will filter into the car park area.</p>
<p>4.6 Transport and Movement</p> <p>Plan 15 Road Network</p> <p>Plan 16 Public Transport</p>	<p>The relevant objective is to provide an efficient, legible and safe local road network that complements the role and function of the arterial road networks and provides good internal movement within and between neighbourhoods and good access to external destinations. Other key objectives worthy to note is the creation of attractive and safe interface with arterial roads with provision of landscaping of roads and streets that contribute to key public spaces, landscape corridors and contribute to an attractive urban environment.</p> <p>Plan 15 shows the road as M5 within the town centre which is the incorrect cross section in the Officer PSP. A different cross section has been applied to provide the new proposed road from Station Street, which is referred to as Orchard Street and is to be constructed by the land owner. The proposed road is a 17m wide road reserve with a 6m wide carriageway with indented parking and concrete hardstands on both sides.</p>

Planning Scheme reference	Assessment
Officer Precinct Structure Plan – Incorporated document	
Plan 17 Walking and Trails	<p>Princes Highway is main principal public transport route.</p> <p>Plan 17 shows a key local footpath along Princes Highway and Station Street.</p> <p>Station Street is designated as having a bike way (off road). The drainage corridor to the east of the site contains a 2.5m wide shared path within it.</p> <p>The developer is responsible for providing the footpaths as specified above in accordance with the Officer PSP. These will be included as conditions.</p>
4.7 Utilities, Energy & Sustainability	A Sustainable Management Plan was provided with the application that details energy efficiency of the buildings, construction materials, water efficiency and storm water management. The report provided a list of recommendations in relation to submitting an Environmental Sustainable Design report, installation of solar panels, water tanks and ensuring that best practice in development and design are achieved.
Access report	<p>The report was commissioned to evaluate the proposed plans to ensure the appropriate provision of access to the site under the Disability Discrimination Act (DDA). It is essential that the objectives of dignified and equitable access are met for all users of the building.</p> <p>In relation to the development, there are some areas in the report that have been identified as requiring compliance. These areas will be dealt with via planning permit conditions.</p>
Officer PSP and Urban Design Framework (UDF):	
<p>The above documents provide guidance on what is envisaged in terms of built form for the town centre. In summary the draft UDF outlines the design objectives for the gateway precinct within Officer which is to create a strong and attractive corridor along the Princes Highway. The proposal is consistent with the requirements of the draft UDF and seeks to provide for a landmark building that has been architecturally designed to achieve the intent of the framework and to create a distinctive entrance to the precinct. Furthermore, the design provides a varying mix of materials and elements that will provide a benchmark and contribute to the emerging character of Officer.</p>	
The proposal is consistent with the vision and the relevant objectives of the Officer PSP as it seeks to create a vibrant development located on a key gateway corner to the town centre.	

### Electronic Gaming Machines (EGM's) discussion:

The application has been assessed under the provisions of the local policy and particular provision for gaming. It is considered that the proposal meets the objectives of the relevant state and local planning policy frameworks and decision guidelines. A full assessment of Clause 22.03 Gaming is attached as an appendix.

Ratio consultants have prepared and submitted a planning report with the application in support of the proposal. The report included the following:

- A review of the relevant policy and research documents, gaming statistics and social and economic data to determine the profile of the catchment area.
- An analysis of the profile of the catchment area against measures of vulnerability and a review of existing social infrastructure.

- An assessment of the expected social and economic impacts of the proposal and the likely overall impact on the local community.

Key findings of the planning report are summarised below:

- Primary patron catchment.
- The proposal is estimated to increase net expenditure on EGM's within Cardinia.
- The primary catchment shows few signs of relative disadvantage based on the Socio-

Economic Indexes for Areas (SEIFA), which range areas in Australia according to relative socio-economic advantage and disadvantage.

In having regard to the relevant provisions of the Cardinia Planning scheme, the following key planning issues associated with this application have been considered as to whether the proposal is consistent with the strategic vision for the site, whether the proposed built form is responsive and consistent with the vision for the site, whether the proposed electronic gaming machines are acceptable within planning grounds and will the proposal limit amenity impacts to the area?

A key consideration within the planning report is in relation to the determination of applications for gaming machines is 'the net community benefit to be derived from the application'. As such, it is considered that the proposal will provide a net community benefit, however this aspect will be explored further by the VCGLR who consider the net benefit and full socio-economic factors in considering the application in that jurisdiction.

The applicant has made an offer to make annual pro rata payments totalling \$1,500.00 per EGM installed and operating at the premises (indexed to CPI) in cash donations to local sporting groups or clubs, local charities, local community organisations and local responsible gambling service providers. The payments will be required at the end of the first financial year following the installation and operation of the gaming machine use. Furthermore, a list of each group or organisation and the amounts contributed to be provided to Cardinia Shire Council at the end of each financial year to ensure transparency within the process. The above will be implemented as a condition of the permit through a Section 173 Agreement under the Planning & Environment Act 1987.

Current gaming machine provision in the Shire:

There are currently five (5) gaming venues within Cardinia Shire with the closest venue Club Officer located at 3 Niki Place Officer being approximately 4.1kms. There is a total of 325 licensed electronic gaming machines (EGM's) within Cardinia Shire. This is considered to be well below the cap which is currently estimated to be approximately 580 gaming machines (source City of Greater Dandenong Social Statistics 2017).

The latest statistics from the VCGLR website (as at 30 June 2016) indicate that:

- Cardinia has a gaming machine density of 5.65 EGM's per 1000 adults which is comparable to the Metro averages of 5.32 and 5.65.
- Gaming expenditure per adult at \$467.76 is lower than both the Metropolitan and State averages being \$576 and \$553.
- Cardinia has a lower number of adults per venue (10,706) than the metro average (11,058) and higher numbers of adults when compared to the State wide average (9,185).

\*(Source VCGLR Website)

The regional caps are set under the Gambling Regulation Act 2003 who determine the maximum permissible gaming machines entitlements within each municipal district. The maximum permissible gaming entitlements for the shire of Cardinia is 458 and the LGA is currently provided with 303 gaming entitlements which is below the allowable 458.

#### *Patron Catchment:*

The primary patron catchment of a venue is the geographic area where the majority of patrons reside. In metropolitan gaming venues this is generally an area between 2.5 and 5 kilometres from a venue. Clause 22.03 requires a 5km catchment to be considered as part of any gaming application. A review of the districts known as Officer, Southern Rural and Cardinia Road within the secondary catchment being Beaconsfield, Beaconsfield Upper, Berwick Township and Berwick South between 2.5km and 5km from the venue.

The above districts have been used for the purpose of the economic analysis set described above. The profiles of suburbs comprising the patron catchment have been compared to Melbourne Capital City Statistical Area which is effectively metropolitan Melbourne.

#### *SEIFA Analysis*

The SEIFA index for the Cardinia LGA at 1024 sits well above the Victorian LGA average of 993. The lower the figure the higher the disadvantage.

The table below outlines the SEIFA index for the precincts that fall within a 5km radius of the venue.

SEIFA Index of Disadvantage (5km radius)			
Suburb	SEIFA Index	Decile	Percentile
Officer	1072	9	86
Cardinia Road	1049	8	74
Beaconsfield	1075	9	87
Pakenham	971.1	-	32
Berwick Township	1056	8	78
Berwick South	1071	9	85
Median Suburb/Precinct			1022

*Source: Profile Id & ABS 2011 [www.abs.gov.au](http://www.abs.gov.au)*

The precincts that fall within a 5km radius of the venue have a range of SEIFA score well above the average indicating that there are relatively few signs of social and economic disadvantage within this area. The two precincts that have been used to determine the social and economic profile of the primary catchment area for Officer and Cardinia has a SEIFA score that sits above the suburb median and sits in the 8<sup>th</sup> and 9<sup>th</sup> decile indicating that it has few signs of socio economic disadvantage. (source Ratio report January 2017)

#### *Summary:*

The assessment above demonstrates that the proposal complies with Clauses 22.03 and 52.28 for Gaming. The SEIFA score for the area indicates that the area is showing few signs of vulnerability or disadvantage issues.

According to the data above and based on the broader assessment of the whole application under the planning scheme, the proposed venue is in a suitable location to allow new gaming machines in addition to the broader hotel functions. The venue is physically separated from the retail core of the Officer Town Centre and the strip shop retail areas and therefore it is considered the proposed venue is located within a convenient location.

The relevant decision guidelines to consider is whether the site can capably accommodate the proposal and whether the venue provides a full range of hotel facilities or services to patrons to which in this instance it

provides for a full range of facilities and services such as a bistro, function rooms, sports lounge, alfresco terrace and a range of other bar areas.

The proposed hours of operation of the gaming room from between 7am and 2am provides for a 5 hour break in play, this exceeds the recommend minimum 4 hour break in play and is considered to be in line with other venues within the municipality. Conditions will be placed on the planning permit issued to ensure that the hours of operation are complied with at all times.

Furthermore, it is considered that the proposal appropriately addresses the following:

- The proposed venue provides for a choice of gambling and non-gambling entertainment and recreation activities within the venue and the local area.
- There are no current and uses in proximity of the site that would result in impulse gambling or frequent pedestrian movements past the site.
- The 'Gateway' and 'Highway business' precincts of the town centre are the only locations within Officer where gaming is an allowable use.
- The site is within the 'Gateway' precinct of the town centre where a mix of uses are supported such as hotels, motels, office and showrooms. The proposed land use mix is not necessarily a day to day use like supermarkets and other retail nature uses that would encourage impulse gambling.
- The subject site is well removed from the core town centre retail precinct.
- The 'Highway' business precinct on the opposite side of Princes Highway is an allowable gaming location under this clause, despite the existing uses not being reflective of a strip shopping centre.
- The venue is physically separated from this centre by Station Street. Station street is considered to be the end of the centre where there is no potential for further day to day retail uses located east of Station Street that might normally encourage continued pedestrian movement towards the venue.

## CONCLUSION

The proposal is consistent with the relevant strategic policy, zone, overlay and particular provisions within the Cardinia Planning Scheme and the incorporated Officer Precinct Structure Plan.

The assessment of this proposal has taken into consideration the relevant provisions of the Cardinia Planning Scheme, incorporated documents and a comprehensive analysis and assessment of the gaming policy. The decision guidelines of clause 65.01 have been considered in that the proposal provides for the appropriate amenity and orderly planning and development of the area. The uses are appropriate for the area and will be complimentary to what is envisioned for the future Officer Town Centre and takes into consideration the responsive building design outcomes to be achieved within the structure plan and draft urban design framework. On the balance the proposal is supported by State and Cardinia Council planning policy.

The proposal should be supported subject to conditions as the development application for the hotel, residential hotel (motel) and office as it is what is envisioned for the area and provides for employment and entertainment opportunities for the community.

It is recommended that the application be approved subject to conditions.

## CONDITIONS

1. Before the use and development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and one (1) copy must be provided in an electronic format. The plans must be generally in accordance with the plans submitted with the application but modified to show:

- a) Clearly show the projections of the awnings over the street alignment.

To the satisfaction of the Responsible Authority.

The layout of the use/s and buildings and works as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.

Once the development has commenced, it must be continued and completed to the satisfaction of the Responsible Authority.

The various activities forming parts of the use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

2. Before the commencement of the use of gaming machines at the venue, the owner must enter into an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act 1987*, and make application to the Registrar of Title to have the agreement registered on Title to the land under section 181 of the Act, which provides for the following:
  - a) The Agreement must relate to the subject land of this Permit and must require the owner of that land to make annual pro rata payments totalling \$1,500.00 per EGM installed and operating at the premises (indexed to CPI) in cash donations to local sporting groups or clubs, local charities, local community organisations and local responsible gambling service providers, to the satisfaction of the responsible authority.
  - b) Payments are required at the end of the first financial year following the installation and operation of the gaming machine use.
  - c) A list of each group or organisation and the amounts contributed to be provided to Cardinia Shire Council at the end of each financial year.

The owner must pay the reasonable costs of preparation, execution and registration of the agreement.

3. Before the development starts, a statement of compliance must have been issued for the two lot subdivision approved under planning permit T160414.
4. Before development starts or any other time agreed to in writing by the Responsible Authority, a / an amended Public Infrastructure Plan (PIP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the PIP must be implemented to the satisfaction of the Responsible Authority.

The PIP must show the proposed location, type, staging and timing of delivery of all infrastructure on the land which is identified in the Officer Precinct Structure Plan and Officer Development Contributions Plan, or which is otherwise reasonably required on or to the land or on any other land as a result of the subdivision of the land. Without limiting the extent of what must be shown on and in the PIP it must include the following to the satisfaction of the Responsible Authority:

- a) 17m wide road in accordance with the required street cross section in the Officer Precinct Structure Plan being "Major Activity Centre – Access Street Level 2 – Section M4".
- b) Construction of Station Street upgrade to a Connector Street – Constrained Type 2 (Section M3b).
- c) Construction of signalised intersection at Princes Hwy/Tivendale Road/Station Street.
- d) Provision of land for signalised intersection at Princes Hwy/Tivendale Road/Station Street.
- e) Construction of trail network from Brunt Road to Gum Scrub Creek.
- f) Construction of trail network from Princes Highway to Leber Conservation Reserve (located east of Station Street between Gum Leaf Lane and the railway reservation).
- g) The extent of any stormwater drainage works and road works proposed or required under this permit.



- h) The land which is required to be set aside for infrastructure identified in the DCP or the PSP including land required for public open space and community facilities and any proposed reconciliation payment in respect of the land having regard to its value set out in the DCP.
- i) An estimate of the extent of equalisation which is required in respect of public open space to be provided having regard to the PSP and the DCP.
- j) Subject to the consent of the Collecting Agency, any infrastructure works set out in the DCP which can be provided 'in lieu' of development contributions in accordance with the DCP.
- k) The effects of the provision of infrastructure on the land or any other land.
- l) Any other item considered relevant by the Responsible Authority unless otherwise agreed in writing by the Responsible Authority.

The PIP may be amended with the written consent of the Responsible Authority.

- 5. Before development starts, the owner must enter into an agreement or agreements under section 173 of the *Planning and Environment Act 1987* which provides for:
  - a) The implementation of the Public Infrastructure Plan approved under this permit.
  - b) The timing of any payments to be made to the owner in respect of any infrastructure project having regard to the availability of funds in the DCP or the public open space account.

The owner must pay for all reasonable costs (including legal costs) associated with preparing, reviewing, executing and registering the agreement on the certificate of title to the land (including those incurred by the Responsible Authority).

- 6. Before the development starts, as defined by the issue of a building permit under the *Building Act, 1993* unless some other time has been agreed with the Collecting Agency, a Development Infrastructure Levy must be paid to the Collecting Agency, being Cardinia Shire Council, in accordance with the approved Officer Development Contributions Plan (September 2011).
- 7. Before the development starts, a stormwater management plan showing the stormwater works to the nominated point of discharge must be submitted for the approval of the Responsible Authority. The stormwater management plan must be prepared by a suitably qualified person and show details of the proposed stormwater works including all existing and proposed features that may have impact (including trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc). All works must be undertaken in accordance with the approved stormwater management plan.
- 8. Before the development commences all existing septic tank and septic tank systems (including fittings and fixtures) must be removed, the tank contents must be pumped out and the existing waste water treatment system must be decommissioned by a plumber.
- 9. Before the development starts, provide one (1) copy in electronic format of a Land Management Plan which provides for the interim management of land until ultimate development to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must include:
  - a) Details about the placement of fill and prevention of dumping of materials;
  - b) Dust control measures;
  - c) Weed and pest control measures;
  - d) Mowing, slashing and fire risk management;

- e) Details about grazing and other agricultural activity (if applicable);
  - f) Access management and construction access.
10. Before the use starts, provide one (1) copy in electronic format of a Venue Management Plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. All activities forming part of the use must comply with the approved Management Plan. The plan must be consistent with the endorsed plans and must include, but is not limited to:
- a) Staffing and other measures which are designed to ensure the orderly arrival and departure of patrons.
  - b) Signage to be used to encourage responsible off-site patron behaviour.
  - c) The training of staff in the management of patron behaviour.
  - d) Staff communication arrangements.
  - e) Hours of operation for each area of the building, which must include a restriction on the consumption of alcohol in outdoor areas after 10pm, or in accordance with the requirements of the Noise Management Plan, whichever is the earlier time.
  - f) Closure of the rooftop terrace at 11pm.
  - g) Patron numbers and how the number of patrons will be controlled by staff.
  - h) Measures to control noise emissions from the premises.
  - i) Compliance with the *Liquor Control Reform Act 1998*, including confirmation that all persons engaged in the serving of liquor must undertake a Responsible Service of Alcohol Training provided by, or approved by, Victorian Commission for Gaming and Liquor Regulation (VCGLR) within one (1) month of employment.
  - j) The management and responsibility of crowd controllers including confirmation that security staff employed at the premises must have undertaken a recognised course in crowd control and be licensed under the *Private Agents Act 1996*.
  - k) Liaison with the Victoria Police in relation to the operation of these premises, where required.
  - l) The keeping of a complaints register and procedure for dealing with complaints.
  - m) Confirmation that all persons engaged for employment in the gaming lounge must undertake Responsible Service of Gaming Training by, or approved by, the Victorian Commission for Gaming Regulation.
  - n) The emergency procedures to apply to the premises in the case of an emergency.
  - o) The employment of a manager over the age of 21 years who is responsible for ensuring that the activities on the premises and the conduct of persons attending the premises do not have a detrimental impact on the amenity of the locality. The manager must be authorised by the operator to make statements at any time on his/her behalf to any officer of the Responsible Authority, the Victoria Police and/or of Liquor Licensing Victoria authorised under *Section 129* of the *Liquor Control Reform Act 1998* and/or to take action on his/her behalf in accordance with a direction by such officer.

- p) The installation and maintenance, during all hours of operation and for 30 minutes after the close of the premises each day, of an electronic surveillance system to monitor and record continuous images of all entrances and exits and bar areas. These records must be retained for a period of at one (1) month and made available for viewing and/or removal at all times by an authorised police officer or authorised officer of the Responsible Authority or an authorised office of Liquor Licensing Victoria.

When approved, the plan must be implemented to the satisfaction of the Responsible Authority.

11. Within one (1) month of the operation of the use, provide one (1) copy in electronic format of a Noise Management Plan prepared by a suitably qualified acoustic consultant must be submitted to, and approved by the Responsible Authority. The Noise Management Plan must address but is not limited to:

- a) The applicable SEPP N-2 music limits for the day, evening and night time period;
- b) Details of allowable internal and external music limits and allowable noise levels;
- c) Measures to meet the applicable music limits and allowable noise levels;
- d) Management of patron noise. This may include restrictions on the times the outdoor areas may be used, the use of the outdoor areas and the number of patrons that may be present in each of the outdoor areas at any one time.

Any measures identified in the approved Noise Management Plan must be implemented within three (3) months of the commencement of the use to the satisfaction of the Responsible Authority. The approved Noise Management Plan must be complied with at all times to the satisfaction of the Responsible Authority.

12. Before development starts, provide one (1) copy in electronic format of a Traffic, Loading and Parking Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Traffic, Loading and Parking Management Plan must be prepared by an engineer with suitable qualifications to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be generally in accordance with the plan/s submitted with the application but modified to show the following to the satisfaction of the Responsible Authority:

- a) The location of all areas on and/or off-site to be used for staff and patron parking.
- b) Owner's permission and any required planning permission for parking on other land.
- c) Specification of staff numbers adequate to enable efficient operation of car parking areas both on- and off-site.
- d) The number and location of all on and off-site security staff.
- e) The means by which the direction of traffic and pedestrian flows to and from car parking areas will be controlled both on and off-site.
- f) Measures to discourage patron car parking in Station Street.
- g) Measures to preclude staff parking in designated patron car parking areas.
- h) Staffing and other measures to ensure the orderly departure and arrival of patrons especially any large groups departing at closing time
- i) Servicing of the drainage and maintenance of car parking areas.

- j) Signage / devices to direct loading / unloading vehicles.
- k) Designated loading and unloading bay/s.

Traffic and parking operations on and adjacent to the land must conform with the endorsed plan.

13. Before development starts, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The detailed landscape plan must be prepared by a person suitably qualified or experienced in landscape design to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The landscape plan must be drawn to scale with dimensions and one (1) copy must be provided in an electronic format. The plan must show and include:
- a) A survey (including botanical names) of all existing vegetation to be retained and/or removed.
  - b) The location of new plantings.
  - c) A detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant. The plant schedule must be consistent with adjoining sites where roads are continued through.
  - d) A detailed plan showing trees to be removed and trees to be retained. The plan must show the Tree Protection Zones around the trees to be retained.
  - e) Streets trees along Station Street and Orchard Street are to be indigenous species selected from Council's tree planting palette.
  - f) All plant species within the protected vegetation area must be indigenous species
  - g) The proposed road reservation widths and the treatment of interfaces with surrounding road reserves, including areas within the road reserves set aside for the retention of existing vegetation.
  - h) Detailed planting and construction drawings including site contours and any proposed changes to existing levels including any structural elements such as retaining walls.
  - i) Additional supporting information, such as certified structural designs or building forms of fencing, feature walls and the like.
  - j) The removal of existing disused structures, foundations, pipelines or stockpiles and the eradication of weeds.
  - k) The layout of street tree and reserve plantings using semi-mature trees.
  - l) Canopy trees, a minimum of two metres tall when planted, in key locations within the car parking areas.
  - m) Details of the garden bed edging.
  - n) Details of any entrance treatments.
  - o) Location of any protected trees or patches of protected native vegetation to be retained.
  - p) The Tree Protection Zone for each protected tree must be clearly shown on the site plan.
  - q) Location of any waterway or waterbody on the land or nearby land.
  - r) Screening vegetation adjacent to the bin storage enclosure/s if applicable.
  - s) The implementation of any landscape principles and guidelines contained in the Officer Precinct Structure Plan.

The landscaping works shown on the approved landscape plan/s for the development must be carried out and completed to the satisfaction of the Responsible Authority.

14. Before the development starts, provide one (1) copy in electronic format of a revised Sustainable Management Plan' to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The report must include the following:
- a) A completed BESS report with a completed energy section including the completion of the energy profiles. A pass mark is required to be demonstrated to the responsible authority in energy (50% or greater) along with an overall pass mark.
  - b) The document must demonstrate the inclusion of a solar electricity system of at least 58 kW incorporated in the development. The document must outline the installation of these panels will meet regulatory requirements, Australian Standards requirements, Clean Energy Council guidelines and that the panels will be installed at a pitch of at least 10 degrees from the horizontal to enable rain to run off the panels.

To the satisfaction of the Responsible Authority.

15. The development must be constructed in accordance with the requirements and recommendations of the approved 'Sustainable Management Plan', prepared to the satisfaction of the Responsible Authority.
16. Before the development is occupied, a report from the author of the 'Sustainable Management Plan' approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the "Sustainable Management Plan have been implemented in accordance with the approved plan.
17. Before the development starts, provide one (1) copy in electronic format of an amended Access and Disability Audit Report (Access report 01 (6905) report by Architecture & Access dated 11 April 2017) that addresses the areas that required further review. The Access and Disability Audit Report must be prepared by a suitably qualified person. All work must be in accordance with the approved report, to the satisfaction of the Responsible Authority.
18. At least 14 days before any works start a site specific Construction Environmental Management Plan (CEMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CEMP will be endorsed and will then form part of the permit. All works must be undertaken in accordance with the approved CEMP.

The CEMP must address all environmental risks and include:

- a) Temporary stormwater management including sedimentation control,
  - b) Provision of pollution and contamination controls including noise and dust,
  - c) Location of stockpiles and stockpile management,
  - d) Location of site office and facilities
  - e) Equipment, materials and goods management.
  - f) Tree protection zones, trees to be retained and trees to be removed.
19. Except with the written consent of the Responsible Authority, the use may operate only between the hours of:

- a) Monday to Sunday: 8am to 3am (the following day).
  - b) Monday to Sunday: Outdoor terrace areas: 8am to 1am.
  - c) Monday to Sunday: Outdoor rooftop terrace area: 8.30am to 11pm.
  - d) Monday to Sunday: Gaming room area: 8am to 2am.
  - e) Public Holidays will vary from the above.
20. Except with the written consent of the Responsible Authority, deliveries to and from the land may only take place between:
- a) Monday to Saturday: 7am to 10pm.
  - b) Sundays and Public Holidays: 9am to 10pm.
21. Waste collection from the land must only be undertaken during the following hours:
- a) Monday to Saturday: 7am to 8pm.
  - b) Sundays and Public Holidays: 9 am to 8 pm.
22. Except with the written consent of the Responsible Authority, no more than 481 patrons may be present on the premises at any one time.
23. All mechanical services noise must comply with the limits established by using the methodology set under *State Environmental Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1*.
24. Any music noise emissions must comply with the limits set under *State Environmental Protection Policy (Control of Music Noise from Public Premises) No. N-2*.
25. Except with the written consent of the Responsible Authority no external sound amplification equipment or loud speakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.
26. The use and development must not detrimentally affect the amenity of the area, through the:
- a) Transport of materials, goods or commodities to or from the land;
  - b) Appearance of any building, works or materials;
  - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - d) Patron noise and vehicle movements;
  - e) Presence of vermin
- or in any other way, to the satisfaction of the Responsible Authority.
27. External lighting must be designed, baffled and located so as not to detrimentally affect the amenity of adjoining land to the satisfaction of the Responsible Authority.

28. Provision must be made on the site for the storage and collection of garbage and other solid waste. This area must be graded, drained and screened from public view to the satisfaction of the Responsible Authority.
29. No plant, equipment, services or architectural features other than those shown on the endorsed plan/s are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
30. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority.
31. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
32. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
33. All roads used for the purpose of haulage of imported or exported materials for construction must be:
  - a) Approved in writing by the Responsible Authority for the submitted haulage strategy, at least seven days prior to the commencement of use,
  - b) Maintained in accordance with the Responsible Authority's maintenance intervention levels, or as requested by the Responsible Authority if the road deteriorates during the haulage period, and
  - c) Reinstated to the satisfaction of the Responsible Authority.
34. Before the development is occupied a *commercial/industrial* standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
35. Before the use starts and the building(s) are occupied, the following must be completed to the satisfaction of the Responsible Authority:
  - a) All road and drainage infrastructure must be designed and constructed in accordance with plans and specifications approved by the Responsible Authority. The works must comply with the standards nominated in the Cardinia Shire Council documents "Guidelines for the Development & Subdivision of Land", "Development Construction Specification" and the "Water Sensitive Urban Design (WSUD) Guidelines".
  - b) Outfall drainage must be designed and constructed to a satisfactory point of discharge in accordance with plans and specifications approved by the Responsible Authority and Melbourne Water.
  - c) The premises are connected to reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
  - d) The landscape works shown on the approved detailed landscape plan must be carried out and completed to the satisfaction of the Responsible Authority or by agreement with the Responsible Authority, bond landscaping works incomplete at the completion of civil works. Payment can be made in the form of a cash bond or bank guarantee to the value of 100% of the landscaping works. The bond will be released upon satisfactory completion of works.
  - e) All street lighting and pedestrian / cycle paths must be designed and constructed in accordance with Australian Standard 1158.1.

- f) Any reserve or land set aside for public open space or any tree reserve or the like must be graded, top dressed and sown to grass in accordance with the endorsed landscape plan.
  - g) Power and telephone lines placed underground from the main point of service supplied by the relevant authority outside the boundaries of the land must be provided to all new buildings.
  - h) All proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.
36. Before the use commences, direction signs and direction pavement markings must be installed as shown on the approved plans. Once works are completed, the area must be maintained to the satisfaction of the Responsible Authority.
37. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building, including the roof, must be of a non-reflective nature.
38. All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level satisfactory to the Responsible Authority.
39. The landscaping works shown on the approved landscape plan/s for the development must be carried out and completed to the satisfaction of the Responsible Authority.
40. The development and use must be carried out and implemented by the permit holder in a manner which is consistent with the recommendations set out in the Waste Management report by Ratio dated 27 April 2017 to the satisfaction of the Responsible Authority.
41. The development and use must be carried out and implemented by the permit holder in a manner which is consistent with the recommendations set out in the Access report O1 (6905) report by Architecture & Access dated 11 April 2017 to the satisfaction of the Responsible Authority.
42. Only the native vegetation which is identified for removal in the incorporated NVPP applying to the land may be removed, lopped or destroyed without a permit.
43. Before the commencement of any buildings or works a Construction Environmental Management Plan (CEMP) is to be prepared. The CEMP must address significant flora and fauna where the buildings and works are within:
- a) 100 metres of any waterbody (including creeks, drains, dams and wetlands) under the provisions of the Officer Precinct Structure Plan Conservation Management Plan (excluding Cardinia Creek) (September 2011).
- The CEMP must address all requirements specified in the Officer Native Vegetation Precinct Plan (September 2011) and the relevant Conservation Management Plan and be to the satisfaction of the Responsible Authority.
44. Prior to any works commencing within 100 metres of the edge of any waterbody which is to be retained, a highly visible fence is to be installed 20 metres from the edge of the waterbody.
45. No dumping of soil or materials is to occur within 30 metres of any waterbody.
46. No vehicle access is permitted within 30 metres of any waterbody.
47. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.



48. Pollution or litter traps must be provided on the land at appropriate points along the drainage system or drainage lines.
49. The actions which identify the responsible agent as the “landowner” in Table A2.1 of the CMP for the GGF must be implemented to the satisfaction of the Department of Sustainability and Environment.
50. Water run-off from construction sites must be managed to maintain water quality of dams.
51. A salvage and translocation plan must be prepared and implemented to the satisfaction of DSE and the responsible authority, in accordance with section 3.4.3 of the CMP, where:
  - a) Construction of a building or carrying out of works is within 200 metres of an existing waterbody; or
  - b) An existing waterbody is being removed, as approved under the CMP.
52. All service substations, kiosk sites and the like must not be located on any land identified as public open space or land to be used for any municipal purpose unless otherwise agreed by the Responsible Authority
53. Unless with the prior written consent of the Responsible Authority, all rooftop plant and equipment (including air conditioning units, heating units and hot water systems) must be concealed or screened from general view to the satisfaction of the Responsible Authority.

**Melbourne Water:**

54. Prior to the endorsement of plans, the owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water’s drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.
55. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water’s drains or watercourses. Prior to Council endorsement of plans, a Site Management Plan detailing pollution and sediment control measures must be submitted to Melbourne Water.
56. Prior to commencement of works, a stormwater management strategy including associated modelling must be submitted and approved by Melbourne Water and Council. The strategy must demonstrate the following:
  - a) The proposed alignment for any 1 in 5 year drainage infrastructure and any associated overland flow paths directions for the 1 in 100 year ARI flood event;
  - b) That the lot layout adequately accommodates the overland flows and the current layout and/or number of lots may need to change.
  - c) The details of the outfall/s for the development and calculate the appropriate flow volumes and flood levels for the 100-year ARI storm event within the property;
  - d) Stormwater runoff from the subdivision will achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater.
  - e) Stormwater Quality Treatment Assets are designed to comply with Melbourne Water’s Constructed Wetlands Design Manual.
57. Stormwater runoff from the subdivision must achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater as set out in the 'Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) 1999'.

58. Prior to the issue of an Occupancy Permit, engineering plans of the development (in electronic format) must be submitted to Melbourne Water for our records. These plans must show road and drainage details and any overland flow paths for the 100 year ARI storm event.
59. Building pads are to be filled to a minimum of 300mm above the 1 in 100 year flood levels associated with any existing or proposed Melbourne Water pipeline and/or all new lots are to be filled to a minimum of 600mm above the 1 in 100 year flood level associated with any existing or proposed Melbourne Water wetland, retarding basin or waterway.
60. Prior to the issue of an Occupancy Permit, a certified survey plan prepared by or under the supervision of a licensed land surveyor, showing finished lot levels reduced to the Australian Height Datum, must be submitted to Melbourne Water for our records.
61. Alignment of roads and reserves with any adjoining estates must ensure continuity and provide uninterrupted conveyance of overland flows.
62. The development/subdivision is to make provision for overland flows from the upstream catchment utilising roads and/or reserves.
63. Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with the floodway safety criteria outlined within Melbourne Water's Land Development Manual.
64. Easements or reserves shall be created over existing and proposed Melbourne Water assets on the Plan of Subdivision to the satisfaction of Melbourne Water.
65. Prior to commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses.

#### **Expiry of Permit**

This permit will expire if one of the following circumstances applies:

- a) The development and use are not started within two (2) years of the date of this permit;
- b) The development is not completed within four (4) years of the date of this permit.
- c) The use is discontinued for a period of two (2) years;

The Responsible Authority may extend the periods referred to if a request is made in writing to before the permit expires, or within three (3) months afterwards.

#### **Permit Note:**

- a) A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.
- b) Street occupation permit - Local Law 17' and 'Protection of the Public' relating to works along and outside of the street alignment, it is recommended that the builder consult Councils traffic engineer" well before commencement of work.

**2 BUILDINGS AND WORKS, CHANGE OF USE TO A HOTEL, USE OF LAND FOR SALE AND CONSUMPTION OF LIQUOR, INSTALLATION AND USE OF LAND FOR EIGHTY (80) ELECTRONIC GAMING MACHINES, REDUCTION IN BICYCLE FACILITY REQUIREMENTS AT 1 STATION STREET, OFFICER**

Moved Cr L Wilmot Seconded Cr M Schilling

That Planning Permit T170024 be refused for building and works, change of use of land to a hotel, use of land for sale and consumption of liquor, installation and use of land for 80 electronic gaming machines, reduction of bicycle facilities at 1 Station Street, Officer on the following grounds;

1. The proposal is contrary to Clause 21.06-4 Gaming of the Cardinia Planning Scheme, specifically the application is located in an area that has access to key bus and train connections which makes the proposed location convenient to all socio-economic groups of Cardinia's community.
2. The proposal is contrary to Clause 22.03 Gaming of the Cardinia Planning Scheme due to the lack of consideration given to achieving positive social, economic and environmental outcomes in the location in one of Officer Town Centre's key gateway sites.
3. The proposal is unacceptable as it fails to contemplate Clause 22.03 as it would result in additional machines to the municipality as a whole and there is no proof that consideration has been given to relocate existing machines from elsewhere within Cardinia Shire.

Cd.

## GENERAL REPORTS

### **3 ROAD RESURFACING OF VARIOUS ROADS - CONTRACT 17/28**

FILE REFERENCE INT1761099

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Kurt Pitts

#### RECOMMENDATION

That:

- the tender submitted by QR Construction (Gippsland) Pty Ltd to undertake the works associated with Contract 17/28 – Road Resurfacing of Various Roads within the Cardinia Shire Council be accepted for the contract sum of \$971,779.08 (excl. GST);
- the remaining Tenderers be advised accordingly; and
- the common seal of the Council be affixed to the contract documents.

#### Attachments

- 1 Confidential memorandum circulated to councillors only 2 Pages

#### EXECUTIVE SUMMARY

This report provides consideration for the appointment of a contractor to undertake the road resurfacing of various roads within Cardinia Shire (Contract 17/28).

Tenders were advertised on 15 July 2017 and closed 8 August 2017.

Tenders were received from four tenderers.

The tender submitted by QR Construction (Gippsland) Pty Ltd provides the best value for money and is the most advantageous for Council. It is therefore recommended that Contract 17/28 for the resurfacing of various roads within Cardinia Shire be awarded accordingly.

#### BACKGROUND

Existing sealed roads requiring resurfacing were identified based on Councils' Asset Management System which is based on the age and condition of the existing seals, road classification and traffic volumes.

The proposed works covered under Contract 17/28 include resealing of approximately 71 various rural and urban road segments throughout the Shire.

Tenders were advertised on 15 July 2017 and closed 8 August 2017. A total of four tenders were received.

Tenders were evaluated against the stipulated criteria of Pricing and Value for Money, Compliance with Council Specifications, Capability and Capacity, Experience and Past Performance, Quality Systems, Project Plan, OHS, Financial Viability, Risk and Insurance and Environmental Commitments.

Following an evaluation based on the above criteria, QR Construction (Gippsland) Pty Ltd was found to provide the best value for money and it is therefore recommended that the tender submitted by QR Construction (Gippsland) Pty Ltd for \$971,779.08 (Excl. GST) be accepted.

### **POLICY IMPLICATIONS**

The works have been developed in accordance with Council's Asset Management Plans.

### **RELEVANCE TO COUNCIL PLAN**

This project is consistent with efforts to "maintain all Council roads in a safe and functional condition in accordance with the Road Management Act 2004" and "upgrade local roads to improve safety" as established in the Council Plan, 2016-2020

### **CONSULTATION/COMMUNICATION**

Residents and commuters directly affected by the resealing works will be notified of programmed works prior to works being undertaken.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Funding for these roads has been made available in the 2017/18 Capital Works Program - Road Resealing. The 2017/18 capital works program has \$2.5million allocated to the road reseal program. This includes asphalt patching, reseal preparation, asphalt overlays and associated line marking.

This contract allows for the spray sealing component of the reseal program. The recommended tender by QR Construction (Gippsland) Pty Ltd for \$971,779.08 is within the funding available to deliver this particular Contract.

The remaining funds will be used to complete the remaining elements of the reseal program that does not form part of this Contract.

### **CONCLUSION**

It is recommended that the tender submitted by QR Construction (Gippsland) Pty Ltd for \$971,779.08 (excl. GST) be accepted.

### **3 ROAD RESURFACING OF VARIOUS ROADS - CONTRACT 17/28**

Moved Cr G Moore Seconded Cr R Brown

That:

- the tender submitted by QR Construction (Gippsland) Pty Ltd to undertake the works associated with Contract 17/28 – Road Resurfacing of Various Roads within the Cardinia Shire Council be accepted for the contract sum of \$971,779.08 (excl. GST);
- the remaining Tenderers be advised accordingly; and
- the common seal of the Council be affixed to the contract documents.

Cd.

## **4 2017-18 PAVEMENT RENEWAL WORKS - CONTRACT 17/27**

FILE REFERENCE INT1761131

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Kurt Pitts

### **RECOMMENDATION**

That the:

- Tender submitted by QR Construction (Gippsland) Pty Ltd to undertake the works associated with Contract 17/27 - Pavement Renewal Works at Manks Road, Dalmore; Hall Road, Pakenham South and Seven Mile Road, Nar Nar Goon be accepted for the contract sum of \$2,118,256.41 (Excl. GST);
- Remaining Tenderers be advised accordingly; and
- Common Seal of the Council be affixed to the contract documents.

### **Attachments**

- 1 Confidential memorandum circulated to councillors only 4 Pages

### **EXECUTIVE SUMMARY**

The three roads under consideration within this contract have been identified as a high priority for treatment under Council's asset management systems and are amongst the highest for maintenance costs for the shire.

This report provides consideration for the appointment of one contractor to undertake works to reconstruct the pavement of these three roads. The proposed works involve pavement rehabilitation, drainage improvements and associated works.

The tender for all three roads submitted by QR Construction (Gippsland) Pty Ltd is the most advantageous for Council, providing the best value for money while providing excellent service.

It is therefore recommended that Contract 17/27 for the construction of Manks Road, Dalmore (East bridge abutment Adams Road to east bridge abutment Tooradin Station Road), Seven Mile Road, Nar Nar Goon (South abutment of bridge to 141m north of Whitta Lane) and Hall Road, Pakenham South (McDonalds Drain bridge to Koo Wee Rup Road) be awarded accordingly.

### **BACKGROUND**

Four roads were identified as a high priority for treatment under Council's asset management systems and through discussions with Council's road maintenance team as they are amongst the highest for maintenance costs for the shire. Three of these roads were included in the tender documents associated with CT17/27. The remaining road will be tendered separately following completion of detailed design.

Tenders were advertised on 15 July 2017 and closed on 8 August 2017. A total of seven (7) tenders were received from the following tenderers:

<b>Bitu-mill (Civil)</b>	<b>Downer EDI Works</b>
Elite Roads	MACA Infrastructure
QR Construction (Gippsland)	Stabilised Pavements of Australia
Sure Constructions	

Tenders were evaluated against the stipulated criteria of Pricing and Value for Money, Compliance with Contract Specifications, Capability and Capacity, Relevant Experience and Past Performance, Quality of Previous Works, Resources Available to Complete the Works, Quality System, Project Plan, OHS, Financial Viability, Risk and Insurance and Environmental Commitments.

The tender advertised contained separate schedules for each listed road with Council having the option of awarding to separate tenderers if this demonstrated best value for money.

To provide best value for money, it is recommended that all three roads: Manks Road in Dalmore, Seven Mile Road in Nar Nar Goon and Hall Road in Pakenham South be awarded to QR Construction (Gippsland) Pty Ltd for a sum of \$2,118,256.41 (Excl. GST).

#### **POLICY IMPLICATIONS**

The works have been developed in accordance with Council's Asset Management Plans.

#### **RELEVANCE TO COUNCIL PLAN**

These projects are consistent with efforts to "maintain all Council roads in a safe and functional condition in accordance with the Road Management Act 2004" and "upgrade local roads to improve safety" as established in the Council Plan, 2016-2020.

#### **CONSULTATION/COMMUNICATION**

Consultation with the community, affected property owners and commuters to notify them of disruptions throughout the construction works will form part of the project planning and delivery after the award of this Contract.

#### **FINANCIAL AND RESOURCE IMPLICATIONS**

Funding for these projects has been made available under the 2017/18 Capital Works Program - Road Rehabilitation. Of which \$2.145million has been allocated to these particular roads.

The total cost for the rehabilitation of Manks Road, Seven Mile Road and Hall Road is \$2,118,256.41 (Excl. GST). The recommended tender by QR Construction (Gippsland) Pty Ltd is within the funding available to deliver this particular contract.

The remaining funds will be directed to other elements of the annual road program including the asphalt overlay works, resealing works and line marking.

#### **CONCLUSION**



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The tender submitted by QR Construction (Gippsland) Pty Ltd for Seven Mile Road in Nar Nar Goon, Manks Road in Dalmore and Hall Road in Pakenham South is considered to be the most beneficial to Council and it is recommended that Contract 17/27 - Pavement Renewal Works be awarded to QR Construction (Gippsland) Pty Ltd for \$2,118,256.41 (Excl. GST);

#### **4 2017-18 PAVEMENT RENEWAL WORKS - CONTRACT 17/27**

Moved Cr G Moore Seconded Cr C Ross

That the:

- Tender submitted by QR Construction (Gippsland) Pty Ltd to undertake the works associated with Contract 17/27 - Pavement Renewal Works at Manks Road, Dalmore; Hall Road, Pakenham South and Seven Mile Road, Nar Nar Goon be accepted for the contract sum of \$2,118,256.41 (Excl. GST);
- Remaining Tenderers be advised accordingly; and
- Common Seal of the Council be affixed to the contract documents.

Cd.

## **5 DEEP CREEK BUILDING & SERVICES TENDER - CONTRACT17/05**

FILE REFERENCE INT1761485

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Mark Goode

### **RECOMMENDATION**

That:

1. Council award Contract 17/05, for the construction of the Deep Creek Building and Services to Kirchner Constructions PL, for the revised Tender sum of \$4,316,403.82 ex GST; and
2. That the common seal of Council be affixed to the contract documents.

### **Attachments**

- 1 Confidential memorandum circulated to councillors only 2 Pages

### **EXECUTIVE SUMMARY**

This report provides consideration for the appointment of a contractor to undertake the works required under CT17/05 - Deep Creek Building and Services. This is part of a multi-stage project with future works involving civil works, landscape works, all abilities play space, community spaces and golf course expansion works.

The tender for the Deep Creek Building and Services was advertised 8 July 2017, and closed 8 August 2017. Only one tender was received, for the amount of \$4,688,638.83.

Following a review of the scope of works, a revised tender price was submitted by Kirchner Constructions PL for the amount of \$4,316,403.82 ex GST.

### **BACKGROUND**

The project is located at 62 Cameron Way, Pakenham. Bulk earthworks for the site are complete, with civil works, landscape works and golf course expansion works packages planned to be tendered shortly. This contract is part of a multi-stage project also involving civil works and community spaces.

The Deep Creek Building Project is a multi-user shared facility, combining sports, ecological values and education. The building stage of the project combines the requirements of the Pakenham and District Golf Club, with the Cardinia Environment Coalition (CEC). The building floor area is approximately 1,260m, and will incorporate separate and shared spaces for the golf and CEC users, including a multi-function room, lounge/dining/bar area, café, pro shop, environmental training areas, administration areas, and a commercial kitchen.

The construction of the Deep Creek Building together with Services, forms part of this multi-stage project, and is integral to meeting the project milestones and also the Growing Suburbs Funding milestones.

The tender for the Deep Creek Building & Services was advertised 8 July 2017 and closed on 8 August 2017.

The tender was assessed against a range of non-weighted selection criteria to ensure the viability of the tender submissions. These criteria include: Compliance with the Conditions of Contract, Compliance with the Specification, Risk and Insurance levels, committed Conflicts of Interest, Occupational Health and Safety, Financial Viability and Location. The tender was also assessed against the weighted criteria; Capability and Capacity, relevant Experience and past Performance, Management Systems and Project Plan.

The revised tender price of \$4,316,403.82 ex GST, represents the fair value for money to Council and it is recommended that CT17/05 - Deep Creek Building and Services be awarded accordingly.

## **POLICY IMPLICATIONS**

Nil.

## **RELEVANCE TO COUNCIL PLAN**

The delivery of this project aligns with Council's Plan to "Manage Council's assets using a life cycle approach that ensures adequate maintenance over the life of the asset", to "Provide active and passive recreation facilities to meet the needs of our residents" and to "Increase opportunities for our residents to participate in a range of sport, recreation and leisure activities".

This contract contributes to meeting the Growing Suburbs Fund objectives and milestones.

## **CONSULTATION/COMMUNICATION**

The user groups from the Pakenham and District Golf Club and the Cardinia Environmental Coalition have been consulted during the preparation of the scope of works and subsequent detailed designs.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Funding for this project has been made available through the Council capital works program (\$7.5 Million) and the Growing Suburbs Funding (\$2.825 Million).

An initial budget of \$4.3 Million was provided for the construction of the Deep Creek Building and the provision of Services to the site. Anticipated savings from within the overall budget will address any shortfall.

## **CONCLUSION**

The Deep Creek Building and Services package are integral to meeting overall project and also the Growing Suburbs Fund committed milestones.

It is recommended that Council award Contract no. 17/05, for the construction of the Deep Creek Building and Services, to Kirchner Constructions PL, for the revised tender sum of \$4,316,403.82 ex GST.

**5 DEEP CREEK BUILDING & SERVICES TENDER - CONTRACT17/05**

Moved Cr C Ross Seconded Cr G Moore

That:

1. Council award Contract 17/05, for the construction of the Deep Creek Building and Services to Kirchner Constructions PL, for the revised Tender sum of \$4,316,403.82 ex GST; and
2. That the common seal of Council be affixed to the contract documents.

Cd.

## 6 DOCUMENTS FOR SEALING

FILE REFERENCE INT1761296

RESPONSIBLE GENERAL MANAGER Derek Madden

AUTHOR Sharon Voltan

### RECOMMENDATION

That Council note the fixing of the Common Seal to the documents listed below and the Seal be affixed to the other documents listed.

### Attachments

*Nil.*

### EXECUTIVE SUMMARY

Under Council's Meeting Procedure Local Law, the Common Seal may be affixed to a document for the purpose of giving effect to a decision:

- a) Made by Council resolution;
- b) Made by resolution of a Special Council meeting under delegation; or
- c) Made by the Chief Executive Officer under delegation.

Accordingly, the Council Seal was affixed to the following documents:

<u>Description</u>	<u>Authorisation</u>	<u>Seal Date</u>
<i>Contract 17/16 – Cockatoo-Gembrook multi use trail construction – CSC &amp; Kent Environmental &amp; Vegetation Management P/L</i>	Council resolution 17 July 2017	1 August 2017
<i>CSC sale to Grove Investment Group, Lot 54, 20 Southeast Boulevard, Pakenham (SE Business Park)</i>	Council resolution	14 August 2017
<i>CSC &amp; SE Business Park, Gills Park P/L, Krastoy P/L, Shebyl P/L and McMullin Investments P/L - Deed of variation of development agreement</i>	Council resolution 21 August 2017	22 August 2017
<i>CT 16/06K Engineering technical services – form of Agreement CSC &amp; Taylors Development Strategists P/L</i>	Council resolution 16 January 2017	30 August 2017
<i>105-107 Nar Nar Goon-Longwarry Road, Garfield – Transfer by agreement Transfer of land from Adnan Group P/L to Cardinia Shire Council required for road widening identified as Road R-1 and R-2 on Plan of Subdivision 718352.</i>	Council resolution 21 August 2017	6 September 2017

### CONCLUSION

It is appropriate for the Council to note the fixing of the Common Seal to the documents listed above and resolve to seal the other documents listed.

## 6 DOCUMENTS FOR SEALING

Moved Cr G Moore Seconded Cr J Springfield

That Council note the fixing of the Common Seal to the documents listed below and the Seal be affixed to the other documents listed.

Cd.

## POLICY REPORTS

### 7 **CARDINIA SHIRE'S LIVEABILITY PLAN 2017-29**

FILE REFERENCE INT1761117

RESPONSIBLE GENERAL MANAGER Jenny Scicluna

AUTHOR Pieta Bucello

#### RECOMMENDATION

That Council adopts Cardinia Shire's Liveability Plan 2017-19.

#### Attachments

- |   |   |          |
|---|---|----------|
| 1 | Cardinia Shire's Liveability Plan 2017-19   | 21 Pages |
| 2 | Cardinia Shires Liveability Plan Strategic Directions Paper                           | 63 Pages |
| 3 | Summary of feedback from public exhibition of Cardinia Shire's Draft Liveability Plan | 6 Pages  |

#### EXECUTIVE SUMMARY

Development of Cardinia Shire's Liveability Plan 2017-29 (policy document) is now complete, having concluded public exhibition of the draft Plan in June 2017. The Plan is on track to be submitted to the Department of Health and Human Services in October 2017.

The Action Agenda and Outcomes Framework will be finalised by the Partnership Steering Group prior to the documents being submitted to the Department of Health and Human Services in October. They could not be included in this report as many partners will not have completed business planning by the time this report is due.

The version of the Plan attached is the final draft before being sent to the graphic designer. The design and final content will be confirmed after adoption by Council.

A total of 23 responses were received from the community during public exhibition of the draft Plan (please see attachment for the summary of responses). Verbal feedback was also provided by the Partners at the Partnership Steering Group Meeting.

Three key changes have been made to the Plan since public exhibition and the last Partnership Steering Group Meeting:

Change	Rationale
The inclusion of 'gambling' in the seventh goal.	Although this didn't come up throughout initial community consultation and currently our data does not show a significant issue in this area, The Partnership Steering Group predict gambling to become an increasing problem as the population grows and more gaming venues start operating. By plainly including 'gambling' the partners hope to add greater strategic guidance for planners



Change	Rationale
	when considering planning applications for gaming machines. This also provides consistency with the Municipal Strategic Statement.
Changing the name of the 'Open Space' domain to 'Open Spaces and Places'.	The Liveability Partnership Group suggested changing the name of this domain as it better articulates what this domain incorporates; which includes not only parks, reserves and bushland, but community spaces such as halls, plazas and other public meetings places.
Including one measurable objective under each of the Liveability Policy Domains and dropping the original objectives to become the strategies.	It was decided that including a measureable objective under each domain would add strength to the document and was also raised during public exhibition of the document.

## BACKGROUND

The goals, objectives and strategies of the Plan have now been finalised in consultation with the Liveability Partnership Steering Group.

The goals articulate what the plan aims to achieve in the long-term (by 2029) and include:

- Improve mental health and wellbeing
- Improve social cohesion
- Improve safety
- Reduce obesity
- Reduce family violence
- Reduce financial vulnerability
- Reduce harm from tobacco, alcohol, drugs and gambling

The objectives and strategies articulate what needs to happen in the medium-term (by 2025) in order to achieve the goals and are themed under the seven Liveability Policy Domains:

- Active Travel
- Education
- Employment
- Food
- Health and Social Services
- Housing
- Open Spaces and Places

The Action Agenda will document what activities will be implemented each year in order to achieve the Plan's objectives and strategies.

The Plan and Action Agenda will be supported by a Monitoring and Evaluation Plan, which includes the Outcomes Framework (indicators, measures and tools to measure the Plan's impact).

## POLICY IMPLICATIONS

This Plan seeks to fulfil Council's public health planning responsibilities under the *Public Health and Wellbeing Act 2008* and the *Climate Change Act 2010*.

The Plan is consistent with Council's role under the *Victoria Charter of Human Rights and Responsibilities Act 2006* and the *Convention on the Rights of the Child*.

The Plan will consider the local implementation of priorities identified through the Victorian Public Health and Wellbeing Plan 2015-2019.

The Plan addresses Council's responsibility under Recommendation 94 from the Royal Commission into Family Violence.

Cardinia's Liveability Plan aligns to both the Council Plan 2017-2021 and the Cardinia Municipal Strategic Statement (MSS). The Plan has been written in such a way that it can be included in the MSS at the next review.

Cardinia's Liveability Plan will guide and influence further strategic planning for the Council and our partners over the next 12 years.

## RELEVANCE TO COUNCIL PLAN

The Liveability Plan aligns to all aspects of the Council Plan, in particular:

**Our People** - Improved health and wellbeing for all

**Our Community** - Improved health and wellbeing of our residents

**Our Environment** - Balanced needs of development, the community and the environment

**Our Economy** - A local economy supporting the improved health and wellbeing of our communities

**Our Governance** - An engaged community; Appropriate funding and support from all levels of government

## CONSULTATION/COMMUNICATION

Under the Act, Councils must “provide for the involvement of people in the local community in the development, implementation and evaluation of the public health and wellbeing plan”.

Council has undertaken extensive internal and external consultation for the development of the Plan. A Liveability Partnership Steering Group consisting of 20 organisations has assisted in the development of the Plan from its initial stages.

The Draft documents were circulated to internal officers and the partnership group, and feedback incorporated into the Plan before being presented for Public Exhibition in May-June 2017. A full overview of the consultation activities to date can be found in Section 4.3 of the *Strategic Directions Paper*.

## FINANCIAL AND RESOURCE IMPLICATIONS

This document has been prepared within the operational budget of Community Strengthening.

Additional funding will be required to undertake regular evaluation and to support elements of the Action Agenda going forward.

## CONCLUSION

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Development of Cardinia Shire's Liveability Plan is now complete, pending endorsement and ratification of the document by Council. Once ratified, the Plan will be sent to a designer before being submitted to DHHS and publicly distributed.

**7 CARDINIA SHIRE'S LIVEABILITY PLAN 2017-29**

Moved Cr M Schilling Seconded Cr L Wilmot

That Council adopts Cardinia Shire's Liveability Plan 2017-19.

Cd.

## FINANCIAL REPORTS

### 8 **FINANCIAL REPORT AND PERFORMANCE STATEMENT**

FILE REFERENCE INT1760607

RESPONSIBLE GENERAL MANAGER Derek Madden

AUTHOR Joanne Harris

#### RECOMMENDATION

That:

1. Pursuant to Sections 131(7) and 132(6) of the Local Government Act 1989, council approve the Financial Report and Performance Statement for the year ending 30 June 2017, subject to any changes recommended or agreed to by the auditor
2. Pursuant to Sections 131(8) and 132(7) Council authorises Crs Leticia Wilmot and Brett Owen to sign the report and statement in their final form after any changes recommended or agreed to by the auditor have been made; and
3. The Chief Finance Officer, Jo Harris, be appointed as the Principal Accounting Officer for the purposes of Section 131(13)(c) of the Local Government Act.

#### Attachments

- 1 Draft Financial and Performance statements 61 Pages

#### EXECUTIVE SUMMARY

To approve the Financial Report and Performance Statement for the year ended 30 June 2017 and authorise Crs Wilmot and Brett Owen as the Audit Committee representatives to sign the documents in their final form after any changes recommended or agreed to by the auditors have been made.

#### BACKGROUND

Council is required to prepare an Annual Report in respect to the financial year ended 30 June 2017. The Local Government Act 1989 prescribes the information that must appear in the Annual Report, the process that the Council must undertake to prepare the report, the audit requirements and the process to be undertaken to adopt the report.

Council is required to authorise two councillors to approve the Financial Report and Performance Statement in their final form after any changes recommended, or agreed to, by the Auditor have been made, it is recommended that the Audit Committee members Crs Wilmot and Brett Owen be the councillors authorised to sign these documents.

The documents were considered by the by the Audit Committee at its meeting on 8 September 2017.

The documents (as part of the Council's Annual Report) will be lodged with the Minister for Local Government by 30 September 2017 as required by Section 131(6) of the Local Government Act 1989.

Section 131(10) of the Local Government Act stipulates that after the annual report has been submitted to the Minister Council must give public notice that the annual report has been prepared and is available for inspection.

In addition, Section 134 of the Local Government Act stipulates that Council must consider the annual report at a meeting that must be held as soon as practicable after the Council has sent the annual report to the Minister and must be advertised for at least 14 days before the meeting is held.

It is proposed to consider the annual report at the Council Meeting to be held on 16 October 2017 and appropriate public notification will be given.

## **CONCLUSION**

It is recommended that Council approve the Financial Report and Performance Statement and authorise Crs Wilmot and Brett Owen to sign the documents in their final form.

## 8 FINANCIAL REPORT AND PERFORMANCE STATEMENT

Moved Cr L Wilmot Seconded Cr J Springfield

That:

1. Pursuant to Sections 131(7) and 132(6) of the Local Government Act 1989, council approve the Financial Report and Performance Statement for the year ending 30 June 2017, subject to any changes recommended or agreed to by the auditor
2. Pursuant to Sections 131(8) and 132(7) Council authorises Crs Leticia Wilmot and Brett Owen to sign the report and statement in their final form after any changes recommended or agreed to by the auditor have been made; and
3. The Chief Finance Officer, Jo Harris, be appointed as the Principal Accounting Officer for the purposes of Section 131(13)(c) of the Local Government Act.

Cd.

## ACTIVITY REPORTS

### 9 **2017 COMMUNITY SATISFACTION SURVEY (CSS)**

FILE REFERENCE INT1761290

RESPONSIBLE GENERAL MANAGER Derek Madden

AUTHOR Peter Philp

#### RECOMMENDATION

That Council note the results of the 2017 CSS and make the results available to the community via Council's website.

#### Attachments

- 1 Community Satisfaction Survey 2017 - Cardinia Shire Council report 139 Pages

#### EXECUTIVE SUMMARY

This report provides some highlights from the 2017 community satisfaction survey. There is extensive information available in the report itself, providing a point in time view of community perception of Council performance, with comparison to previous years.

#### BACKGROUND

This is the 6th year of the CSS, in its current format, and the 5th year of surveying some of our specific services, providing a more meaningful trend in the data. JWS Research conducts the survey, under a contract with Local Government Victoria.

The survey reflects the mood of the population in respect to council services at a point in time. JWS conducts the survey at similar times each year, as detailed in the following table.

Year	Survey dates
2017	1 February to 30 March
2016	1 February to 30 March
2015	1 February to 30 March
2014	31 January to 11 March
2013	1 February to 24 March
2012*	18 May to 30 June

\* 2012 conducted later in the year, due to delays in LGV finalising tender for the research and finalising changes to the survey methodology with Councils.

#### Report basis

The survey is based on a random sample of 400 people in Cardinia Shire.



Respondents were also identified as users or none users of council services providing a better understanding of the impact of direct usage on the perception of performance and also importance.

The measures discussed here are index scores which is a way of aggregating the responses in varying ratings (very good, good, average, poor and very poor) into a single measure out of 100. The logic of this is contained in the detailed report on pages 132-34.

Responses are taken from anyone over the age of 18 and weighted to reflect the demographics of our population. Basic demographic information is collected, enabling results to be available by the following groupings:

- Gender- male / female
- Age groups - 18-34, 35-49, 50-64 and 65+.
- Region - Growth, Hills and Southern Rural.

65% of those surveyed had personal contact with council over the last 12 months - up from 63% in 2016. This contact could have been in person, in writing, by phone, text, email, Council website, Facebook or Twitter.

Cardinia results are compared to the state-wide result and the interface group that comprises Cardinia, Casey, Melton, Mornington Peninsula, Whittlesea and Yarra Ranges.

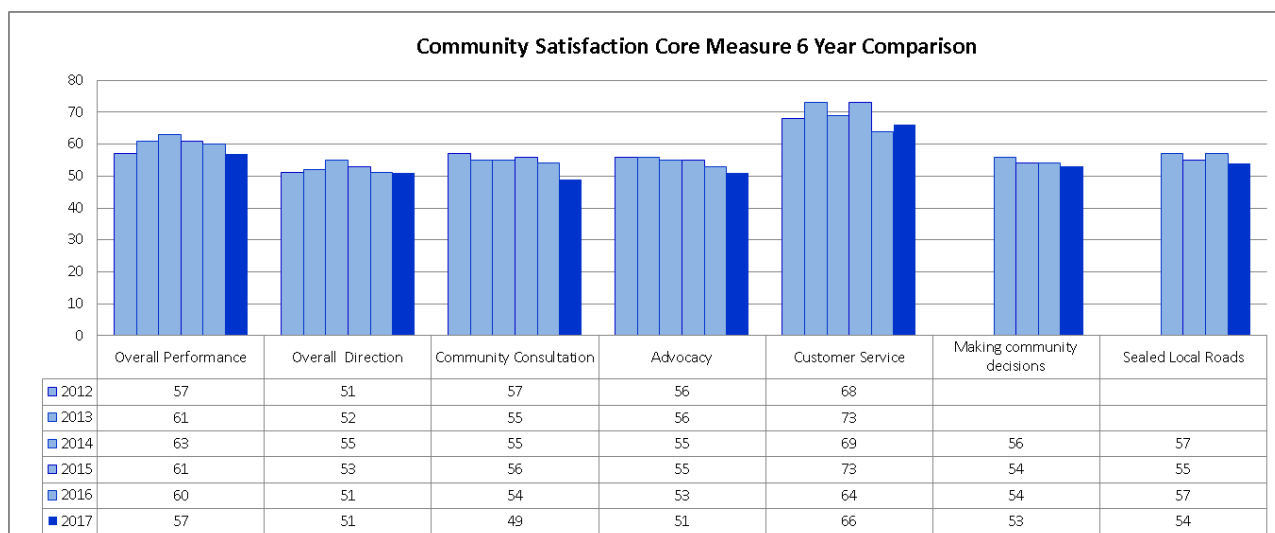
Not all councils participate in this survey (68 of 79). Those that don't participate undertake their own survey to provide data for the compulsory indicators.

#### **Key Measures**

There are currently seven key measures, which provide a base comparison across councils. This includes two measures that are part of the Local Government Performance Reporting Framework (LGPRF) that are included in the annual report. VAGO (or their contractors) audit these two measures. They are:

- Making community decisions - decisions made in the interests of the community and
- Sealed local roads - condition of sealed local roads.

The index scores for 2017 are on a par with previous years, or show slight reductions from 2016, with no significant difference, except for Community Consultation, falling from 54 to 49. This is a whole of council measure with the following question asked, "How has Council performed on community consultation and engagement over the last 12 months?" Historically this has been a reasonably stable indicator measure for Cardinia, and this year's result may be due to an anomaly or an isolated negative event.



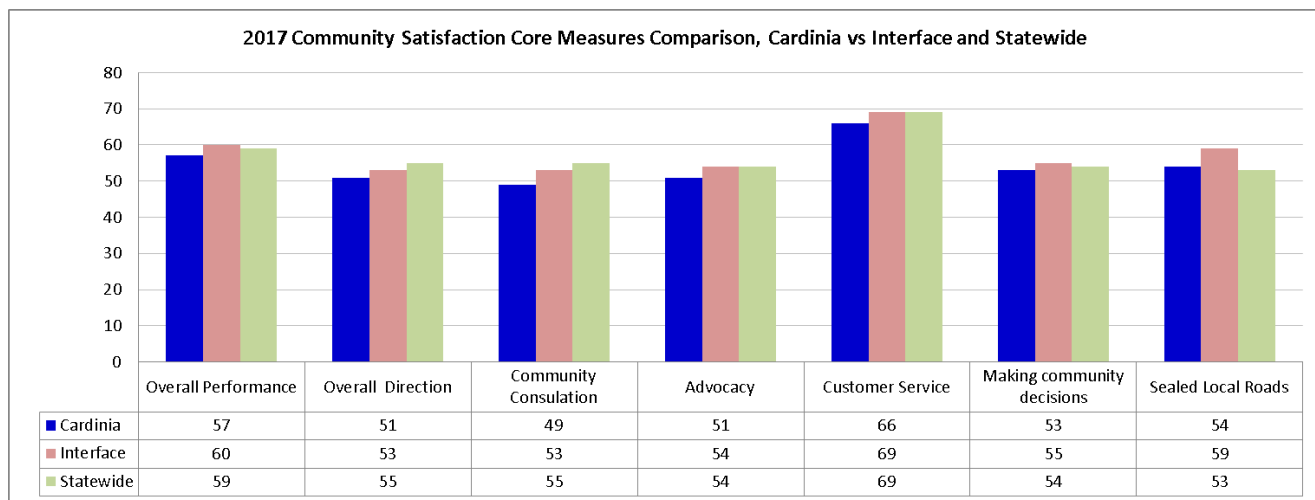
Positive sentiment (good or very good) remains equal to or higher than negative sentiment (poor or very poor) for the key measures. If we ignore the middle ground, 'average' and 'stayed the same' ratings, we find the following results:

Measure	Positive	Negative	Can't Say
Overall performance of council	41%	14%	1%
Overall direction	16%	15%	6%
Community consultation	25%	25%	12%
Advocacy	21%	17%	22%
Customer service	62%	18%	2%
Making decisions in interest of community	29%	19%	15%
Condition of Sealed local roads	46%	24%	1%

Advocacy continues being an area that the community does not relate to with close to one in four respondents not able to voice an opinion of council's performance.

**State and Interface councils**

As the graph below shows, Cardinia performs slightly lower, versus either the Interface or State-wide groups, or both, in each of the core indicators.



### Comparing Regions to Shire

Comparing the individual region performance results, with the overall Shire results, shows that, at the time when the survey was conducted, residents of the Hills and the Southern Rural Areas had a lower perception of Council's performance, as, in both areas, 8 of 24 measures were significantly lower than the overall Shire result.

The growth area had three measures that are significantly higher than the overall Shire result - reflecting a more positive perception of council.

The following table summarises these results.

Region	Significantly higher than overall Shire	Significantly lower than overall Shire
Hills	Nil	Advocacy, Decisions Made in the Community Interest, Sealed Local Roads, Local Streets and Footpaths, Town Planning Policy, Business and Community Development
Growth	Sealed Local Roads, Local Streets and Footpaths, Maintenance of Unsealed Roads	Nil
Southern Rural	Nil	Sealed Local Roads, Local Streets and Footpaths, Disadvantaged Support Services, Community and Cultural Activities, Waste Management, Emergency and Disaster Management, Maintenance of Unsealed Roads, Business and Community Development

### Importance summary

In addition to asking respondents to rate Council performance, the survey also asks respondents to rate how important each particular item is to them.

The following table reflects the three most important services to the community over the last four surveys. Unsealed roads continue to be in the top three, with emergency and disaster management again appearing after being included for the first time in the 2015 survey. Apart from the order, our 'top 3' this year is a repeat of the 2015 result.

2017	2016	2015	2014	2013
Emergency and Disaster	Emergency & Disaster	Unsealed Roads	Population Growth	Local Streets & Footpaths

Management	Management			
Unsealed Roads	Unsealed Roads	Emergency & Disaster Management (not included in previous surveys)	Unsealed roads	Unsealed Roads
Sealed Roads	Waste Management	Sealed Roads	Waste Management	Waste Management

The next table contains the three least important services as rated by the community. These have been consistent over the past 4 years.

2017	2016	2015	2014	2013
Tourism Development	Tourism development	Tourism development	Tourism development	Community & cultural
Community and Cultural	Community & cultural	Community & cultural	Community & cultural	Business development & tourism
Lobbying	Lobbying	Lobbying	Lobbying	Lobbying

### Demographics

The detailed report contains result breakdowns based on demographic groupings, for both index scores and response percentages, for all the indicators included in the survey. These results reinforce that Cardinia is not a homogeneous community.

Some examples of variation in response across demographic groupings are:

- Overall performance index - Highest performance scores given in the Growth Area, and the Lowest performance scores in the Hills Area
- Community Consultation - High performance scores given by respondents in the 18-34 age group, with low performance scores being recorded in the 65+ age group
- Sealed Local Roads - High performance scores given by respondents in the 35-49 age group, and low performance scores provided by residents in the 18-34 age group
- Recreational Facilities - High performance scores given by men, and low performance scores given by women

### POLICY IMPLICATIONS

There are no direct policy implications of these results, however, Council uses the information as an input into service planning, strategy development, business planning and overall communications as the data adds to our understanding of our community.

### RELEVANCE TO COUNCIL PLAN

The survey is an indicator of Council's overall performance in delivering plan.

### CONSULTATION/COMMUNICATION

The survey samples 400 people, 18 and over, through calls to a mix of landlines and mobile phones.

### Integrated Advisory Network

N/A.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

There are no direct financial implications. Indirectly, the results of the survey may be useful in supporting any position associated with variation to rate capping

## **CONCLUSION**

This year's survey supports that view that; in general, the community may be seeing the performance of council, and its overall direction, in a reasonably similar light to previous years. The one potential exception to this may be community this to be consultation, as a significant fall, in the index score in this area, in this year's survey, may recommend future monitoring and attention.

As would be expected, variations exist between the regions and various demographics on both performance and importance of our service delivery.

There is much detail in the report that can combined with other research information and used by Council as an input to both planning and monitoring of service delivery and to further understand the community.

**9 2017 COMMUNITY SATISFACTION SURVEY (CSS)**

Moved Cr G Moore Seconded Cr J Springfield

That Council note the results of the 2017 CSS and make the results available to the community via Council's website.

Cd.

## **10 MAJOR PROJECT AND STRATEGIES ACTIVITY REPORT**

FILE REFERENCE INT1761145

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Cathal O'Loughlin; Ben Wood; Desiree Lovell; Walter Carmignani

### **RECOMMENDATION**

That the report be noted.

### **Attachments**

*Nil.*

### **CONCLUSION**

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

### **CAPITAL WORKS**

#### **Reserves**

##### *Deep Creek Reserve*

Tenders for the construction of the building closed in August and a report will be presented separately at this Council meeting.

Tenders for the construction of the playground recently closed and a report will be presented at the October Council Meeting.

Three separate tenders for the construction of the civil, landscaping and golf course redevelopment components are currently advertised with relevant reports to be presented at the November Council meeting.

##### *Lang Lang Recreation Reserve*

Works are progressing slowly due to the continuing inclement weather, which is impacting on the completion of the bulk earthworks.

Substantial progress has been made on the installation of the reuse water system including commencement of the oval irrigation works.

##### *Holm Park Recreation Reserve carpark resurfacing*

Tenders for the works have closed and assessment of the tenders received are currently in progress.

##### *IYU Recreation Reserve carpark resurfacing*

The design works are currently progressing and the tender for the construction of the works is scheduled to be advertised later this year.

##### *Bridge Road duplication*

Design for the duplication of Bridge Road between Viridian Avenue and Cardinia Road has been completed. The tender for the construction of the works is scheduled to be advertised late September.

### *Cockatoo-Gembrook Trail*

Works on the Cockatoo-Gembrook Trail commenced in August at the Gembrook end of the trail, upgrading the existing section of the trail. Once complete, the contractor will move to the Cockatoo end of the trail to complete some of the intersection works and concrete sections of the trail. It is expected that the trail will be mostly complete prior to Christmas.

This package of works includes 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.

### *Emerald Community Hub*

The Emerald Community Hub project design documentation stage is nearing completion, with the expectation of going out for market pricing late this year.

A number of stakeholder forums have been held to date, informing and ensuring that the development meets required outcomes.

The project will deliver significant ongoing economic benefit, enhance existing community activities delivered by the Emerald Mechanics Institute, establishing a long term base for Emerald U3A, Emerald Men's Shed, 3MDR Community Radio station and provide opportunity to respond to emerging local needs, including skill development, training, health services, counselling services, employment creation, an arts display space and support for tourism.

### *Gembrook Leisure Park*

Preliminary planning for the renewal of the Gembrook Leisure Park playground, skate park and associated park facilities has commenced. A briefing will be provided prior to community consultation.

### *Pakenham Depot Construction of Stages 3 & 4 for the Administrative Building*

A contractor has been appointed to carry out the next staging of the redevelopment of the Administrative Building at the Pakenham Depot.

Site works are expected to commence late September early October 2017, with a planned completion around end of April 2018.

The construction activities are not expected to impact normal Depot operations and the construction site will be secured, with access from street frontage.

## **Roads, paths, drains and bridges**

### *2017-18 New footpath program*

Council's new footpath program has commenced with construction of two new footpaths in Railway Avenue, Bunyip and Carnarvon Street, Lang Lang.

### *2017-18 Road renewal program*

Tenders relating to the 2017-18 road rehabilitation and reseal programs closed in August and a report will be presented separately at this Council meeting. Road resealing preparation works are currently underway in preparation for resealing works which are scheduled for the summer months.

### *2017-18 Drainage program*

The 2017-18 drainage program is well underway with detailed design commencing for several projects, including two projects in Bunyip and a major culvert replacement on Ingram Road, Nar Nar Goon North.



*2017-18 Unsealed road re-sheeting program*

The 2017-18 unsealed road re-sheeting program has commenced and will see approximately 45km of unsealed roads, across the shire, replenished with new crushed rock that has been lost due to storms and general wear and tear.

**Wheeler Road Special Charge Scheme**

The contract for the construction of the Wheeler Road Special Charge Scheme has been awarded, with works expected to commence late September/early October.

**10 MAJOR PROJECT AND STRATEGIES ACTIVITY REPORT**

Moved Cr G Moore Seconded Cr J Springfield

That the report be noted.

Cd.

## REPORTS OR MINUTES OF COMMITTEES

The Mayor advised of minutes received from various committees and recent briefing sessions that were available for any interested persons.

## REPORTS BY DELEGATES

### Windermere

Cr Ryan, advised of her visit to Windermere to gain an understanding of the services provided to the local community

### Millhaven Lodge

Cr Ryan reported on her attendance at the Millhaven Lodge AGM and of the discussions that were held.

### Alcohol and Drug counselling

Cr Ryan reported on her attendance at a drug and alcohol counselling service in Dandenong and advised of the services available.

### Red Cross AGM

Cr Ryan advised of her attendance at the Red Cross AGM at Meadowvale Lodge.

### Heritage Springs resident group AGM

Cr Ryan reported on her attendance at the AGM of the Heritage Springs resident's group noting that the group were looking for new members.

### Hope Walk

Cr Ryan reported on the conduct of the 'Hope Walk' at Lakeside that promoted suicide prevention and thanked all persons involved on the day.

### Harewood Park

Cr Brown reported on his attendance at an event at the historic Harewood Park Homestead.

### South East Council Climate Change Alliance

Cr Moore reported on his attendance at a meeting of the South East Councils Climate Change Alliance.

### Lunch with the blokes in the kitchen event at Lang Lang

Cr Moore reported on his attendance in company with Cr Brown at a Lunch with the blokes in the kitchen event at Lang Lang.

## REPORT BY MAYOR

The Mayor advised of recent activities, such as:

- Attending the AGM of Pakenham Opportunity Shop and advised that the over \$90,000 had been donated to local groups.
- Forthcoming Casey Cardinia Foundation dinner on October 13
- major funding announcements by Minister James Merlino at Gum Scrub Creek and at the Lang Lang Community and Recreation Precinct by Minister for Sport Greg Hunt.
- hosted a visit to the Gum Scrub Creek Reserve by the Premier Daniel Andrews

- attended the Launch of South East Melbourne by the Premier
- Council staff participated in meetings with the State Government's Economy and Planning Working Group, the Victorian Planning Authority, Vic Roads in relation to the Outer South Arterial Roads Program and the Interface Council's Group

The Mayor also of recent grant applications including

- \$1.6M for the Timbertop Child and Family Centre
- \$3.1M for road blackspot works at Avon Road, Avonsleigh, Main Drain Road, Bunyip, Paternoster Road, Emerald and Mount Burnett, Tynong North Road, Tynong North and Shearwater Drive, Pakenham.
- \$20,000 for a Pedestrian Crossing analysis to prioritise new crossings and to upgrade existing crossings and
- \$32,000 on a \$ for \$ basis to undertake improvements to the Pedestrian and Cycling Network at Henry Road and Toomuc Creek.

## PRESENTATION OF PETITIONS

The Mayor advised of a petition received that related to the planning application for 1 Station Street and advised that in accordance with the Meeting Procedure local Law the petition would lay on the table for consideration by the Council at its next meeting.

## COMMUNITY QUESTION TIME

The Mayor advised that a Question had been received from Mr William Atkinson, who was not present in the gallery. The Mayor read the question and responded as below.

### Question

Will Council make a stand on Indigenous Reconciliation and cancel Australia Day celebrations and remove reference to Australia Day on all citizenship ceremonies that Cardinia Council hold?

### Answer

On behalf of the Council I advise that no, Council will not cancel Australia Day activities. As Mayor it is a great pleasure to preside over citizenship ceremonies held on 26 January. Council will not be cancelling any activities proposed for the day. The Mayor referred Mr Atkinson to the Reconciliation Action Plan list of actions as an indication on Council's activities in relation to indigenous reconciliation.

The Mayor advised that question had been received from Mrs Gloria O'Connor and referred the first question to the General Manager Assets and Services and Manager Governance to respond.

### Question 1.

Regarding recent discussion about the lack of a Township Strategy for Nar Nar Goon and Tynong, in August 2015 the current Planning Minister wrote to Cardinia Shire Council Planning Manager Philip Walton advising agreement with preparation of a Township Strategy for Nar Nar Goon . Can you please advise why this was never done.

Is it appropriate that a property developer seeking access to green wedge land has now been assisting Nar Nar Goon residents with preparation of a township strategy?

Also, what is the situation with Latta Road, which has long been neglected and is in extremely bad condition?

### Answers

General Manager Assets and Services advised that Latta Road was receiving regular maintenance and had been graded 6 times in last 12 months and was last graded at the end of August and was

due for another grade in two weeks' time in addition crushed rock has been applied to the road but the ongoing problem with the road is the poor ground conditions, lack of drainage and traffic volumes. Council was working with Melbourne Water and the local residents to develop a special charge scheme to construct the road however at this stage the costs are prohibitive.

Manager Governance advised that he would need to take this question on notice, as it has not been possible to prepare a detailed response prior to the meeting, additionally the General Manager Planning and Development was currently on leave and he would need to consult with him regarding Mrs O'Connor's comments to facilitate a response.

In regard to Mrs O'Connor's second question the Mayor sought clarification in regard to the intent of the question. Mrs O'Connor advised that she was concerned that the rapid developments occurring in Officer was leading to the other parts of Ranges Ward being ignored.

#### Question 2

How does Council plan to manage Ranges Ward needs as the growth and development both residential and commercial in Officer has increased so rapidly since its inclusion in the Ranges Ward?

#### Answer

The Mayor advised that Ranges Ward was a very diverse ward having the growth corridor communities of Beaconsfield and Officer but Council was not ignoring the hills communities and noted that some major works were being delivered for the communities outside of the growth corridor, as examples the following major projects are currently being planned or implemented for the benefit of these communities

The Mayor assured Mrs O'Connor that the hills communities in particular were not being ignored and advised of various capital works projects being developed in Emerald Cockatoo and Gembrook that showed that these communities were not being ignored. The Mayor noted that the majority of works in the growth corridor were being funded by developer contributions.

The Mayor noted that due to the rapid population expansion that a review of the current ward boundaries may need to be undertaken prior to the next Council election and Ranges Ward may change again.

Mrs O'Connor asked a supplementary question regarding possible ward boundary changes prior to the next election.

Manager Governance advised that it was likely that the current ward boundaries would need to be reviewed prior to the next Council Election in 2020.

Meeting closed at 8.19pm

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Minutes Confirmed  
Chairman