



Cardinia

MINUTES OF GENERAL COUNCIL MEETING

MONDAY, 20 NOVEMBER 2017

MINUTES OF GENERAL COUNCIL MEETING

held in the Council Chambers, 20 Siding Avenue, Officer
on Monday, 20 November 2017
The meeting commenced at 7.01pm

PRESENT: Mayor, Collin Ross, Chairman

Councillors Michael Schilling, Carol Ryan, Brett Owen, Graeme Moore, Ray Brown, Jeff Springfield, Leticia Wilmot

Messrs Garry McQuillan (CEO), Mike Ellis (GMAS), Derek Madden (GMCS), Andrew Paxton (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 and we respect their elders past and present.

PRESENTATION TO FORMER MAYOR:

The Mayor presented a portfolio of remembrances and framed photograph of him and his family to Cr Brett Owen as a gift from the Council in appreciation of his role as Mayor over the last 12 months.

Cr Brett Owen then responded thanking the Council for the gifts and reflected on his term in office and highlighted major achievements that were delivered during his term as Mayor. The Mayor thanked councillors, residents and staff for their support over his term of office.

APOLOGIES:

Cr Jodie Owen

CONFIRMATION OF MINUTES OF MEETINGS

Moved Cr G Moore Seconded Cr C Ryan

THAT MINUTES OF THE FOLLOWING MEETINGS BE CONFIRMED-

- General Council Meeting 16 October 2017
- Town Planning Committee 6 November 2017
- Annual Statutory Meeting 13 November 2017

Cd.

DECLARATION OF PECUNIARY AND OTHER INTERESTS

Nil.

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TOWN PLANNING**1 SUBDIVISION OF LAND AT 46 TIVENDALE ROAD, OFFICER - DEFERRED ITEM**

FILE REFERENCE INT1776821

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Angela Gleeson

RECOMMENDATION

That a Refusal to Grant Planning Permit T160693 be issued for a subdivision and associated works at 46 Tivendale Road, Officer on the following grounds:

- The proposal is not generally in accordance with the incorporated Officer Precinct Structure Plan (September 2011).
- The proposal is not generally in accordance with the future urban structure shown in Map 1 to Schedule 3 of Clause 37.07 of the Urban Growth Zone.
- The proposal is not generally in accordance with Plan 5 Future Urban Structure, Plan 6 Land Use Budget, Plan 11 Open Space Network and Plan 12 Integrated Water Management of the Officer Precinct Structure Plan (September 2011).
- The proposal will have negative impacts upon community safety within public areas and reduce the amenity planned and accessibility for the area.
- The grant of the permit will diminish the ability ensure that the required drainage reserve and passive open space will be delivered in a manner that benefits the broader community which will prejudice the orderly and proper planning of the area.

Attachments

1	Locality plan	1 Page
2	Officer Precinct Structure plan	5 Pages
3	Subdivision plan	1 Page

EXECUTIVE SUMMARY:

This application was listed for consideration at both the September and October Town Planning Committee meetings and was deferred at the request of the applicant to allow further discussions between the applicant, Council and Melbourne Water in relation to the concerns and objections raised in regard to the development and the application.

The applicant is continuing to have discussions with Melbourne Water and Council however at this stage no resolution has been achieved.

APPLICATION NO: T160693

APPLICANT:	Calibre Consulting for Sweet 46 Property Developments Pty Ltd
LAND:	Lot 6 PS66670, 46 Tivendale Road, Officer
PROPOSAL:	Staged subdivision and associated works
PLANNING CONTROLS:	Urban Growth Zone Schedule 3 Development Contributions Overlay Schedule 4 Clause 52.01 Public Open Space Clause 52.16 Native Vegetation Precinct Plan Clause 52.36 Integrated Public Transport Planning Clause 56 Residential Subdivision Clause 65 Decision Guidelines 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 of the Urban Growth Zone.
KEY PLANNING CONSIDERATIONS:	Urban Growth Zone Schedule 3 Land Subject to Inundation Overlay Officer Precinct Structure Plan September 2011
RECOMMENDATION:	Refusal

BACKGROUND:

The planning permit application is to develop a 4.0 ha parcel of land for a residential subdivision into 56 lots. A summary of the proposal is as follows:

- The lot size range is from 355sqm to 475sqm,
- A 33 metre wide east-west connector road runs through the north of the site,
- The lots predominately run in an east west direction,
- A drainage reserve is proposed along the entire length of the southern boundary and is shared between the subject site and southern property. The plan shows a total reserve width of 30 metres between the subject site and the southern site (60 Tivendale Road).
- Plan revision C, and notes that the developable area of 3.61 hectares and a lot density of 15.5 dwellings per hectare,
- The encumbered drainage reserve between the two properties is approximately 15.45 metres wide with an additional 14.55 metre wide unencumbered reserve and two adjacent 15 metre wide road reserves.
- The drainage reserve connects to a proposed sediment pond on the adjoining site to the east.
- The proposed reserve has a total area of 0.437ha.

The proposed subdivision layout differs from the Officer PSP in the south of the site. The PSP identifies a drainage corridor along an open drain running in an east-west direction along the boundary. The drainage corridor / linear reserve has been significantly reduced in width, along with no consideration being given to the drainage corridors and sediment pond immediately abutting the subject site to the east. This outcome will create a negative impact on the adjoining site to the east

whereby the back of dwellings and fences on the subject site will abut a reserve which results in a poor and unsafe interface with the adjoining property to the east.

There is currently a planning application for a medium density development at Lot 5 Starling Road, Officer that is immediately abutting the site to the east with Council. The applicant for the proposed development at Lot 5 Starling Road is currently working on providing a drainage strategy for the site to Council and Melbourne Water, however it is difficult for the applicant of Lot 5 Starling Road to obtain appropriate information in order to align their drainage corridor and sediment pond with the subject site as it is inconsistent with the PSP.

The proposed development at Lot 5 Starling Road, provided a plan that complies with the Officer PSP and shows the sediment pond in the correct locations and correct widths. In addition to this the applicant has included a drainage reserve which runs along the adjoining boundary between the sites to provide for drainage from further north of the development. This is not identified within the Officer PSP but is necessary to provide for the adequate provision of drainage within this area.

The proposed subdivision plan for the subject site at 46 Tivendale Road shows a row of lots immediately located along the east boundary of the site, which subsequently turns its back to the proposed drainage corridor that is located between the two boundaries on Lot 5 Starling Road. Furthermore, the plan shows lots that will have back fences facing the future sediment pond, which has been incorporated within drainage corridor as a feature to the area.

As stated above, the drainage corridor and sediment pond areas do not align with each other, which results in an inconsistency with the PSP and does not allow for the appropriate integration between the two sites.

The applicant is proposing that the drainage corridor should be piped and to allow for an adequately sized pipe to accommodate flows, rather than creating an open drainage corridor in this location in accordance with the PSP. It is further proposed by the applicant that the 15 metre wide road reserve, 10 metre wide Council reserve and 15.45 metre wide encumbered drainage reserve will adequately provide for a suitable drainage / linear reserve solution.

The Officer PSP shows a total drainage and open space corridor of 100 metres which includes 20 metres of Council reserve (10 metres on either side of an 80 metre encumbered drainage corridor). The subject site has a 10 metre wide un-encumbered open space Council reserve and an approximately 57.62 metre wide encumbered drainage reserve which equates to 1.19ha which is consistent with the land budget totals of the PSP. The remaining approximately 32.38 metre wide drainage and open space reserve is located within the adjoining site at 60 Tivendale Road.

Whilst the applicant provided a drainage report to Council that specifies how the reserve can be reduced and still function as a drainage reserve, however the reserve serves a greater purpose to the community as an aesthetic linear walking / cycling trail and biodiversity habitat and that this should not be reduced. It is concluded that whilst drainage solutions could be achieved, this is essentially not the argument in this instance. The issue is that the proposed reserve has been reduced to the point it has no regard for its broader purpose for passive open space use and for adjoining sites connecting to this network.

Whilst the drainage report takes into consideration upstream matters, there is no guarantee that all developers upstream will provide similar solutions. The drainage reserve could then alternate between being open and piped over a relatively short distance within Officer, which results in an inconsistent outcome. As demonstrated above, engineering solutions are not the only consideration in this instance and there must be regard for planning which takes into consideration

environmental and community benefit which aligns with planning policy and Council's Plans and strategies for healthy living.

It is worthy to note that Council Officers have tried to work with the applicant over an extended period of time to achieve an appropriate outcome that complies with the Officer Precinct Structure Plan, however the applicant wishes to proceed with the proposal in its current form.

SUBJECT SITE

The site is located on the east side of Tivendale Road in Officer.

The land is 4.047ha in size and is rectangular in shape.

An existing driveway is located toward the southern end of the land.

The site currently an existing brick veneer dwelling with a number of ancillary outbuildings. A watercourse traverses the property along the southern edge of the land, which is identified as Officer Creek.

The topography of the land has a combined fall of approximately 4 metres from the north west corner of the site and slopes to the south east corner of the site adjacent to the Officer Creek channel.

The subject site and surrounding area are included within the Officer Precinct Structure Plan area. The immediate surrounds have been nominated for residential development with the exception of land to the north which contain two existing private schools being Berwick Grammar School which is abutting the land to the north and Minaret School which is located north west of the site. To the south west of the site are similar sized allotments containing single dwellings along Tivendale Road. St Brigids Primary School and D'Angelo Estate Winery with cellar door are located further west of the site.

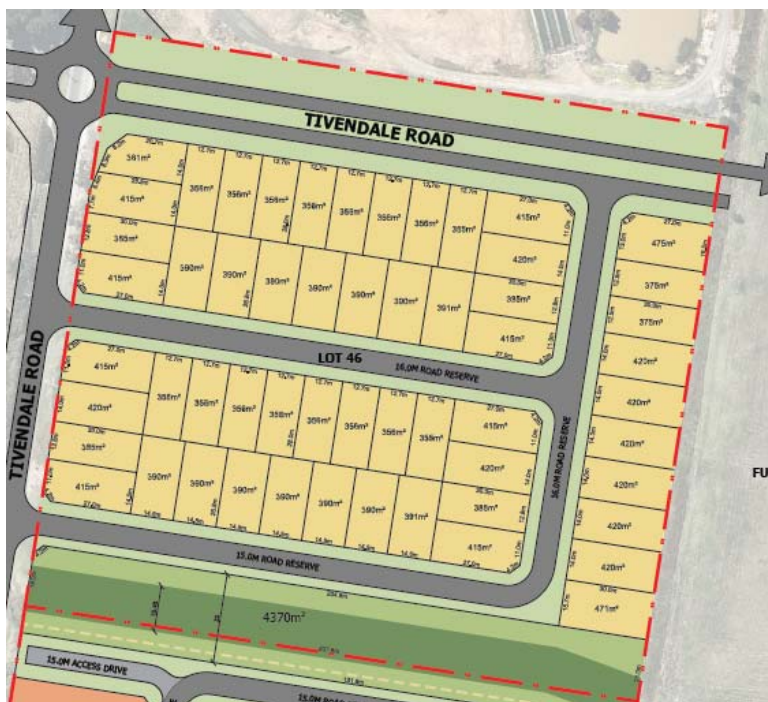
Two residential estates known as Timbertop and Potters Northside are located further west.

PROPOSAL

The application is summarised as follows:

- Subdivision for 56 residential lots,
- Provides for a range of lots sizes from 340sqm to 455sqm and are designed to accommodate a single dwelling,
- A 33 metre wide east-west connector street boulevard is proposed within the north of the site,
- The road reservation is to accommodate a divided carriageway with a centre median, indented parking, 3 metre wide bikeway and 1.5 metre wide footpaths.
- There are two additional access roads proposed from Tivendale Road. The central road is proposed to have a width of 16 metres and the southern road is proposed to be 15 metres wide as it is abutting the reserve.
- All existing vegetation is proposed to be removed from the site and some within the road reserve and is exempt from planning approval as the vegetation is not identified for retention within the Officer NVPP.
- A 30 metre wide reserve is proposed to be located within the southern portion of the land and runs east west along the southern boundary. The reserve is also located partially over the southern property 60 Tivendale Road, however the extent of the reserve is less than at the subject site.

Figure 1 – Proposed plan



The above plan is for illustrative purposes only to show the proposed subdivision layout for the subject site and the extent of the drainage corridor that the applicant is proposing. The adjoining site to the south is not subject to a planning application, however, Council Officers have been in pre application discussions with the landowner to the south who has flagged the possibility of other uses for the site such as a multi storey aged care facility. Therefore, the road shown on the southern site on this plan is not relevant to this application at this time.

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
 - 11.02 Urban Growth
 - 11.02-2 Planning of growth areas
 - 11.04-2 Housing choice and affordability
 - 12.04-2 Landscapes
- 13 Environmental Risks
 - 15.01-1 Urban design
 - 15.01-3 Neighborhood and Subdivision Design
 - 15.01-4 Design for Safety
 - 15.01-5 Cultural Identity and Neighborhood Character
- 15.03-1 Heritage conservation
- 16 Housing
 - 16.01-2 Location of residential development
 - 16.01-4 Housing diversity
 - 16.01-5 Housing affordability
- 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:

21.02 Environment
21.02-7 Aboriginal cultural heritage
21.03-1 Housing
21.03-2 Urban growth area
21.05 Infrastructure provision
21.06-1 Design and built form
22.02 Interim Telecommunications Conduit Policy

Relevant Particular / General Provisions and relevant incorporated or reference documents

The relevant provisions/ documents are:

Clause 52.01 Public Open Space
Clause 52.16 Native Vegetation Precinct Plan
Clause 52.36 Integrated Public Transport Planning
Clause 56 Residential Subdivision
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 3. The applied zone is General Residential (Clause 32.08).

Overlays

The land is subject to the Land Subject to Inundation Overlay (LSIO) which applies to the south-west corner of the site and the Development Contributions Plan Overlay Schedule 4 (DCPO4).

PLANNING PERMIT TRIGGERS

The proposal for the subdivision of the land requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- 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 clauses 37.07-9 to 37.07-16 apply.
- Clause 37.07-10 Urban Growth Zone, a permit is required to subdivide the land. Any requirement in the schedule to this zone or the precinct structure plan must be met. A permit granted must be generally in accordance with the precinct structure plan applying to the land and include any conditions or requirements specified in the schedule to this zone or the precinct structure plan.
- Under the Schedule 3 of the Urban Growth Zone, sub-clause 2.1 refers to applied zones that apply within the Officer Precinct Structure Plan. The subject site is located and zoned within

the General Residential Zone, therefore pursuant to Clause 32.08-2 of the General Residential Zone a planning permit is required to subdivide land. The proposed development must meet the requirements of Clause 56.

A permit must include any conditions or requirements specified in the schedule to this zone or the precinct structure plan.

- Clause 44.04-2 Land Subject to Inundation Overlay, a planning permit is required to subdivide land. Part of the land is located within the overlay.
- Clause 45.06 Development Contributions Overlay, Schedule 4 applies to the land. Clause 45.06-1 states that a permit must not be granted to subdivide the land until a development contributions overlay has been incorporated into the scheme. The Officer Development Contributions Plan has been incorporated into the scheme and in this instance, it does not apply as this report is for refusal of the subdivision application.

PUBLIC NOTIFICATION

The application was not advertised as it was determined to refuse the application. Pursuant to Clause 37.07-13 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.

REFERRALS

The application was referred to Melbourne Water as a statutory referral, who have withdrawn their previous objection to the proposed subdivision. Melbourne Water have now advised that a 30 metre wide reservation along the common boundary of 46 and 60 Tivendale Road is satisfactory with regard to their drainage requirements. The drainage works are likely to comprise of a Q5 pipe and a shallow floodway.

DISCUSSION

The proposed subdivision is not consistent with the provisions of the Cardinia Planning Scheme and the Officer Precinct Structure Plan (PSP). This section highlights the relevant sections of the Cardinia Planning Scheme, Officer PSP and other relevant strategies that the proposal is not in accordance with.

The key issues are as follows:

- The PSP identifies a drainage corridor along an open drain running in an east-west direction along the boundary. The drainage corridor has been significantly reduced in width with no consideration of the drainage corridors and sediment pond immediately abutting the subject site to the east.
- Lack of integration with the adjoining sites by changing the width of the drainage corridor,
- Proposing that the drainage corridor should be piped within the road reserve,
- The proposed plan creates a 40.45 metre wide drainage corridor which includes a 15 metre wide road reserve and a significantly reduced drainage and open space corridor to act as the

drainage corridor and open space. Furthermore, the plan shows a significant reduced drainage and open space corridor between the subject site and 60 Tivendale Road to the south of the subject site.

- Diminish the capacity for the reserve that serves a greater purpose to the community as an aesthetic linear walking/cycling trail and biodiversity habitat and that this should not be reduced. It is concluded that whilst drainage solutions could be achieved, this is essentially not the argument in this instance. The issue is that the reserve has been reduced to the point it has no regard for its broader purpose for passive open space use and for adjoining sites connecting to this network.
- Whilst the drainage report takes into consideration upstream matters, there is no guarantee that all developers upstream will provide similar solutions. Engineering solutions are not the only consideration in this instance and there must be regard for planning which takes into consideration environmental and community benefit which aligns with planning policy and Council's Plans and strategies for healthy living.
- Inadequate assessment and consideration of the upstream dam and future retarding basin, behind Minarets College.
- Lack of consideration of the waterway corridors for the adjoining properties and the broader area.
- Lack of integration and consideration of adjoining developments in the context of the Officer PSP
- Rear fences backing onto linear drainage reserves and the limited application of Crime Prevention Through Environmental Design principles

Cardinia Planning Scheme:

State Planning Policy Framework

Clause 15.01-2 Urban Environment, the objective is 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.

The policy guidelines for planning to consider are the Safer Design Guidelines for Victoria in assessing the design and built form of new development.

Relevant strategies include:

The public realm, which includes main pedestrian spaces, streets, squares, parks and walkways, should be protected and enhanced.

Safety, new development should create urban environments that enhance personal safety and property security and where people feel safe to live, work and move in at any time.

Landmarks, views and vistas, landmarks, views and vistas should be protected and enhanced or, where appropriate, created by new additions to the built environment.

Pedestrian spaces, design of interfaces between buildings and public spaces, including the arrangement of adjoining activities, entrances, windows, and architectural detailing, should enhance the visual and social experience of the user.

Clause 15.01-3 Neighbourhood and subdivision design, the objective is to ensure the design of subdivisions achieves attractive, liveable, walkable, cyclable, diverse and sustainable neighbourhoods.

Strategy is that the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:

- Creating compact neighbourhoods that have walkable distances between activities and where neighbourhood centres provide access to services and facilities to meet day to day needs.
- Creating a range of open spaces to meet a variety of needs with links to open space networks and regional parks where possible.
- Contributing to reducing car dependence by allowing for:
 - Convenient and safe public transport.
 - Safe and attractive spaces and networks for walking and cycling.
 - Subdivision layouts that allow easy movement within and between neighbourhoods.
 - A convenient and safe road network.

In response to the above, the Cardinia Planning Scheme and Officer PSP takes into consideration the way in which the drainage reserve and passive open space can function and ultimately be co-located within an urban context to benefit the community. The benefit to the community being that an appropriately sized drainage and open space corridor will provide the walking and cycling network in a linear park setting that people desire in their neighbourhoods.

Clause 18.02 Movement networks to promote the use of sustainable personal transport.

Relevant strategies include:

- Encourage the use of walking and cycling by creating environments that are safe and attractive.
- Develop high quality pedestrian environments that are accessible to footpath-bound vehicles such as wheelchairs, prams and scooters.
- Ensure development provides opportunities to create more sustainable transport options such as walking, cycling and public transport.
- Ensure cycling routes and infrastructure are constructed early in new developments.

Local Planning Policy Framework

Clause 21.05-5 Pedestrian Bicycle Networks objective, is to develop well-located, safe and interconnected pedestrian and bicycle networks within the municipality.

Relevant strategies include:

- A high level of connectivity to provide for safe and efficient pedestrian and bicycle movements to connect railway stations, bus stops, activity centres and major community facilities within the urban growth area and in rural townships.
- Ensure connectivity between new and existing development including pedestrian and bicycle paths.

Design and safety aims to:

- Ensure that new development does not compromise existing and future pedestrian and bicycle networks.
- Encourage passive surveillance over pedestrian and bicycle paths through appropriate siting and design. (CEPTED)

In response to the above, the reduction of the drainage and open space corridor compromises the future pedestrian and bicycle networks by providing a reduced linear reserve that does not appropriately flow from property to property. Should the width be reduced in this section of land, this will make the reserve size inconsistent with adjoining land that contain the same reserve, at the same width and not provide for adequate connectivity between new and existing development including pedestrian and bicycle paths of the broader area.

Clause 21.06-1 Design and built form, relevant objectives:

Objective 1 is to promote a high standard of design which creates a strong character and identity for the area, provides for a functional built environment, and promotes community and personal safety.

Strategies that are relevant include taking into account the character and constraints of the site and wider area whilst encouraging new development to achieve best practice in design that promotes social wellbeing, economic development and environmental sustainability.

Objective 2 is to provide equity of access for people with disabilities to publicly accessible premises.

Strategies that are relevant is to ensure development is designed to support access for people with disabilities in accordance with Australian Standards, including AS 1428 (Parts 1-4).

In response to the above, the Officer PSP has taken into account the character and constraints of the area, outlining the way in which the area is to be developed, by providing a drainage reserve to provide for the stormwater function, as well as incorporating a linear open space network for this area. As a result, this provides for a multi-functional built environment, that promotes community health and safety, encouraging greater accessibility through the area.

By reducing the width of the corridor at this site and the provision of inconsistent widths, the proposal fails to achieve best practice design and social wellbeing for all within the community.

Clause 21.06-2 Community safety, relevant objectives:

Objective 1 to improve community safety and the perception of safety in the municipality.

Relevant strategies encouraging development that is consistent with safer design principles, by maximising activity, visibility and surveillance of the public environment by providing safe movement through good connections and access. Private and public spaces should be clearly defined and appropriate management of public spaces to ensure that it is attractive and well used.

In response to the above objective, the reduction of the width of the drainage and open space corridor, does not achieve the objective in that the activity in public spaces and provision of safe movement through good connections is not maximised. The reduced corridor does not provide for an aesthetic and functional corridor that seamlessly transitions from adjoining properties, rather it provides for a narrow and fragmented corridor that leads to reduced pathways and reduced landscape and biodiversity opportunities.

Relevant Policies and Strategies:

The following planning policies are relevant to the assessment of this application. The policies and strategies further support and build on the importance of creating neighbourhoods that support safe communities and healthy lifestyles, by taking a whole of population approach to health

planning, particularly through municipal public health and wellbeing plans. A summary of each relevant strategy is provided below.

- Plan Melbourne 2017-2050 (Metropolitan Planning Strategy).
 - Direction 5.2 Create neighbourhoods that support safe communities and healthy lifestyles (includes applying CEPTED principles in design of public spaces)
 - Policy 5.2.1 Improve neighbourhoods to enable walking and cycling as a part of daily life, the National Heart Foundation has also developed tools to help local governments plan for better health and community wellbeing across a range of local government policy areas, including the Healthy by Design guidelines, discussed within this report.
- Council's Pedestrian and Bicycle Strategy August 2017 which is yet to be adopted by Council this year, further builds on the importance and emphasis that is placed on providing suitable areas to be used by the community for fitness and recreational activity.
- Councils Healthy By Design, January 2017, seeks to plan and build environments to support healthy living and integrate health into planning to allow people to be able to choose to be active in an environment that is convenient, safe and pleasant.

Council provides significance emphasis on health and recreation and the above strategies are reflective in this, as they share similar principles and guidelines. The strategies seek to promote healthy living through appropriate planning, by ensuring that walking, cycling through providing good footpaths and connectivity, opportunities for physical activity, neighbourhood amenity, accessibility and community safety.

Barriers to walking and cycling often include an incomplete or inadequate footpath network and limited dedicated shared paths which reduces opportunities for recreational walking and cycling. As a result of new residential areas not being developed in sequence, significant gaps can occur in the shared path network. The delivery and the quality of infrastructure should not be compromised and these elements are critical in the successful provision of walking and cycling paths within the Shire.

The drainage corridor has an important role and function and must be used and developed in this manner to its full potential. The overarching purpose of the drainage corridor is to transform an existing drainage line to serve as an important drainage function and key landmark for pedestrians. Pedestrians can choose to use this linear trail that subsequently connects into a series of shared paths within the area, that also connect seamlessly to key places such as schools, parks, Officer Town Centre, public transport and the Officer Railway Station.

The PSP identified what is called the existing Officer Drain that runs from the north to the south extents of the PSP boundary. The drain enters into some existing dams as it meanders through a number of properties that have been subsequently identified within the PSP of containing this important lineal drainage corridor and pedestrian trail. The drainage corridor is approximately 1.98km from the north of the PSP to Princes Highway.

To reduce the width of the drainage corridor will undermine the intention and purpose of the above.

Officer Precinct Structure Plan/Urban Growth Zone

The application has been assessed against the provisions and requirements of the Officer Precinct Structure Plan (PSP) and Urban Growth Zone. Please refer to the overview summarised below.

The proposed layout differs from what is shown within the Officer PSP within the southern part of the land. The PSP identifies a drainage corridor, which runs along an open drain in an east west direction. The outcome once developed is to provide for the existing open drain, which is to be further embellished to provide for the drainage function, in addition to appropriate landscaping, linear park and pedestrian pathways in a safe setting.

The subject site is located within the centre of this broader multifunctional drainage corridor, which begins at the northern side of the Officer PSP boundary and proceeds to the south whilst taking some slight east west deviations along the way to the southern side of the Officer PSP boundary. In addition, a series of wetlands/retarding basins are proposed to be constructed within key locations which are a culmination of existing dams and drainage lines.

The applicant proposes a piped drainage solution within the road reserve, rather than creating a piped drainage corridor. The result of this is a significantly reduced drainage corridor that will subsequently provide for an undesirable narrow corridor that reduces the capacity of a multifunctional corridor as described above in this report. This is inconsistent with the intended open drainage solution within a linear park setting.

Rather, it provides the developer with the opportunity to create more small lot product rather than a larger diverse lot mix for the area that provides a range of housing type opportunities for people. However, in saying this, the density of the proposal is 15.5 dwellings per hectare, which is the dwellings per hectare that is to be achieved within the Officer PSP.

Council considers that the reduction of the drainage corridor from what the PSP shows, would create an undesirable outcome and that the wider corridor as proposed in the PSP allows for multiple functions such as overland flows, stormwater retention, wildlife corridors, visual buffers and movement corridors for pedestrians and cyclists.

The proposed drainage and open space corridor is one of many open space areas ranging from local open space, passive open space (conservation/restoration areas and linear open space to cater for a variety of interest and ages within the community.

In addition, the Officer and Gum Scrub Creek Development Services Scheme (DSS), which has been approved by Melbourne Water, have been prepared for the precinct. The DSS includes culverts and a network of channels ranging from 16 metres to over 80 metres in width and retarding basins. Under the DSS, the precinct will principally be drained to the east to Officer South Road Drain and Gum Scrub Creeks providing the main connections for drainage to areas south of the Princes Freeway.

As part of the preparation of the Officer PSP, the DSS has been partially reviewed, enabling the remodelling of the Officer South Road Drain upstream of the railway into a series of retarding basins, incorporating some wetland systems.

Officer Precinct Structure Plan (PSP):

Plan 5 Future Urban Structure, describes how the PSP delivers the vision. It is considered that the proposed subdivision is not generally in accordance with plan 5 as the drainage corridor has been substantially reduced in size.

The reduction of the drainage corridor further inhibits the ability for the corridor to become a highly permeable and walkable open space trail network that the PSP envisages it to be.

Plan 6 Officer Land Use Budget, the site is shown as property number 349.

- Local Roads Including Boulevard Connector - 0.69ha (not included in the net developable area - NDA)
- Drainage easement/WSUD/Wetland/Retarding Basin – 1.19ha (not included in the NDA or OS%)
- Local Open Space – 0.21ha (not included in the NDA or OS%)
- Total property area 4.02h and total NDA – 1.93ha

In response to the above, the proposal does not comply with the land use budget as the areas as described above have not been achieved within the proposed plan. The most concerning figure is the applicant is proposing to only deliver 4,370sqm of drainage easement/WSUD/wetland/Retarding Basin land instead of the approximately required 11,190sqm required by the PSP

4.1 Image and Character:

The relevant objectives of this section are to:

- Create a strong sense of place that is functional safe and aesthetically pleasing.
- Create a distinctive character for different neighbourhoods, through the treatments of streets and public spaces.
- Preserve and capitalise on view corridors to and from significant landscape features and to ensure development does not detract from the visual amenity of the area.

4.1.3 Planning and design guidelines, relevant guidelines to be met.

- Create compact neighbourhoods that:
 - Are pedestrian friendly;
 - Have a permeable street network;
 - Emphasise the landscape character, creek network and topographical features of the precinct.

In response to the above, by reducing the size of the drainage corridor the proposal fails to meet the above design guidelines to be met. Specifically, the proposal fails to achieve a pedestrian friendly trail network that also provides for landscape character, well connected creek network and takes advantage of the topographical features of the precinct. The plans provided with the application make no provision for the above.

4.2 Housing:

The relevant objectives of this section are to provide residential neighbourhoods with attractive streetscapes and a high quality urban design and distinct urban character with a variety of housing types and density at key amenity areas such as creek corridors, the pedestrian network and public open space.

Plan 8: Housing, shows the extent of open space with a major drainage line within the subject site.

4.2.3 Planning and design guidelines, relevant guidelines to be met:

- The following relevant planning and design guidelines for subdivision design must be met:
 - Provide a high quality urban environment with a sense of identity;
- Seek to ensure subdivision and lot layout provides creative and innovative design solutions for fragmented lot ownership in order to facilitate integration of development with adjoining properties.

Public Open Space, planning and design guidelines that must be met:

- Provide active frontages that address all public open space areas;
- Ensure lots with an interface with public open space:
 - Take advantage of views/aspect over open space by orienting lots to face towards the open space area;
 - Overlook open space to increase the sense of safety/surveillance.

In response to the above, by reducing the width of the drainage corridor it subsequently creates a space that is less aesthetically appealing to the residents who have viewlines to the drainage corridor or those who will traverse through it into the future, as it is proposed to be a grassed area with a shared path rather than an open drain with landscaping elements through it along with the shared path which is considered to be far more appealing than grass and a path.

Furthermore, lots with back fences are proposed along the extent of the south east corner boundary which affects the ability to provide for overlooking of the open space to increase the sense of safety/surveillance. This is inconsistent with the principles of Crime Prevention through Environmental design by having rear fences onto reserves rather than active frontages. It is considered that the proposal does not meet this provision of the Officer PSP and Crime Prevention Through Environmental Design principles adopted within the Cardinia Planning Scheme.

4.5 Open Space and Natural Systems, the relevant objectives of this section are to:

- 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.
- Protect and enhance areas of environmental significance and integrate these areas with open space systems where practicable.
- Create an attractive urban environment with a strong sense of place through the provision of well designed landscaping of open space and roads.
- Maximise the integration and sharing of space with publicly accessible encumbered land. This parkland is to be suitable for the intended open space function/s including maintenance.
- Implement open space development standards which provide for a sustainable future maintenance regime.
- Incorporate pedestrian and bicycle paths through the open space network.

Plan 11 Open Space Network identifies the site as being partly encumbered and encumbered public open space with a major drainage line.

Plan 12 Integrated Water Management identifies the site as being part of a wider drainage corridor and having a retarding basin within it. The south west corner of the land is identified within the land subject to inundation overlay over it.

The area subject to inundation and 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.

The role of linear open space is to serve a variety of purposes including:

- Drainage and water management.
- Wildlife corridors,
- Visual buffers and
- Movement corridors (for pedestrians, cyclists)
- Includes both encumbered and unencumbered land.

4.5.3 Planning and design guidelines, relevant guidelines to be met:

Water Sensitive Urban Design:

- 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.
- Incorporate stormwater management and techniques to improve stormwater quality, particularly along drainage lines.

Integrated Open Space Network:

- Consider significant view lines to and within the precinct to enhance open space opportunities within the urban area.
- Ensure pedestrian and bicycle routes are provided with good surveillance.
- Design streetscape planning, pedestrian/bicycle paths and landscaping of adjoining development to compliment and integrate with the adjoining parkland design.
- Ensure the design of drainage reserves, retarding basins and wetlands are integrated with the open space network.

In response to the above, it is considered that the proposal fails to meet the relevant planning and design guidelines to be met as the reduction of the drainage corridor does not allow for the adjoining retarding basins to be well aligned and integrated into the broader open space network. The subdivision layout proposes a reserve that is inconsistent in width and function with the remainder of this drainage reserve and other reserves in Officer. The network is intended to be consistent through each site as shown within the PSP.

4.6 Transport and Movement, the relevant objectives of this section are to:

- Create an attractive and safe interface with arterial roads.
- Provide for landscaping of roads and streets to create key public spaces, landscape corridors and contribute to an attractive urban environment.

Plan 17 Walking and Trails shows a shared path within Tivendale Road and within the drainage corridor.

Walking trails relevant planning and design guidelines that must be met:

- Provide a 2.5 metre wide shared path along and within the open space network, in particular along the creek/drainage network.

In response to the above, a 2.5 metre wide shared path along and within the open space network, in particular along the drainage network and provision of landscaping must be provided to achieve the objectives of the PSP, at present the reduction of the drainage corridor fails to achieve these outcomes.

4.7 Utilities, Energy & Sustainability, the relevant objectives of this section are to:

- Provide all developed lots in the Officer Precinct with drainage.
- Implement the Development Services Scheme for Officer Precinct and Gum Scrub Creek.
- Manage the quantity and quality of stormwater runoff and improve downstream water quality flows into Western Port.
- Ensure that Water Sensitive Urban Design treatment measures are provided in both the main and local drainage systems.
- Ensure development is not unduly susceptible to flooding by providing peak overland flow paths connected to creeks and rivers.

4.7.3 Table 18: Utilities and Energy Planning and Design Guidelines that must be met.

General:

- Requirements of the relevant authority or provider are to be met.
- The location of services are:
 - Not to impede future road alignments;
 - To be located along the edges of open space/waterway corridors, ideally within abutting road reserves;
 - Have regard to the requirements for the location of stormwater wetlands, frog ponds and native vegetation to be retained, so as not to compromise biodiversity outcomes;
 - To be located on private land adjacent to the Princes Freeway, not within the freeway reservation.

Drainage:

- Underground drainage is to be designed to convey storm events to discharge into open drainage channel or waterways in the Precinct, accommodating:
 - 1 in 10 year flows for commercial uses; and
 - 1 in 5 year flows for residential uses.
- Provide a drainage network that is designed and constructed in accordance with the requirements of relevant Development Services Scheme, Melbourne Water and Cardinia Shire.

In summarising the above the Officer PSP is consistent with the Melbourne Water Officer Drainage Scheme. However, the broader issue is with the north west properties which are within the same drainage catchment. Until each landowner makes an application to subdivide their land it is difficult to ascertain whether a piped drainage solution is practical for the overall area.

Furthermore, whilst it is common practice for the purpose of planning complex small land holdings such as these to provide an indicative layout of adjoining land to ensure that an area can function adequately it is premature to rely on this in this instance. The reason being is that as highlighted in this report, the adjoining landowner can propose an alternative proposal for their land which subsequently can have a significant impact on the outcome to the adjoining properties in achieving the planning and design guidelines within the Officer PSP and Melbourne Water Officer Drainage Scheme.

Therefore, based on the above this report clearly demonstrates that planning in areas such as these is required to be undertaken in an integrated and holistic manner. It is premature to approve of this type of outcome for a development that is located approximately within the centre of this drainage corridor without taking into account the impacts and outcome on the broader area and adjoining properties.

CONCLUSION

The Officer Precinct Structure Plan sets out clear objectives that require drainage reserves to also serve as linear parks connecting the community to places of interest in a safe and accessible setting. The Precinct Structure Plan identifies the need for a consistent approach to be applied across the fragmented land ownership in this area as it develops.

Significant opportunities exist across the Cardinia Shire to improve walking and cycling networks and create a well connected municipality. As demonstrated through the assessment of this report, it is clear that the proposal has fundamental issues with the subdivision layout in relation to the width of the drainage corridor and is not generally in accordance with the Officer PSP.

The proposed subdivision also will introduce rear fences onto adjoining retarding basins and linear reserves inconsistent with Crime Prevention through Environmental Design Principles.

As such, the proposed application is recommended for refusal on the grounds detailed in the Officers report above.

1 SUBDIVISION OF LAND AT 46 TIVENDALE ROAD, OFFICER - DEFERRED
ITEM

Moved Cr B Owen Seconded Cr L Wilmot

That a Refusal to Grant Planning Permit T160693 be issued for a subdivision and associated works at 46 Tivendale Road, Officer on the following grounds:

- The proposal is not generally in accordance with the incorporated Officer Precinct Structure Plan (September 2011).
- The proposal is not generally in accordance with the future urban structure shown in Map 1 to Schedule 3 of Clause 37.07 of the Urban Growth Zone.
- The proposal is not generally in accordance with Plan 5 Future Urban Structure, Plan 6 Land Use Budget, Plan 11 Open Space Network and Plan 12 Integrated Water Management of the Officer Precinct Structure Plan (September 2011).
- The proposal will have negative impacts upon community safety within public areas and reduce the amenity planned and accessibility for the area.
- The grant of the permit will diminish the ability ensure that the required drainage reserve and passive open space will be delivered in a manner that benefits the broader community which will prejudice the orderly and proper planning of the area.

Cd.

2 PLANNING PERMIT APPLICATION FOR THE INSTALLATION AND USE OF TWENTY (20) ELECTRONIC GAMING MACHINES AT 3 NIKI PLACE (CLUB OFFICER).

FILE REFERENCE INT1776829

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Emily Cook

RECOMMENDATION

That planning permit T170570 be issued for the installation and use of twenty (20) electronic gaming machines at Lot 1 PS327344V, 3 Niki Place, Officer subject to the conditions attached to this report.

Attachments

1	Locality map	1
		Page
2	Australian Bureau of Statistic's Socio Economic Indexs for Areas (SEIFA) locality map of relative disadvantages	1
		Page

EXECUTIVE SUMMARY:

APPLICATION NO.:	T170570
APPLICANT:	Pakenham Racing Club, CC/ Ratio Consultants
LAND:	Lot 1 PS327344V, 3 Niki Place, Officer
PROPOSAL:	Installation and use twenty (20) electronic gaming machines
PLANNING CONTROLS:	Urban Growth Zone – Schedule 1 Road Zone Category 1 Development Contribution Plan Overlay – Schedule 2 Cardinia Road Precinct Structure Plan and Development Contributions Plan (September 2008). Clause 21.06-4 Gaming Clause 22.03 Gaming Clause 52.28 Gaming
NOTIFICATION & OBJECTIONS:	Pursuant to Clause 37.07-13 of the Cardinia Planning Scheme the proposal is exempt from the notice requirements of Section 52(1)(a), (b) and (d) of the <i>Planning and Environment Act 1987</i> .
KEY PLANNING CONSIDERATIONS:	Clause 21.06-4 Gaming Clause 22.03 Gaming Clause 52.28 Gaming
RECOMMENDATION:	Approval (subject to conditions)

BACKGROUND:

Planning Permit T130036 was issued for the 'use and development of the land for a restricted place of assembly, installation and use of 60 electronic gaming machines and sale and consumption of liquor (full club licence)' on 1 October 2013 for the subject site. This development has since been completed and is operational.

The venue is known as Club Officer and contains a café, bistro, sports bar, central bar and gaming room. Sixty (60) electronic gaming machines (EGMs) are currently in use at Club Officer.

The applicant is now seeking a new planning permit to install and use an additional 20 EGMs at Club Officer. If successful, the application would result in a total of 80 EGMs being operational at Club Officer. The applicant is proposing to increase the current annual community contribution associated with Club Officer from \$50,000 to \$75,000 should the application be approved.

The applicant is the Pakenham Racing Club who owns and operates two (2) gaming venues (being Club Officer at Cardinia Road, Officer and, the Cardinia Club at Racecourse Road, Pakenham) in addition to their horse racing facility in Tynong.

SUBJECT SITE

The site is located on the southern side of Niki Place, the western side of Cardinia Road and the northern side of Mary Street.

A crossover is located within the northern boundary of the site providing access to the venue via Niki Place.

The site currently contains the Club Officer Venue and associated car parking.

The topography of the land is flat.

The main characteristics of the surrounding area are:

North Niki Place, Bridge Road, the Arcadia Land-Sales Office (temporary) and the Cardinia Village Estate.

East Cardinia Road, the Caversham Estate and Priscilla Place Reserve.

North East Lakeside Junction Shopping Complex and Council facility (Toomar).

South Mary Street, undeveloped future residential land, the Princes Freeway-Cardinia Road interchange and undeveloped land forming part of the Cardinia Road Employment Precinct Structure Plan.

West Drainage wetlands, the Aspect Estate and the Arcadia Estate

The site is also subject to title restrictions, the following restriction being of relevance:

- Section 173 Agreement AN635534K requires the landowner to provide an annual cash contribution (\$75,000) to benefit the local community. Specifically, the agreement:
 - Establishes the Club Officer Community Fund.
 - Requires the landowner to make cash contributions to the fund (from the 17 June 2016) while the site operates 60 EGMS.
 - Sets the cash contribution amount as \$75,000 a year (subject to indexation).

- Requires the funds to be allocated to various local groups and/or organisations (excluding the Pakenham Football Club).
- Establishes a committee to oversee allocation of funds (including 1 member of the Racing Club, a community representative and a Council representative).
- Requires the landowner to publish the funding allocations in the local newspaper once a year.

PROPOSAL

The proposal is for the installation and use twenty (20) electronic gaming machines.

The applicant is seeking to install an additional twenty (20) electronic gaming machines (EGMs) resulting in a total of 80 EGMS operating at the venue.

The EGMs are proposed to be located within the existing gaming room and no buildings or works are proposed.

No changes to the venue hours of operation are sought.

PLANNING SCHEME PROVISIONS

State Planning Policy Framework (SPPF)

The relevant clauses of the SPPF are:

- 17.01-1 Business, the proposal will support the entertainment facilities provided by Club Officer.

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- Clause 21.06-4 Gaming
- Clause 22.03 Gaming

Relevant Particular/ General Provisions and relevant incorporated or reference documents

The relevant provisions/ documents are:

- Clause 65 Decision Guidelines
- Clause 52.28 Gaming
- Cardinia Road Precinct Structure Plan (September 2008)
- Cardinia Road Precinct Development Contributions Plan (September 2008)

Zone

The land is subject to the Urban Growth Zone – Schedule 1 and the Road Zone Category 1.

Overlays

The land is subject to the following overlays:

- Development Contribution Plan Overlay – Schedule 2.

PLANNING PERMIT TRIGGERS

The proposal to installation and use twenty (20) electronic gaming machines requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 52.28-2 of Gaming a planning permit is required to install or use a gaming machine.

PUBLIC NOTIFICATION

Pursuant to Clause 37.07-13 of the Cardinia Planning Scheme the proposal is exempt from the notice requirements of Section 52(1)(a), (b) and (d) of the Planning and Environment Act 1987. Clause 37.07-13 states that:

“An application under clause 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 Act., unless the schedule to this zone specifies otherwise”.

The application is considered to be generally in accordance with the Cardinia Road Precinct Structure Plan (PSP) which applies to the subject site (discussed below). Schedule 1 to this zone (which applies to the subject site) does not include any clauses which prevent this exemption. The proposal is therefore considered to meet the exception of Clause 37.07-13 and is not required to be advertised.

DISCUSSION

The proposed installation and use of twenty (20) electronic gaming machines is consistent with the aims and objectives of the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, as well as zones and overlays which apply to the subject site as discussed below.

Clause 21.06-4 Gaming

Avoiding problem and convenience gambling is an accumulation of various elements relating to venue location, operation and population characteristics. The current proposal is considered to minimise the negative impacts of gaming as the proposed site is an appropriately located venue with appropriate venue characteristics as defined by Council's local policy at Clause 22.03.

In addition, the Australian Bureau of Statistic's Socio-Economic Index's for Areas (SEIFA), is a tool commonly used to assess the vulnerability or level of disadvantage of a community in an area. The subject site is part of an area with a SEIFA Index rating of 1,062 which is the 2nd most advantageous area in the Shire. The proposal therefore does not seek additional EGMs within a relatively venerable area.

Furthermore, the number of adults living in the Growth Area Subregion is 34,823 (Community ID, 2016 Census Date) and the number of operational EGMs is 285. The proposal therefore will not exceed 10 EGMs per 1000 adults for the growth area in accordance with the State Government Cap.

The applicant submits that the proposal will result in a marginally positive social outcome for the community by:

- Allowing the applicant to use additional financial resources to upgrade a separate venue in common ownership (being the Cardinia Club) and, thereby support the newly approved Mercure Hotel at Racecourse Road, Pakenham.
- Facilitating the creation of 12.5 effective full time positions across both Club Officer and the Cardinia Club.
- Allowing the applicant to use additional financial resources to implement a Chaplaincy Service at both Club Officer and the Cardinia Club for the benefit of patrons.
- Increasing the community contributions associated with Club Officer from \$50,000 per annum to \$75,000 per annum.

The proposal does not seek to re-locate gaming machines from elsewhere within the Shire however, the proposal does seek to minimise negative impacts of gaming. Club Officer operates under a full-hotel licence which has not resulted in amenity or operational issues since its opening in 2016. A Venue Management Plan which outlines requirements for the responsible service of alcohol, gaming and customer care, forms part of the existing permit and applies to the site. The Management Plan, as well as the full gamut of VCGLR operating practices and requirements, will continue to apply to the venue.

The existing venue provides a choice of non-gaming entertainment and recreation activities including: a café, bistro, sports bar and central bar in addition to the gaming room. The subject site is considered to be a 'destination venue', thereby discouraging impulsive and opportunistic gambling.

The applicant has provided a social and economic impact assessment in support of the proposal. This report found that additional EGMS are unlikely to result in increased community vulnerability given the venue has relatively low machine utilisation and net machine revenue which suggests a low prevalence of problem gambling.

The proposal is not expected to impact the amenity of the area and surrounding land uses given it is an existing venue and is considered to be an appropriate location for additional EGMS

Clause 22.03 Gaming

Objectives

The proposal is compatible with the objectives of Clause 22.03 Gaming.

The area surrounding Club Officer is not considered to be of relative vulnerability or disadvantage (as defined by the current SEFIA index attached to this report). The Victorian Commission for Gambling and Liquor Regulation sets a municipal limit for electronic gaming machines (EGMs) within Cardinia Shire. The proposal does not exceed this cap. The location of additional machines within an existing approved venue, as sought, is considered to provide for better social outcome compared to the creation of a new venue. As an approved venue, Club Officer is considered to be an appropriate location for the proposed additional EGMS.

Appropriate Areas

Club Officer is an appropriate area for EGMS.

The existing venue was approved (with EGMS) by planning permit T130036 and is therefore an appropriate location for gaming machines. Furthermore, the subject site is a 'destination venue' thereby minimising opportunities for convenience gambling. Club Officer provides for a range of non-gambling entertainment options including: a café, bistro, sports bar and central bar in addition to the gaming room.

The proposal does not make a positive contribution to the relocation of gaming machines and will result in an increase of 20 EGMS to the municipality. However, the site is surrounded by wetlands/roads and is not readily accessible from existing shopping or community facilities. Club Officer is therefore considered to be an appropriate area for additional EGMS to be located.

Appropriate Sites

Club Officer is an appropriate site for EGMS.

As highlighted above, the site is a destination venue which is not located in the course of usual business or every day activities. The venue is isolated from day-to-day convenience venues such as shopping and community facilities and is located approximately 900m (walking distance) from the nearest railway station. The subject site is identified in the Cardinia Road Precinct Structure Plan as peripheral commercial land and does not adjoin any sporting or recreation clubs. The site does not form part of a strip shopping centre and is therefore considered to be an appropriate site for additional EGMS.

Appropriate Venues

Club Officer is an appropriate venue for EGMs.

The existing venue provides for a range of recreation and entertainment options. The gaming room is separated from the sports lounge, bistro and café areas and, the proposal does not seek to increase the size of the gaming room. Clause 22.03-3 expressly encourages EGMs in venues 'that already have gaming machines (in preference to the establishment of a new gaming venue)'. The proposal complies with this requirement and the proposal does not seek to alter to the venue operations.

Club Officer is not a 24-Hour gaming venue, and is required to comply with the relevant VGCR requirements as well as the existing Venue Management Plan approved by Council. Club Officer is therefore considered to be an appropriate venue for additional EGMs.

Decision Guidelines

The Decision Guidelines of Council's Local Policy require consideration of the net-community benefit to be derived from the proposal.

An application recently refused by Council for additional EGMs within an existing venue within the Shire (also owned by the applicant), which was subsequently overturned by VCAT is of relevance to this discussion. In that decision, the Tribunal stated that the relevant consideration for planning cases are different from those determined by the Victorian Commission for Gambling and Liquor Regulation (VCGLR). Planning must balance conflicting objectives and determine if the proposal is an acceptable (if not perfect) planning outcome.

The immediate area, within a 5km radius of Club Officer, is not relatively disadvantaged and, key indicators for the venue (machine utilisation and net machine revenue) suggest that problem gambling is not prevalent issue at the venue. Club Officer provides a variety of non-gambling entertainment options and is considered to be an appropriate location for the proposed additional EGMs. The site is not considered to facilitate or encourage convenience gaming and, as an existing venue is not expected to impact the amenity of the area. On balance, the proposal is therefore considered to be an appropriate planning outcome in accordance with Clause 22.03.

Clause 52.28 Gaming

The application relates to the suitability of the proposed 20 EGMs only. Clause 52.28 requires consideration of the social and economic impacts of the location of the gaming machines rather than the impact of the machines. Club Officer is an appropriate location and premises for the proposed EGMs in accordance with Council's Local Policy (Clause 22.03 *Gaming*).

Club Officer functions in accordance with the approved venue management plan forming part of the current planning permit. This proposal does not seek to alter the operations of the venue. The existing gaming room is capable of accommodating the proposed EGMs and no building works are required. Given no changes to the venue or operations are proposed the application is compatible with adjoining and nearby land uses and the existing use of the site.

The site currently operates as a fully licenced club venue which provides a full range of club facilities to patrons including a café, bistro, sports bar and central bar in addition to the gaming room. Club Officer is therefore a suitable location for gaming machines in accordance with Clause 52.28.

Zoning & Overlays

The site is subject to the Urban Growth Zone – Schedule 1, **the Road Zone Category 1**, the Public Acquisition Overlay – Schedule 1, the Development Contributions Plan Overlay – Schedule 2, the Cardinia Road Precinct Structure Plan (PSP) (September 2008) and the Cardinia Road Development Contributions Plan (September 2008).

The PSP identifies the site for use as peripheral commercial land. The use of the site as a Restricted Place of Assembly (as approved under planning permit T130036) is considered to be in accordance with this requirement of the Cardinia Road Precinct Structure Plan (PSP). The increased the number of EGMs is in keeping with the approved use and development of site and the Cardinia Road PSP. The proposal does not trigger works or contributions under the Cardinia Road Development Contribution Plan.

The proposal for EGMs does not seek to create or alter access to Cardinia Road, therefore the application was not required to be referred to VicRoads.

Conditions

The applicant is proposing to increase the current annual community contribution associated with Club Officer from \$50,000 to \$75,000 should the application be approved. The below condition requires this increase. Conditions are also proposed which require continued compliance with the Venue and Noise Managements approved under the existing Club Officer permit (T130036).

CONCLUSION

The proposed installation and use of twenty (20) electronic gaming machines is consistent with the purpose and objectives of Clause 21.06-4 Gaming, Clause 22.03 Gaming and Clause 52.28 Gaming which apply to the subject property. Club Officer offers a range of non-gaming entertainment options and successfully operates as an existing gaming venue. The site is an appropriate location for additional gaming machines and is supported by both State and Local Gaming policy. Therefore, the application is recommended for approval.

CONDITIONS

1. Before the installation and use of the gaming machines approved under this permit, the existing agreement under Section 173 of the Planning and Environment Act (AN635534K) which applies to the land must be amended and registered on the title of the land. The agreement must:
 - a) Reference all applicable planning permits and the total number of electronic gaming machines approved under these permits.
 - b) Increase the annual cash contribution to \$100,000
 - c) Require grants to be distributed in accordance with the PRC Major & Minor Community Grants Funding Guidelines as agreed with Cardinia Shire Council, to the satisfaction of the Responsible Authority.
 - d) Commencement of cash contributions from the date of this permit.
2. The installation and use of the gaming machines approved under this permit must be in accordance with the approved Management Plan and Noise Management Plan forming part of planning permit T130036.

2 PLANNING PERMIT APPLICATION FOR THE INSTALLATION AND USE OF TWENTY (20) ELECTRONIC GAMING MACHINES AT 3 NIKI PLACE (CLUB OFFICER).

Moved Cr M Schilling Seconded Cr R Brown

That a refusal to grant Planning Permit T170570 be issued for the installation and use of twenty (20) electronic gaming machines at Lot 1 PS327344V, 3 Niki Place, Officer on the following grounds:

1. The proposal is contrary to the provisions of Clause 21.06-4 and Clause 22.03.
2. The proposal is contrary to the provisions of Clause 21.06-4 having regard to the positive re-distribution of EGMs, the net community benefit derived from the application, potential impact on social disadvantage/vulnerability of the local community and the accessibility of the site.
3. The proposal is contrary to the provisions of Clause 22.03-3 and does not result in a positive redistribution of gaming machines and will result in a net increase to gaming machines in the Shire.
4. The proposal is contrary to the Decision Guidelines of Clause 22.03-5 having regard to the positive re-distribution of EGMs, the net community benefit derived from the application, potential impacts on social disadvantage/vulnerability of the local community and the accessibility of the site.

Cd.

3 USE OF LAND FOR A MULTI-UNIT RESIDENTIAL DEVELOPMENT, SUBDIVISION OF THE LAND INTO EIGHT (8) LOTS AND A REDUCTION IN CAR PARKING REQUIREMENTS AT LOT R PS721492E TIMBERTOP BOULEVARD, OFFICER

FILE REFERENCE INT1776836

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Angela Gleeson

RECOMMENDATION

That a Refusal to Grant Planning Permit T170666 be issued for Use of land for a multi-unit development and subdivision of the land into eight (8) lots and a reduction in car parking requirements at Lot R PS721492E Timbertop Boulevard, Officer on the following grounds:

- The proposal is not generally in accordance with the incorporated Officer Precinct Structure Plan (September 2011).
- The proposal is not generally in accordance with Plan 9 Employment and Activity Centres of the Officer Precinct Structure Plan (September 2011).
- The proposal is not generally in accordance with the future urban structure shown in Map 1 and 2 to Schedule 3 of Clause 37.07 of the Urban Growth Zone.
- The proposal fails to achieve the purpose of the applied Commercial 1 Zone which is to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- The grant of a permit will remove the potential to establish a Neighbourhood Convenience Centre to provide for convenience needs of the local community and will therefore prejudice the orderly and proper planning of the area.

Attachments

1	Locality plan	1 Page
2	Locality aerial map	1 Page
3	Development plans	11 Pages
4	Officer Precinct Structure Plan's 5 & 9	2 Pages

EXECUTIVE SUMMARY:

APPLICATION NO:	T170666
APPLICANT:	Bosco Jonson Pty Ltd on behalf of Keymore Pty Ltd
LAND:	Lot BB PS738879J (Proposed Lot R on PS 721492E) Timbertop Boulevard, Officer
PROPOSAL:	Use of land for a multi-unit residential development, subdivision of the land into eight (8) lots and a reduction in car parking

PLANNING CONTROLS: Urban Growth Zone Schedule 3
Applied zone is Commercial 1 Zone
Development Contributions Overlay Schedule 4
Clause 52.01 Public Open Space
Clause 52.16 Native Vegetation Precinct Plan
Clause 65 Decision Guidelines
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 of the Urban Growth Zone.

KEY PLANNING CONSIDERATIONS: Urban Growth Zone Schedule 3 (applied zone, Commercial 1 Zone), Officer Precinct Structure Plan September 2011

RECOMMENDATION: Refusal

BACKGROUND:

The applicant has lodged an application for the use of land for a multi-unit residential development, subdivision of the land into eight (8) lots and a reduction in car parking.

The land is designated as a Neighbourhood Convenience Centre (NCC) in the Officer Precinct Structure Plan (OPSP) which is to provide for day to day goods and services. To that end, the land has been given an applied zone of Commercial 1. Table 9 of the OPSP sets out the hierarchy and associated indicative floor areas for all activity centres in the OPSP area. It nominates that Neighbourhood Convenience Centres are generally comprised of 500sqm of floor space with potential for a minor supermarket of up to 1200sqm.

Amendment C149 to the Cardinia Planning Scheme introduced the OPSP after an extended period of planning and analysis. Schedule 3 to the Urban Growth Zone was drafted to be specific to this precinct which includes the site. It provides for a hierarchy of activity centres of different scale serving different purposes. The identification of locations for different activity centres took into account other planned facilities such as schools, open space, the road network, the location of child care and other community facilities in order to create accessible and walkable neighbourhoods. In this case, there is a co-location with a school, a community facility and the NCC all juxtaposed in the immediate vicinity of the intersection of Pink Hill Boulevard and Timbertop Boulevard.

The site is located within a broader subdivision known as “Timbertop Estate” and is located at the corner of Pink Hill Boulevard and Timbertop Boulevard. Timbertop Boulevard is one of the main accessways into the Timbertop Estate. Historically, planning permits issued for the estate and specifically the area in the vicinity of the site are as relevant:

Table 1

T100427a was issued on the 18 January 2012	For the multi lot residential subdivision of the land and the creation of a number of superlots which included the future school, community centre and neighbourhood convenience centres sites. This application was lodged with Council as a section 96a application as part of the Officer Precinct Structure Plan amendment process. The permit was amended on the 3 December 2012.
T130769 issued on the 6 January 2015 (Timber Mill Café)	For a restaurant and sale and consumption of liquor which is located on the east corner of Timbertop Boulevard and Princes Highway with frontage to Princes Highway, with a permit expiry of 5 years (2020). The restaurant site is located within the applied zone of General Residential and was allowed on the premise that it was only a temporary use and that a permanent café/restaurant will locate within the neighbourhood convenience centre at an appropriate time.
T120708 issued on the 9 April 2014	For the staged development and use of the land for the purpose of a supermarket, shops, retail premises, office, medical centre, restricted recreation facility and display signage. The proposed NCC was a decent sized centre with a 1200sqm IGA Supermarket proposed with an internal mall, associated car parking and shops between 90sqm and 500sqm. An east west road was proposed to be located between the supermarket and shops and the proposed medical centre, chemist, office and car parking which were located in separate buildings south of the east west road. This permit has now expired. More recently planning permit T160277 was issued on the 10 March 2017 for the development of the land for eight (8) dwellings and subdivision. The subdivision created eight lots for integrated dwellings with a common property laneway and the large lot TT which is 2085sqm in size for the future Neighbourhood Convenience Centre hub.
Planning permit T150431	For the subdivision of the land into multi lots and one large lot AA of 0.42ha to contain the future NCC site.
Planning Permit T160277	For the development of eight two storey dwellings, a common property accessway and large lot for the future NCC site.

An objective of the OPSP for a Neighbourhood Convenience Centre's is to ensure that an NCC delivers high amenity, well-serviced and accessible activity centres through quality design and thorough planning to provide a focus for the community within a walkable catchment of most homes. As already noted, the OPSP planned that the Neighbourhood Convenience Centre is co-located with a future Primary School and Community Centre site on the corner of two connector street boulevard roads. At present there is a child care centre operating immediately within the vicinity of the area. The Department of Education are currently in the process of acquiring the school site.

The Neighbourhood Convenience Centre, Primary School and Community Centre form a cluster that is recognised as a community hub in the OPSP, in acknowledgement that the co-location of these uses is intended to provide a focal point for community activity and social interaction. To provide context to the history of this site there have been a number of economic reports that have been provided by the applicant originally in seeking support for a Neighbourhood Activity Centre (approx.

8000sqm of floor space) compared to a small convenience centre (known as the NCC) when Planning Scheme Amendment C149 for OPSP was going through the process.

Council in its capacity as Planning Authority decided that, based on other economic reports and retail reviews undertaken, to locate the larger Neighbourhood Activity Centre at another location. Hence, the OPSP designated six NCC locations across the OPSP, with the NCC at Timbertop Estate being one them appropriately located within the primary school/community centre cluster. Hence, the identification of the site as an NCC is a deliberate action and one which should not be undone on a site specific basis.

Parklea applied for a planning permit in 2012 to develop the land for a small scale supermarket, specialty retail and other supporting commercial business on this land. A market assessment report by Essential Economics was provided with the application that strongly supported such a use of this scale in this location.

The applicant decided to not proceed with the application and has since through the course of subdivision applications, significantly reduced the size of the NCC site to 2085sqm with an eight dwelling medium density integrated two storey development immediately north within the land designated as commercial.

The remaining lot size has been reduced to a point now that it would be difficult to provide a small supermarket of 1200sqm and some speciality retail of a similar scale to the previous application on the land. However the designation of the site as an NCC (rather than an NAC) does not require the provision of a supermarket. Even assuming that development was only single level, (which it is unlikely to be) there is enough land to provide for various commercial uses such as shops, cafes, and small offices which would be appropriately located adjacent to a future school, a community centre and an existing Child Centre. Importantly, the area is still under development not fully developed and this includes some residential further north, a future primary school and Council community centre which are able to be constructed as the applicant makes the land available to the State Government and Council pursuant to other obligations that the applicant is bound by.

It is also worth noting that at peak times around schools, community centres, kindergartens and childcare centres, a convenience centre would benefit from this influx of population. Potential cafes would be utilised by people dropping off and picking up their kids as well as providing for the staff of the school, community centre and child care centres in addition to the residents that live in the area. Accordingly, in so far as the applicant has provided an economic assessment as part of the application material, the economic assessment is limited to a traditional and relatively limited method of assessment. These considerations however, are only relevant to the extent that it was possible to consider an application on its merits. In this case, notwithstanding that the matter has been considered more broadly, because the proposal is not generally in accordance with the OPSP, consideration of the proposal on its merits is not available.

SUBJECT SITE

The site has been subject to many subdivisions of which the most recent provides for an irregular shaped lot which has an overall area of 2085sqm, on proposed lot TT. A Section 173 Agreement AL673064Y 10/02/2015 is registered on title. The agreement is in relation to development contributions.

The site is located on the northern side of Pink Hill Boulevard, the eastern side of Barnsley Road (yet to be constructed) and west of Timbertop Boulevard. Timbertop Estate is a master planned community which has gone through many stages of development extending from Princes Highway to

the north. The subject site is located centrally within the estate immediately surrounded by residential, a child care centre, display village, a future primary school and Council Community Centre. The image below provides context of Timbertop Estate.



PROPOSAL

The proposal is for the use of land for a multi-unit development, subdivision of the land into eight (8) lots and a reduction in car parking which is described as follows:

- The dwellings are located on the corner of Pink Hill Blvd, Timbertop Blvd and Barnsley Road.
- Eight two storey three bedroom dwellings with a double car garage.
- Vehicle access for each dwelling is from an east west common property access way.
- Each dwelling is to be subdivided and the lot range is from 246sqm to 297sqm.
- Under Clause 52.06-3 Car parking, the proposal does not include the provision of a visitor space and as a result a 1 car parking space reduction is sought.

PLANNING SCHEME PROVISIONS

State Planning Policy Framework (SPPF)

The relevant clauses of the SPPF are:

- 9.01 Plan Melbourne 2017-2050: Melbourne Planning Strategy
- 10.04 Integrated decision making
- 11.02-2 Urban Growth (Structure Planning)
- 11.02-3 Planning for growth areas
- 11.03-1 Activity centre network
- 11.03-2 Activity centre planning
- 11.06-21 Jobs and investment
- 11.06-4 Place and identity
- 11.06-5 Neighbourhoods

- 15.01-5 Cultural identity and neighbourhood character
- 11.04-4 Liveable communities and neighbourhoods
- 15.01-1 Urban design
- 15.01-3 Neighbourhood and subdivision design
- 15.01-4 Design for safety
- 15.01-6 Healthy neighbourhoods
- 17.01-1 Business

Local Planning Policy Framework (LPPF)

The relevant clauses of the SPPF are:

- 21.01-3 Cardinia Shire key issues and strategic vision; economic development
- 21.04-1 Employment
- 21.06-1 Design and built form.
- 21.03-2 Urban growth area
- 21.03-1 Housing

Relevant particular/general provisions and relevant incorporated or reference documents

- Clause 52.01 Public Open Space.
- Clause 52.06 Car Parking
- Clause 52.16 Native Vegetation Precinct Plan
- Clause 55 Two or more dwellings on a lot and Residential Buildings. A development must meet all of the objectives of this clause that apply to the application and should meet all the standards that apply.
- Clause 56 Subdivision Site and Context Description and Design Response
- Clause 64.01 Land used for more than one use; if the land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.
- Clause 65.01 and 65.02 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 3 (Clause 37.07). Map 2 of schedule 3 shows the land as being within a 'convenience centre area' and Clause 2.2 of the UGZ3 applied zone provision states that the applied zone is 'Commercial 1 Zone (Clause 34.01).

Overlays

The land is subject to the following overlays:

- Development Contributions Overlay Schedule 4 (DCP04) (Clause 45.06) which implements the Officer Development Contributions Plan (September 2011).

PLANNING PERMIT TRIGGERS

The proposal for use of land for a multi-unit residential development, subdivision of the land into eight (8) lots and a reduction in car parking requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 37.07-10 of the Urban Growth Zone and Clause 34.01-3 of the Commercial 1 zone a planning permit is required to subdivide land. A requirement in the schedule to this zone or precinct structure plan must be met.
- Map 1 to schedule 3 to Clause 37.07 'Officer Precinct Structure Plan', shows the land as being designated as a 'Neighbourhood Convenience Centre'. Map 2 Applied zones legend shows the land is being designated as convenience centre. Table 1 of section 2.2 the applied zone provisions shows that the applied zone for this land is Clause 34.01 – Commercial 1 Zone.
- Pursuant to Clause 34.01-1 of the Commercial 1 Zone a planning permit is required for the use of land for a dwelling. A dwelling is an unspecified use in section 2 which specifies that any other use not in Section 1 or 3 is a Section 2 use and therefore requires a permit.
- Pursuant to Clause 34.01-4 of the Commercial 1 Zone a planning permit is required to construct a building or construct or carry out works.
- Pursuant to Clause 52.06-3 of the Car Parking provisions, a planning permit is required to reduce the number of car parking space required under Clause 52.06-5 or in a schedule to the Parking Overlay.

PUBLIC NOTIFICATION

Pursuant to Clause 37.07-13 of the Cardinia Planning Scheme the proposal is exempt from the notice requirements of Section 52(1) (a), (b) and (d) of the Planning and Environment Act 1987.

Clause 37.07-13 states that:

“An application under clause 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 Act, unless the schedule to this zone specifies otherwise”.

It is considered that the application is not generally in accordance with the OPSP which applies to the subject site. When an application is not in accordance with the OPSP a permit cannot be granted.

REFERRALS

- The application was not referred.

DISCUSSION

State Planning Policy:

Plan Melbourne - Direction 5.1 Create a city of 20 minute neighbourhoods is relevant to this application.

This direction specifies that these types of centres are an integral part of the areas community life and critical to the creation of so called “20 minute neighbourhoods”. The streets and strips of shops, cafes, small supermarkets, services businesses, community services and public spaces serve the needs of the surrounding community and provide a focus not only for local jobs but also for social interaction and community participation.

The proposal will remove the remainder of land and remove the potential for its development as convenience centre. The nearest area that is designated as a neighbourhood activity centre is Whiteside Road NAC to the west which is approximately 800m away. An NCC site is proposed to the south across Princes Highway that will service the residents within the southern catchment between Brunt Road and Officer Town Centre.

The location of the NCC within Timbertop Estate currently complies and meets the directions of the 20-minute neighbourhood. The location is easily accessible to people within this community.

Urban Growth Zone Schedule 3 – Officer Precinct Structure Plan (September 2011)

Maps 1 and 2 of the UGZ3 clearly identify the land as being designated for an NCC with an applied zone of Commercial 1.

Clause 34.01 Commercial 1 Zone

The decision guidelines of the Commercial 1 zone provides for the responsible authority to consider the following as relevant and appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The interface with adjoining zones, especially the relationship with residential areas.

The purpose of the zone is to create a vibrant mixed use of commercial centres for retail, office, business, entertainment and community uses and to provide for residential uses at densities complementary to the role and scale of the commercial centre.

Whilst the proposal is a section 2 use under the applied zone this does not necessarily mean that a permit should be granted. The proposal must meet the relevant state and local planning policy provisions as well any other relevant incorporated document such as the OPSP. As the proposal is located within the OPSP, broader planning principles and objectives are to be met and achieved due to the master planned nature of precinct structure plans.

The subject land within the land designated as commercial (NCC) has already had a permit approved for eight, two storey medium density dwellings to its north or within it depending on how one considers the boundary of the NCC. It is considered that the ability to include more residential has been exhausted and to approve additional residential on its own would not allow the site to utilise its full potential of being able to be developed for commercial purposes to meet the purpose of the zone as described above.

Officer Precinct Structure Plan (September 2011) Incorporated Document in the Cardinia Planning Scheme

The subject site shows the proposed development clearly located within the OPSP as land designated for the NCC as shown in the images below on the corner of the boulevard connector roads.

Figure 1

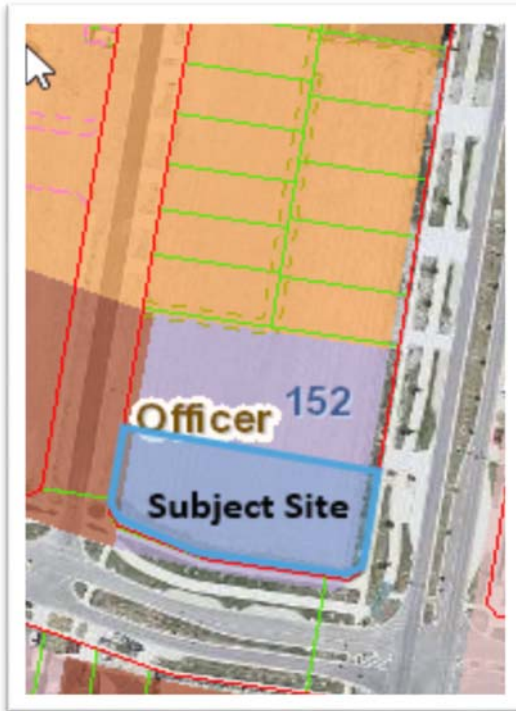


Figure 2 – Officer PSP Plan 9

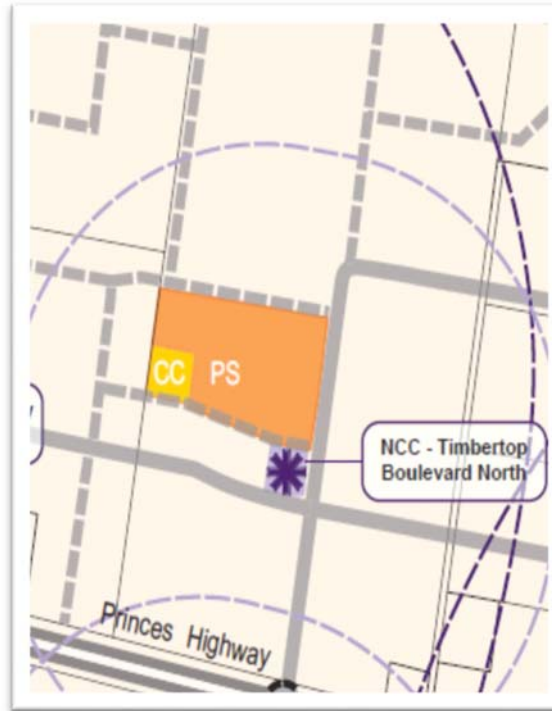


Table 2: Provides an assessment against the Officer Precinct Structure Plan

Officer Precinct Structure Plan	Section 4.3.1 Employment and Activity Centres
The key objectives for Employment are as follows:	<ul style="list-style-type: none"> Strengthen the local and regional economy by creating opportunities for new business. Provide a greater proportion of the community’s future job requirements within Cardinia and support a reduction in the level of out commuting for work. Encourage the development of small and home based businesses.
The key objectives for Activity Centres are as follows:	<ul style="list-style-type: none"> Maximise the range, quantity and quality of goods and services available in Officer and the broader community through provision of an activity centre hierarchy. There are 6 neighbourhood convenience centres to provide for basic day to day goods and services. Ensure that neighbourhood convenience centres deliver high amenity, well services and accessible activity centres through quality design and thorough planning to provide a focus for the new community within a walkable catchment of most homes. Provide a mix of uses to meet the needs of residents, workers, businesses and visitors.
Plan 9 (refer to figure 2) shows the subject land as being designated for a Neighbourhood Convenience Centre – Timbertop Boulevard North.	
	Section 4.3.3 Planning and design guidelines
Hierarchy for Neighbourhood Convenience Centres (NCC) provides for the following:	Retail ‘shop’ 350sqm and non-retail commercial of 150sqm. The role and function of the NCC is to provide for the following: <ul style="list-style-type: none"> Convenience retail role.

Officer Precinct Structure Plan	Section 4.3.1 Employment and Activity Centres
	<ul style="list-style-type: none"> - Generally comprising milkbar/general store and associated services. - Potential for minor supermarket (approx. 1200sqm). - Opportunity for medical centres, office, housing and community services etc.

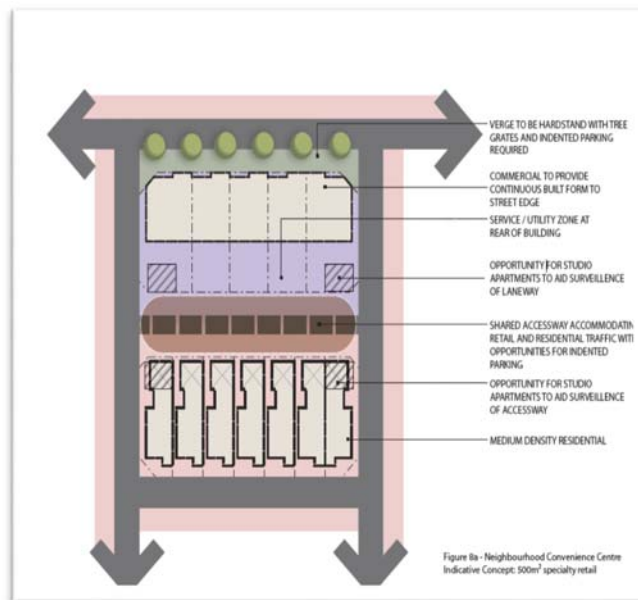
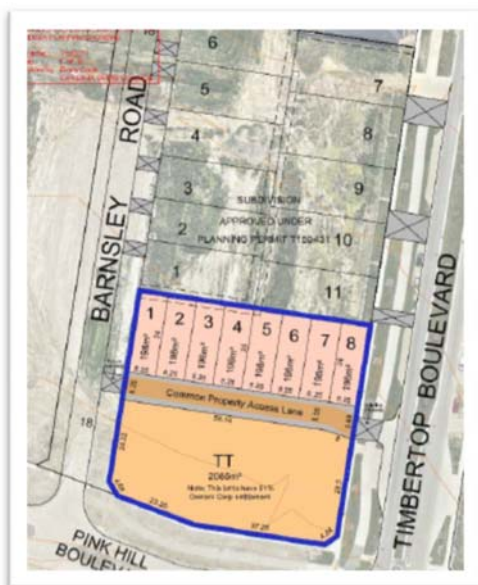
Figure 8a includes two indicative design responses for Neighbourhood Convenience Centre (500sqm of specialty retail) which include:

- Commercial built form
- Servicing
- Potential studio apartments
- Shared accessway
- Medium density residential development.

In the assessment of planning application T160277 where a permit was issued for the development of eight dwellings, a common property accessway and large lot within the Commercial 1 zoned land for the NCC was based on the indicative design in figure 8 of the Officer PSP. An image is provided below to demonstrate.

Figure 6 – Approved plan for T160277

Figure 5 – Officer PSP (figure 8a indicative design response pg. 87)



Council was satisfied in its assessment of planning permit T160277 and that it was consistent with the OPSP as it achieved the outcome proposed within the indicative design response for the NCC of having some residential incorporated within it. It was considered within that planning application that a 500sqm commercial building (allowing for 350sqm ‘shop’ and 150sqm ‘non-retail’) could be provided within the site on the remaining 2085sqm lot with adequate provision of car parking spaces.

Applicant's justification of the dwelling proposal:

The applicant provided a planning report which sought to persuade Council that based on economic analysis, there was no justification for the establishment of the NCC on the site. It is considered that such material is not all that relevant to the consideration of the planning permit application. Rather it is more relevant to whether the OPSP should be amended to remove the designation of the site as an NCC. Accordingly, it is not proposed to address the economic reports in the context of this permit application.

It is also noted that a planning report provided by Bosco Jonson for a previous application being planning permit T120708 for the supermarket and specialty retail stated the following which is worthy to note:

- Policy encourages the provision of a network of activity centres within a hierarchy. This ensures centres are highly accessible to communities, provide services commensurate with the role of the centre and that centres complement and support economic viability of other centres within the network.
- There is a strong policy emphasis on increasing and providing a diverse range of employment opportunities within the municipality through the development of diverse activity centres.
- The proposed use and development is entirely consistent with policy, providing a neighbourhood convenience centre where demand will be generated from the new residential community. The centre is consistent with the role in the hierarchy. It provides a range of uses to fulfil the daily needs of the community including a small scale supermarket, speciality shops and complementary retail and leisure activities.
- The centre is highly accessible to the community given its location close to residential dwellings and its abuttal to a school and community centre. ‘

Although the above matters go to issues associated with an amendment to the OPSP, it is clear from the information provided above that different opinions have been expressed at different times as to the viability of a small retail offer at the land.

In summary:

- The future urban structure of the Officer Precinct Structure Plan (PSP) identifies the subject site as a Neighbourhood Convenience Centre - Timbertop Boulevard North. Neighbourhood Convenience Centres provide employment opportunities in a variety of manners such as the potential for the establishment of home based business, small offices etc.
- The site is to be co-located with the community hub being a child care centre, Council Community Centre (maternal child health, kindergartens) and future state primary school. The uses are located along the connector street network to maximise access.
- The OPSP is a performance based document based on a combination of objectives plans and tables.
- Neighbourhood convenience centres traditionally provide for a limited range of day to day convenience retailing to a local catchment. It is not the role of the NCC to provide for the likes of what a NAC provides for. They are two different types of centres, providing services to a different catchment.
- The location of the NCC, is easily accessible with its location being at the junction of two main roads and located within the cluster of community services. NCC's are to provide basic

convenience and 'top-up shopping' in an accessible and convenient location to provide basic convenience of goods and services to the local community.

- The proposed development of the land designated as a neighbourhood convenience centre for dwellings will diminish the capacity for a potential use to be provided in this location.
- Removing employment opportunities and the potential for employees at the future primary school kindergartens, maternal child health centre and child care centres to utilise the convenience centre. This will result in people having to get in their cars and drive to the future Whiteside NAC, 7 Eleven or Officer Town Centre. This is not supportive of Plan Melbourne's key policy specifically direction 3.3, 20-minute neighbourhoods. Policy 3.3.1 is about creating pedestrian friendly neighbourhoods, co-locating a convenience centre with the types of uses mentioned above is supported within policy direction 3.3.4 whereby consideration must be given to ensuring that proper integration between land use and transport and considers the safety and health of the community, particularly in the early stages of planning.

CONCLUSION

The OPSP sets out clear objectives as to what is envisaged for this area. Neighbourhood convenience centre are for convenience, not for a full shopping experience. They make an important contribution in establishing a sense of community in a new residential area by creating social interaction and a creating a focus for community activity in what will be a busy future hub.

It is not considered to be appropriate to develop the remainder of the land designated for the neighbourhood convenience centre and as such, the proposed application is recommended for refusal on the grounds detailed in the Officers report above.

**3 USE OF LAND FOR A MULTI-UNIT RESIDENTIAL DEVELOPMENT,
SUBDIVISION OF THE LAND INTO EIGHT (8) LOTS AND A REDUCTION IN
CAR PARKING REQUIREMENTS AT LOT R PS721492E TIMBERTOP
BOULEVARD, OFFICER**

Moved Cr L Wilmot Seconded Cr B Owen

That a Refusal to Grant Planning Permit T170666 be issued for Use of land for a multi-unit development and subdivision of the land into eight (8) lots and a reduction in car parking requirements at Lot R PS721492E Timbertop Boulevard, Officer on the following grounds:

- The proposal is not generally in accordance with the incorporated Officer Precinct Structure Plan (September 2011).
- The proposal is not generally in accordance with Plan 9 Employment and Activity Centres of the Officer Precinct Structure Plan (September 2011).
- The proposal is not generally in accordance with the future urban structure shown in Map 1 and 2 to Schedule 3 of Clause 37.07 of the Urban Growth Zone.
- The proposal fails to achieve the purpose of the applied Commercial 1 Zone which is to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- The grant of a permit will remove the potential to establish a Neighbourhood Convenience Centre to provide for convenience needs of the local community and will therefore prejudice the orderly and proper planning of the area.

Cd.

GENERAL REPORTS

4 **SUPPLY OF NEW TRACTOR**

FILE REFERENCE INT1776742

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Laurie Smith

RECOMMENDATION

That the:

1. The proposal submitted by Darmac Ag be accepted for the supply of one Fendt 514 Profi tractor as specified for the contract sum of \$178,849 (excl. GST) plus registration charges.
2. Tenderers are advised accordingly;
3. The Common seal of the Council is affixed to the contract documents.

Attachments

- 1 Confidential memorandum circulated to councillors only

EXECUTIVE SUMMARY

This report details the tenders received for Contract No 17/24, relating to the supply of a new tractor.

The purchase total is within the provisions of the 2017/18 capital budget adopted for plant replacement.

This tender and its process are in accordance with councils purchasing policy.

The request for tenders for the supply of this tractor was conducted via the MAV contract Plant and Machinery NPN2.15 using vendorpanel. This is a fully compliant tender system which Cardinia is a participant.

BACKGROUND

The Shire currently operates four tractors, two of which are dedicated to supporting road maintenance activities and 2 are dedicated to natural resource management.

The tractor (Unit 51) proposed for replacement is dedicated to natural resource management activities in the south of the Shire. It operates up to 6 days per week and 10 hours per day.

Provision was originally made within the 2016/17 budget for the replacement of this tractor, but this has been deferred to the current year.

Replacement of the tractor is in line with council's long term plant replacement program. The replacement is overdue and the current unit has completed over 12,000 hours of operation.

Replacement now is desirable to avoid more significant exposure to unplanned maintenance, downtime for dedicated operational staff and assets, impacts on the appearance of public spaces and community amenity.

As a major growth municipality Cardinia has a growing volume of road traffic. The climate within the Shire supports abundant natural growth. Encroachment of growth on the roadside represents a risk to public safety by obscuring the visibility of signage, wildlife and other road users. Managing natural growth on roadside is important to preserve the safety of road users.

Benchmarked against other councils and the private sector, Cardinia has high utilisation of this tractor. With high utilisation, the comparison of ownership verses leasing has ownership as the most cost effective for Cardinia and its community.

The recognised benefits for the council and community will include:

- A more reliable fleet with minimal down time, thus maximising the opportunities to maintain the safety of the road using public
- Higher efficiency and productivity due to technical upgrades and improvements
- Environmental improvements with newer compliance standards and lower CO2 emissions.
- Improved ergonomics reducing driver risk and fatigue with latest technology.
- Significant safety improvements and upgrades to council assets, staff and community.

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

An effective plant replace program will assist in meeting the Council Plan goal of providing and maintaining assets on a life-cycle basis.

CONSULTATION/COMMUNICATION

Council's operational staff has been consulted with in regards to the suitability of the recommended equipment.

In addition to this, a knowledge of other public sector agency practice has been availed of to assist with evaluating alternatives and specifying the proposed solution.

FINANCIAL AND RESOURCE IMPLICATIONS

Provision has been made within the 2017/18 budget for the replacement of this tractor (Unit 51).

A proposal was received from Darmac Ag was for the supply of one Fendt 514 Profi tractor as specified for the contract sum of \$178,849 (excl. GST) plus registration which will be charged at cost at the time of delivery. Registration charges are variable because of Councils common expiry date for registrations.

At this stage, the delivery of the tractor is anticipated to occur in April 2017.

CONCLUSION

It is recommended that the proposal received from Darmac Ag for the supply of one Fendt 514 Profi tractor as specified for the contract sum of \$178,849 (excl. GST) plus registration at cost be accepted.

4 SUPPLY OF NEW TRACTOR

Moved Cr G Moore Seconded Cr L Wilmot

That the:

1. The proposal submitted by Darmac Ag be accepted for the supply of one Fendt 514 Profi tractor as specified for the contract sum of \$178,849 (excl. GST) plus registration charges.
2. Tenderers are advised accordingly;
3. The Common seal of the Council is affixed to the contract documents.

Cd.

5 APPOINTMENT OF COMMITTEE MEMBERS TO: THE CARDINIA PUBLIC HALL COMMITTEE OF MANAGEMENT AND LILYPOND HOUSE COMMITTEE OF MANAGEMENT

FILE REFERENCE INT1776653

RESPONSIBLE GENERAL MANAGER Jenny Scicluna

AUTHOR Kym Ockerby

RECOMMENDATION

1. That the following amendments and appointments be made to the Committee of Management for the Cardinia Public Hall under Section 86 of the Local Government Act (1989).

- Alan Armstrong President
- Joy de Jong Secretary/Treasurer
- Ian Ridgeway Committee member
- Deb Buxton Committee member
- Trina Lucas Committee member
- Brigette Weinzierl Committee member

All previous members are removed from this committee and are acknowledged and thanked for their past contribution.

2. That the following amendments and appointments be made to the Committee of Management for Lilypond House under Section 86 of the Local Government Act (1989).

- Peter Frenken President
- Kathryn Magnus Secretary
- Jim Stone Treasurer
- Sue Little Booking Officer
- Michelle Jones Committee member
- Karyn Frenken Committee member
- Julia Barattini Committee member
- Margaret BurrIDGE Committee member

All previous members are removed from this committee and are acknowledged and thanked for their past contribution.

Attachments

Nil.

EXECUTIVE SUMMARY

This report advises Council of the membership of the Committees of Management that have been appointed as the result of public meetings that have been conducted by Councillors or Council Officers.

BACKGROUND

Members of Special Committees require appointment by Council resolution pursuant to Section 86 of the Local Government Act. The election of Special Committees of Management is organised by Council and takes place annually or at other specified times.

The Act requires that Council approves the membership of Special Committees. It also notes those who are no longer members.

At a meeting held on Wednesday 18th October, 2017 the members detailed above were elected to be appointed by Council to the Cardinia Public Hall Committee for the current term as specified in the Instrument of Delegation (tri annual).

At a meeting held on Tuesday 24th October 2017 the members detailed above were elected to be appointed by Council to the Lilypond House Committee for the current term as specified in the Instrument of Delegation (annual).

POLICY IMPLICATIONS

Nil

RELEVANCE TO COUNCIL PLAN

Establishing and maintaining Committees of Management is directly relevant to the Council Plan goals of actively engaging with communities and increasing levels of community participation.

CONSULTATION/COMMUNICATION

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

CONCLUSION

It is appropriate for the Council to confirm the appointment of these new members to the Committee of Management for the Cardinia Public Hall and the Committee of Management for Lilypond House.

5 APPOINTMENT OF COMMITTEE MEMBERS TO: THE CARDINIA PUBLIC HALL COMMITTEE OF MANAGEMENT AND LILYPOND HOUSE COMMITTEE OF MANAGEMENT

Moved Cr G Moore Seconded Cr M Schilling

1. That the following amendments and appointments be made to the Committee of Management for the Cardinia Public Hall under Section 86 of the Local Government Act (1989).

- Alan Armstrong President
- Joy de Jong Secretary/Treasurer
- Ian Ridgeway Committee member
- Deb Buxton Committee member
- Trina Lucas Committee member
- Brigette Weinzierl Committee member

All previous members are removed from this committee and are acknowledged and thanked for their past contribution.

2. That the following amendments and appointments be made to the Committee of Management for Lilypond House under Section 86 of the Local Government Act (1989).

- Peter Frenken President
- Kathryn Magnus Secretary
- Jim Stone Treasurer
- Sue Little Booking Officer
- Michelle Jones Committee member
- Karyn Frenken Committee member
- Julia Barattini Committee member
- Margaret Burridge Committee member

All previous members are removed from this committee and are acknowledged and thanked for their past contribution.

Cd.

6 DOCUMENTS FOR SEALING

FILE REFERENCE INT1771026

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:

Description	Authorisation	Seal Date
<i>Contract 17/22 Road Construction Wheeler Road Maryknoll – A1 Civil Pty Ltd</i>	Council resolution 21 August 2017	11 September 2017
<i>Instrument of delegation to CEO</i>	Council resolution 21 August 2017	13 September 2017
<i>Instrument of delegation to Town Planning Committee</i>	Council resolution 21 August 2017	13 September 2017
<i>Instrument of delegation to council staff</i>	Council resolution 21 August 2017	13 September 2017
Contract No 17/18 Pakenham Depot Administration Centre – construction stages 3 & 4 – Insight Construction Group Pty Ltd	Council resolution 21 August 2017	26 September 2017
Sale and transfer of land – CSC to S&D Pavic Super P/L and Watergrasshill Angus Harvest P/L – 43-45 Commercial Drive, Pakenham (SEBP)	CEO under delegation 11 October 2017	11 October 2017

The following documents require the affixing of the Common Seal:

Transfer of land R1 Plan of subdivision 043563 Durban Road, Emerald from JG and CG Ratcliffe to Cardinia Shire Council.

Acknowledgement and consent deed - National Australia Trustees Ltd; NAB Trust Services Ltd; National Australia Managers Limited and CSC

Licence agreement – CSC and KWR ANZ Bank – Carpark at rear of 10-16 Station Street, Koo Wee Rup

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 L Wilmot

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.

FINANCIAL REPORTS

7 **QUARTERLY FINANCIAL REPORT**

FILE REFERENCE INT1776772

RESPONSIBLE GENERAL MANAGER Derek Madden

AUTHOR Richard Williams

RECOMMENDATION

That the report be noted

Attachments

1 Quarterly financial report 14 Pages

EXECUTIVE SUMMARY

This report details Council's financial performance for the three months ended 30 September 2017.

BACKGROUND

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

- Income Statement – Analysed by Income, Expenditure and Non-Recurrent Items;
- Balance Sheet;
- Cashflow Statement; and
- Capital Works.

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

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

CONSULTATION/COMMUNICATION

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

FINANCIAL AND RESOURCE IMPLICATIONS

The analysis undertaken as part of the Financial Performance Report is based on the differences between the 2017-18 budget adopted in May 2017 and the actual result as at 30 September 2017.

The operating result for the three months ended 30 September 2017 is a surplus of \$1.454m. This is \$1.709m better than the budgeted deficit of \$255k.

Operating income is \$80k favourable to budget, predominantly in Interest and Operating Grants, partly offset by Other Revenue, User Fees and Rates & Charges. Operating expenditure is \$1.628m favourable to budget, mainly in Materials & Services, Other Expenses and Employee Benefits.

The total cash balance as at 30 September 2017 is \$89.908m, which is \$1.291m lower than at the end of June 2017. Excluding developer related funds, the cash balance is \$57.407m.

Total project expenditure for the three months to 30 September 2017 is \$8.467m, which is \$4.031m more than at the same time last year.

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

CONCLUSION

It is appropriate that the Council receives and notes the Financial Performance Report for the period 1 July 2017 to 30 September 2017.

7 QUARTERLY FINANCIAL REPORT

Moved Cr G Moore Seconded Cr L Wilmot

That the report be noted

Cd.

ACTIVITY REPORTS**8 QUARTERLY PERFORMANCE REPORT - 2017-18 Q1**

FILE REFERENCE INT1776760

RESPONSIBLE GENERAL MANAGER Derek Madden

AUTHOR Jo Battin

RECOMMENDATION

That the Quarterly Performance Report for Quarter 1, 2017-18 be received and noted.

Attachments

1 Quarterly Performance Report - Quarter 1 2017 - 18 65 Pages

EXECUTIVE SUMMARY

To present the Quarterly Performance Report for the July to September 2017-18 period.

BACKGROUND**Advocacy**

As many of Council's infrastructure and services projects are funded by rate revenue, which is limited by the Victorian Government's rate cap, we have a strong focus on grants and advocacy. During the past quarter, Council submitted 15 grant applications totalling \$12 million, and we are advocating for a number of priority projects, which we recognise are important to our community and the future success of our growing shire.

In the lead up to the State Government elections and budgets, we will continue to advocate for funding and build partnerships with both local members, the government and the opposition, which will help us to deliver these priority projects for our community.

Our community engagement activities are as important as ever to ensuring we are advocating for projects the community wants. This quarter some of the community consultation highlights included: Municipal Health and Wellbeing Strategic Plan (Liveability Plan), Cardinia Cultural Centre redevelopment, Play Space renewals, Aged Friendly Strategy, Disability Access and Inclusion Action Plan.

Capital works*Major projects*

The ongoing population growth in our shire continues to place greater demand on our service and infrastructure provision. This quarter, the shire experienced a further rise in the daily average of new households established within the shire, increasing to up to five families per calendar day. In addition, there were 431 birth notices received this quarter, which is five percent higher than the previous quarter, and year-to-date, 12 percent higher than last year.

As such, we are continuing to work away at delivering major infrastructure projects that can keep pace with this growing demand for facilities. Some highlights included:

- ground breaking on the construction of the 6.5km extension of Emerald–Gembrook trail from Cockatoo to Gembrook (\$2.5m jointly funded project)
- preliminary site and construction work continuing at the Lang Lang Community and Recreation Precinct site (\$6m jointly funded project)
- masterplan developed, and various tenders advertised and awarded for the Deep Creek Reserve development (\$10.5m jointly funded project).

Roads and drainage programs

Increased traffic and severe weather conditions diminish the quality of our roads and drainage every day. Council is committed to improving the quality and safety of Council-owned and managed infrastructure and in July we commenced works on Council's annual roads and drains programs for 2017–18.

Council manages and maintains 873km in unsealed road network, with an annual maintenance budget in excess of \$3.1 million. Maintenance works consist of both grading and resheeting on a cyclic basis, and responding to defects caused by adverse weather conditions. This quarter, we graded 803km of unsealed roads, 8 percent higher than the previous quarter, and carried out 123,248 tonnes of unsealed road resheeting, 28 percent higher than last quarter.

Council also maintains over 3,000 km of open surface drains, which are cleaned out regularly through both proactive inspections and reactive works, and in response to flooding issues following storms. Council undertook 46,290 linear metres of surface drain clearing this quarter, 61 percent higher than the previous quarter.

Youth services and Youth Council

Council's My Place youth facility represents not only Council Youth Services programs but other service provider programs and services as well. The number of services outreaching from My Place has increased over the past 12 months, with consulting rooms fully booked Monday through Thursday. The number of young individuals being supported by Council's Youth Support Program has increased by 37 percent during the quarter, as compared to the same period during 2016. In addition, there was 7,201 contacts with young people, which was 3 percent higher than the previous quarter, and year-to-date, 17 percent higher than the same time last year.

Our Youth Services team also spent time this quarter reviewing the Child and Family Plan and Youth Strategy in line with the review of Municipal Public Health and Wellbeing Plan – Cardinia Shire's Liveability Plan, and the Child and Family Strategy was adopted by Council on 21 August.

Council will be further encouraging community participation by young people through its upcoming establishment of a Youth Council. We are committed as ever to ensuring young people not only have access to a range of community services, but that they are also involved and have a platform to influence and engage as citizens of Cardinia Shire. We are looking forward to seeing this program come to fruition in the coming months.

Community health and wellbeing

The draft Liveability Plan was out for public consultation earlier this year and residents provided feedback via website, Facebook, email, phone and in person. After considering all feedback received and integrating it into the document where possible, the final plan was presented at to Council for adoption on 15 September 2017. A number of Council and collective impact initiatives have commenced this quarter, which follow the key principles of this plan.

The inaugural gathering of the Cardinia Food Movement, held on 25 July 2017 at Living Learning in Pakenham established new connections across the community; bringing together 95 passionate people keen to generate change through collective impact. Following this, the first formal network meeting in August involved 30 participants who shared their ideas and began action planning for the future of local food in Cardinia Shire.

This quarter, planning for the Cardinia Shire's Community Summit commenced with dates confirmed for 28 October and 1 November 2017. At this event, Council will share, support and inspire local volunteer community organisations and interested members to undertake projects that address the health and social priorities as identified in the development of the draft Liveability Plan.

Together with our collective impact partners we have continued to focus on addressing the major social issues and impacts of family violence and gender equity both in the community and within our organisation. Support for the Together We Can initiative was reinforced when 126 people attended the Community Leadership Summit, held on 2 August, and with 80 people attending the White Ribbon Night Morning Tea on 28 July, Council and Outlook raised \$1,800 to support women with a disability in family violence. The Local Hero in Sporting Clubs campaign awarded a \$1,000 grant to the Officer Senior Football Club President to deliver Respect and Gender Equality Leadership training in their club. Also with an emphasis on gender equity, Council participated in the Listen, Learn, Lead Program and established 11 community solution working groups for 2017-18.

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

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

CONSULTATION/COMMUNICATION

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

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

CONCLUSION

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

8 QUARTERLY PERFORMANCE REPORT - 2017-18 Q1

Moved Cr L Wilmot Seconded Cr J Springfield

That the Quarterly Performance Report for Quarter 1, 2017-18 be received and noted.

Cd.

9 ENVIRONMENT QUARTERLY REPORT

FILE REFERENCE INT1776841

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Desiree Lovell

RECOMMENDATION

That the report be noted.

Attachments

Nil.

EXECUTIVE SUMMARY

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

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

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

BACKGROUND

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

All actions fall within the Council Plan 2017-18 under the key performance area of Environment 'we will continue to plan and manage the natural and built environment for present and future generations'.

Climate change and energy conservation

1. Residential scorecard assessment

The Residential Scorecard Assessment is an Australian-first home energy rating program. The star rating is an assessment of a home's building shell and a representation of the running cost of the fixed appliances. Many Victorian homes have high energy bills simply due to the way the home is built. The Scorecard assessments help householders understand and improve the performance of their homes by providing them with guidelines towards improving their homes energy efficiency and an energy star rating.

Council working in partnership with the South East Councils Climate Change Alliance (SECCCA), has supported nine residential energy efficiency assessments. The scorecard assessment aims to raise

awareness about residential energy efficiency, promoting energy efficient residential dwellings and reducing household energy consumption in the Shire.

2. *Climate change resilience - ARUP Pakenham PSPs*

Through collaboration with the Enliven Group, Council has secured access to climate change resilience consultants, from the ARUP Group, at no cost to Council. The consultants provided feedback to support integrating climate change resilience into future design considerations. The Pakenham East and Pakenham South Precinct Structure plans were identified as suitable documents for the intended analysis. The feedback included design considerations, such as maintaining the free passage and temporary storage of floodwater to minimise flood damage and integrating increased shading while minimizing hard surfaces that absorb temperature, to actively reduce urban heat island effect in the growth corridor.

Development and built environment

3 *ESD matrix*

In 2013, Council engaged WSP Parsons Brinckerhoff to develop a tool to generate prescriptive Ecologically Sustainable Design (ESD) requirements for new council buildings. The tool allows council officers to input key variables of building projects, which then determine the ESD initiatives deemed appropriate for the development based on present logic.

SECCCA has now engaged WSP Parsons Brinckerhoff to update, expand and enhance this ESD matrix by the end of 2017. Council's ESD tool is being expanded and updated at a regional level, allowing for its use by all SECCCA member councils and ultimately all Victorian councils. This project developed through discussions about our ESD tool with other councils, who saw the benefits of updating it and making it available at a regional level. This initiative has advanced Cardinia's recognition as a regional leader in sustainable building design.

4 *Civic Centre school tour - sustainable building design*

St Margaret's School in Berwick participated in a tour of the Civic Centre as part of the Year 8 student's introduction to sustainable building design and sustainable housing. Prior to taking the tour of the Civic Centre, the students were shown a presentation showcasing the various sustainable building design features of the Civic Centre, Council initiatives for emissions reductions and the solar projects across the Shire. As part of the tour, the students also visited a sustainable design information centre in Parklea, where a SECCCA representative guided the group through the centre and the various elements that support sustainable design and the operational building efficiency.

5 *Emerald Library solar*

The installation of a 22.8kW solar photovoltaic system on the Emerald Library aligns itself with Aspiration energy transition plan (AETP) and supports Council's transition towards renewable energy. The system consists of 76, 300-watt high efficiency solar panels. A display screen is also being installed in the library foyer that will demonstrate the energy being produced from the solar system and the benefits it is providing. The system will produce approximately 30,000 kWh of electricity per annum and will reduce emissions by approximately 33 tonnes of CO₂e per annum, the same annual emissions as produced by 8 average cars per annum. The system includes the 1000th solar panel installed on a Cardinia Shire Council owned building.

Water conservation

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

6 *Completed drainage works*

The first stage works on Lake Treganowan, including construction of a pervious wall to assist in sediment dropout has been completed and was funded by Melbourne Water Living Rivers fund.

An application to the Living Rivers fund will be made to apply for the second stage of Emerald Lake Park desilting and formal sediment pit construction. Stage two will be the second inlet in Lake Treganowan near the café, this one does not require a formal wall but will require some formal shaping. The silt will be removed and stored out of site to dry. The site will be shaped and planted to achieve the ultimate design, reducing sediment and silt levels massively and assisting in nutrient removal.

Waste minimisation and sustainable procurement

Council Plan action – Promote practices that result in the reduction per household of the amount of waste going to landfill, particularly food waste.

7 *Green waste drop-off*

The draft Waste and resource recovery strategy (2018-27) (WRRS) outlines that there has been a significant reduction in the amount of burning off in the shire since 2010, in accordance with the objectives of Council's open air burning policy to reduce air pollution and greenhouse gases. To support this policy, the draft waste and resource recovery strategy proposed that Council would, along with other measures, '*trial green waste drop off option for residents at two transfer stations*'

Council is trialling a new free green waste drop off service for residents in November. The service will be offered over a 10 day period from 11–19 November and will only be open to residents of Cardinia Shire (but not commercial businesses). Photo ID will need to be shown at the time of drop off.

There will be two drop off locations available, offering a 9am–4pm drop off:

- Pakenham Resource Recovery Centre
- Lysterfield Resource Recovery Centre

8. *Hard waste record recovery rates*

Council can be delighted with the results of the May - June biannual green and hard waste service, which achieved a 29.1 per cent recovery rate (recycling). This is an increase from a long term average of around 10 per cent. This was achieved through the introduction of the new recycling streams of couch, television and computer recycling. Couch recycling was introduced in November 2016, and was another innovation for residents: being one of the first councils to offer kerbside recycling of couches within Victoria.

From next collection, Council will be promoting that all ewaste (anything with a lead) can be recycled at the kerbside, by placing it in a separate pile within the biannual green and hard waste service. This will make ewaste recycling available to all residents twice a year from the kerbside.

By recycling at this higher rate, we can save 700 tonnes of landfilled waste from the hard waste service each year, which is great for our environment. Waste should be left out in five piles:

- general hard waste
- scrap metal and whitegoods (recycled)
- mattresses and couches (recycled)
- bundled green waste (recycled)
- ewaste – (recycled)

The next service will run from 30 October until the 1 December.

9 *Use of recycling material within open space*

Council has been accepting soft plastics into the kerbside recycling bin since November 2016 and in that time we have found that approximately 23 per cent of households have been participating. We anticipate this figure will only increase over time as more people learn about the initiative and become more comfortable participating. The 'bags in a bag' are accepted by our recycling contractor, SKM recycling, and are sorted by hand, compacted, baled and sent to a plastic recycler either locally or overseas.

These renewed plastics are used as a raw product to make everything from outdoor furniture, bollards, decking and playground equipment to the wheelie bins ever present on our streets. Selection and installation of these materials are an important part of the recycling cycle. Council aims to incorporate the purchase of recycled plastic bollards and parks furniture into our public spaces wherever possible and hope to continue to increase the use of these products in the future. Examples of recent installations include the:

- park furniture at Bourke Park, Pakenham
- new exercise station along Toomuc Creek, Pakenham.

Natural systems

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

10 *National Tree Day events*

Council staff attended two community National Tree Day events on Sunday 30 July. The events were held at Avonsleigh Common and Gembrook Park. A total of 25 community members attended the events, with approximately 550 plants, planted on the day.

11 *Weeds for trees day*

The focus of the weeds for trees event was to raise awareness of the negative impact that weeds have on the natural environment and offering help to identify weeds residents could bring to the event, with advice on best control techniques. Free trees were offered to those attending, to encourage weeds to be replaced with local indigenous species.

The event was organised by Council in conjunction with the Friends of Emerald Lake Park. Other groups such as Johns Hill Landcare Group, Friends of Wrights Forest and Emerald Star Bush Committee members also assisted. The day was a success with approximately 25 different weed species brought in by residents, and 250 indigenous plants given away.

12 *Outcome of biodiversity audit project*

A biodiversity audit has been undertaken to provide baseline data to assist with the development of both the Sustainable Environment Strategy and Biodiversity Strategy. The consultant used Council data, aerial imagery and on ground analysis to assess and map:

- tree canopy coverage
- analysis of eight priority threatened species
- extent of selected weeds
- analysis of vegetation on private property
- other vegetation assessments.

This information is valuable because the existing environmental data which is generated by the Victorian Government did not enable Council to make accurate strategic planning decisions.

The information will be added to Council's GIS mapping software. The report found that total tree cover in the Shire is 29 per cent (26 per cent north of the highway and 3 per cent south of the highway). Woody weeds cover in excess of 0.5 per cent of the Shire. The most environmentally profound result is that of the 55 different vegetation communities that are found within the Shire, 17 (31 per cent) have so significantly depleted that they are listed as 'endangered' in the state.

Also of note, is the incidence of the eight threatened species which were analysed in the report. The information reveals that there is an overlapping correlation between the selected forest species, north of the highway and the swamp species, south of the highway. This showed that to most efficiently protect these species, resources could be allocated along the break of slope i.e. Princes Highway area, outside of the growth corridor.

13 Update on Yellingbo conservation area project

The key focus of the Yellingbo Conservation Area Coordinating Committee (YCACC) has been providing guidance for the development of key documents such as the:

- community engagement plan
- the concept plan
- action plan

A Yellingbo Project Team has been formed within DELWP to work on actions that deliver the recommendations in the Victorian Governments response to the VEAC inquiry. The focus of these activities is currently liaising with stakeholders affected by the phasing out of grazing licences taking place between 2016 and 2018. The removal of grazing aims to protect natural values and enhance riparian habitat.

The Helmeted Honeyeater Recovery team, represented on the YCACC, continue to provide updates on the Helmeted Honeyeater and Lowland Leadbetter Possum captive breeding program outcomes. As a result of an investigation (early 2017) of potential short and long term release sites for the birds, an interim report has been drafted, highlighting various sites (including sites within Cardinia Shire), which have shown to contain appropriate habitat for the birds to live and breed, including vegetation for roosting, foraging, and nesting. At this stage, no decision has been made which sites will be chosen for release, both in the short or longer term, however it has been noted that whilst many sites may have potential as release sites, much of the vegetation needs to be supplemented with relevant plant species in order to create a denser, safer habitat for the birds. Feral animal control has also been highlighted as an issue needing addressing.

POLICY IMPLICATIONS

Nil.

RELEVANCE TO COUNCIL PLAN

Nil.

CONSULTATION/COMMUNICATION

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

CONCLUSION

Council's partnerships with community groups and other key stakeholders has resulted in fantastic outcomes for the environment within the Shire and highlights the need to continue to build on these relationships to provide long term sustainability to our environmental work.

9 ENVIRONMENT QUARTERLY REPORT

Moved Cr G Moore Seconded Cr L Wilmot

That the report be noted.

Cd.

10 MAJOR PROJECT AND STRATEGIES ACTIVITY REPORT

FILE REFERENCE INT1776854

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Andrew Barr; Desiree Lovell; Walter Carmignani; Ben Wood

RECOMMENDATION

That the report be noted.

Attachments

Nil.

EXECUTIVE SUMMARY

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

CONCLUSION

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

CAPITAL WORKS

Reserves

Deep Creek Reserve

Project description	Deep Creek Reserve is a 48-hectare Council 'greenfield' site, bounded by the Pakenham Golf Course to the North and the railway line to the south.
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The development of this site will include new paths and car park, development of infrastructure (including a sustainable environment complex and new golf club rooms, all abilities playground, indigenous plant nursery, wetland and education facilities, kick about area, car park and associated drainage) and Melbourne Water wetlands.

Stage 1 works have been completed and included construction of concrete path network connecting the reserve with the external footpath network

Stage 2 will see the construction of the sustainable Deep Creek environment complex, all abilities playground, community meeting space (barbeque and kick about area) and demonstration wetlands

Stage 3 will see the construction of the Cardinia Community Nursery and Education Hub.

Funding	<p>The Stage 2 component of the works is a \$10.5 million project and has received funding from the Victorian Government's Grown Suburbs fund (\$2.825 million) for part of the works.</p> <p>The Andrew's Foundation has contributed \$200,000 to the construction of the indigenous plant nursery that will be delivered as part of Stage 3.</p>
Timelines	Construction of main components of reserve to be completed in 2019
Update	<p>Council has awarded contracts for the Deep Creek building and services to Kirchner Constructions PL, and Red Centre Nominees P/L of the Deep Creek regional all-abilities playspace.</p> <p>A tender for the golf course redevelopment recently closed and a report will be presented at this meeting.</p> <p>Two separate tenders for the construction of the civil and landscaping components of the overall project recently closed with the relevant reports to be presented at the December meeting.</p> <p>Residents will see a swarm of works on the reserve once all the contractors are up and running early in 2018.</p>

Lang Lang Community and Recreation Precinct

Project description	<p>The construction of a major recreation and community precinct which will be undertaken in partnership with Lang Lang Community Bank. It will include sporting facilities, multipurpose community spaces, parks and other open spaces for recreational activities.</p> <p>Stage 1 includes the construction of:</p> <ul style="list-style-type: none"> • 2 x ovals including cricket wickets, subsurface drainage, irrigation and flood lighting • 4 x netball court and flood lighting • 1 x practice cricket facility • sedimentation basin, wetlands and water re-use pond (for irrigation purposes) • internal access roads, carparks footpaths and associated drainage • earthworks for the future pavilion, car parking and associated drainage • landscaping
Funding	<p>Lang Lang Community Bank purchased the 36-hectare parcel of land upon which the precinct will be constructed and have committed \$2.3 million to the project.</p> <p>\$1.5 million has been received from the Australian Government's Building Better Regions Fund.</p> <p>Council and our partners have committed in excess of \$10 million to the project between 2015-16 and 2020-21</p>

Timelines	Stage 1 works are scheduled to be completed by April 2018, with the ovals being ready by the middle of the 2018–19 cricket season (weather dependent).
Update	Despite the works progressing slowly due to the continuing inclement weather over winter, project managers are confident of completing the works by the contractual date for practical completion in April 2018.

Holm Park Recreation Reserve carpark resurfacing

Project description	Construction of the northern carpark and associated access roads
Funding	The project is funded by Council and the Australian Government's Department of Infrastructure and Regional Development
Timelines	Works scheduled to be completed by the end of January 2019.
Update	The contract for the works has been awarded to R & C Paving Pty Ltd with contract documents executed by both parties. Works are due to commence at the end of November.

IYU Recreation Reserve carpark resurfacing

Project description	Construction and sealing of the carpark and associated access roads
Funding	The project is funded by Council
Timelines	The works are expected to be completed by April 2019.
Update	The design works are currently progressing and the tender for the construction of the works is scheduled to be advertised later this year.

Emerald netball facility

Project description	Construction of new Emerald Netball Facility and associated infrastructure at Pepi's Land. The works will be undertaken in the following three stages: <ul style="list-style-type: none"> • Stage 1 - Internal works including carpark, retaining walls, site services, stormwater drainage, netball courts, lighting and building platform for future pavilion • Stage 2 - External works including road widening in Beaconsfield Emerald Road adjacent to the site. • Stage 3 - Construction of new Pavilion
Funding	The project is funded by Council
Timelines	Construction of stage 1 to be completed by 30 June 2018
Update	Design of Stage 2 has been completed and has been submitted to VicRoads for approval prior to these works being tendered.

Tenders for Stage 1 have been advertised and closed late October. A recommendation for award of the contract is scheduled to be considered by Council at the December meeting.

Eastern Dandenong Ranges trail

Project description	<p>The Eastern Dandenong Ranges Trail is a multipurpose trail linking Emerald to Gembrook.</p> <p>The Emerald-Cockatoo component through Emerald Lake Park and Wrights State Forest providing a link between the two towns was completed some time ago.</p> <p>Council has been successful in securing funds to construct the final 6.5km length from McBride Street, 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.</p>
Funding	<p>The project is being funded by Council (\$900,000), the Australian Government's Department of Infrastructure (\$1 million election commitment) and the Victorian Government's Growing Suburbs Fund (\$545,000).</p>
Timelines	<p>The Cockatoo to Gembrook section is expected to be complete early 2019.</p>
Update	<p>Construction works for this project are well underway. The works at the Gembrook end of the trail, which included upgrading the existing section of the trail, have now been completed. The contractor has now commenced work on intersection improvements and the concrete section of the trail at the Cockatoo end. The new sections of trail along the Puffing Billy rail line and Fielder Road have also been completed.</p>

Emerald Community Hub

Project description	<p>The Hills Hub project has been in development since late 2014. The Hills Hub will 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 other existing stakeholders. It will also provide opportunity to respond to emerging local needs, including skill development, training and employment creation. An Advisory Group of community stakeholders across a wide range of community organisations was established. Council has undertaken extensive consultation and negotiations to design a multi-purpose facility.</p>
Funding	<p>The project is funded by Council (\$4.88 million), the Australian Government's National Stronger Regions Fund (\$1.5 million) and the Eastern Dandenong Ranges Group/Dandenong Ranges Community Bank Group (\$250,000)</p>
Timelines	<p>Construction of the Hills Hub will commence in February 2018 with completion due mid-2019.</p>

Update The tender for the construction of the Hills Hub closes on 21 November and a recommendation regarding the preferred contractor will be made to the December Council meeting.

Arcadia Park, Officer

Project description The design and construction of a neighbourhood park and playground at Arcadia Estate Neighbourhood 1 (east of Gum Scrub Creek). The park includes:

- large climbing forest
- swings
- existing large trees
- additional tree and garden bed planting
- park features that relate to well-known children's stories
- free wifi
- a large deck and sand pit
- feature paving

The theme of the park is based on well-known children's stories including 'Mother Goose', 'The 100 Storey Treehouse' and 'The Very Hungry Caterpillar' and ties in with the estate street names of famous authors.

Funding This project is funded by Satterley (the developer of the estate) and is valued over \$1 million

Timelines The playground is anticipated to be opened by December

Update Council has supervised these works from design through to implementation and are ensuring that the contractors are providing the best quality finish and products to ensure it is the standout destination it has been advertised to be. This park is being delivered over and above the base expectations for a neighbourhood level park.

Roads, paths, drains and bridges

Bridge Road duplication

Project description Duplication of Bridge Road between Viridian Avenue and Cardinia Road

Funding The project is funded by Council through the Cardinia Road Development Contribution Plan

Timelines The project is to be tendered in early 2018

Update Design for the duplication of Bridge Road between Viridian Avenue and Cardinia Road has been completed and tender documents are currently being prepared.

Thirteen Mile Road/Bunyip River Road Blackspot Project

Project description	This intersection has been identified as a high risk intersection. The offsetting of the western leg of the Bunyip River Road to the north at this intersection will improve safety at this location.
Funding	The project is being funded through VicRoads Blackspot Program
Timelines	Work to commence in early 2018.
Update	The tenders for this project closed on the 31 October and are currently being assessed, with a report to be presented to December Council meeting.

Wheeler Road Special Charge Scheme

Project description	Construction of 270m of Wheeler Road west of Bundilla Road, Maryknoll, includes seal, pavement, kerb & channel (north side only), underground drainage and associated engineering survey, design and administration.
Funding	This project will be jointly funded by Council and benefiting property owners through a special charge scheme.
Timelines	It is anticipated that construction of the road will be completed prior to the end of the year.
Update	Works on Wheeler Road have commenced on site and are well underway. Drainage works are completed and pavement works are progressing.

2017-18 new footpath program

Project description Council’s footpath program looks to extend the footpath network in and around townships. The following footpaths have been selected to be constructed in the 2017-18 new footpath program:

Footpath location	Status	Timing (estimate)
Carnarvon Street, Lang Lang	Complete	
Railway Avenue, Bunyip	Complete	
Bald Hill Road, Pakenham	Under construction	November
Macclesfield Road, Avonsleigh	Complete	
Fourteen Mile Road/Beswick Street Garfield	Complete	
Pinnocks Road, Emerald	Under construction	November
Rossiter Road, Kooweerup	To commence	January

	Fairbridge Lane, Cockatoo	To commence	February
	Belgrave Gembrook Road, Gembrook	To commence	February
	Belgrave Gembrook Road/Puffing Billy Rail	To commence	March/April
Funding	The \$850,000 program is fully funded by Council through the footpath and pedestrian and bicycle strategy programs		
Update	Sixty percent of the Annual footpath and Pedestrian Bicycle Strategy program will be completed by the end of November which is a good result considering works could not commence until September due to wet weather. The remainder of the program is expected to be completed as advised above.		

2017-18 footpath maintenance program

Project description	The maintenance of Council's existing footpath network, as set out in Council's Road Management Plan (RMP).		
Timelines	This is an ongoing program. Regular inspections are carried out on Council's footpath networks and defects outside the intervention levels as set out in the RMP are rectified. Customer notifications of footpath issues are also covered as part of this program.		
Funding	The \$563,000 program is fully funded by Council		
Update	Council are currently implementing a new software management system to carry out, record, process and track these defects. Inspection on the entire footpath network was carried out in July/August and any defects that were highlighted as part of these inspections are currently being repair		

2017-18 road renewal and resurfacing program

Project description	The significant proactive maintenance and upgrade of Councils road network as per Council's asset management system.		
Funding	The \$4.76 million program is being jointly funded by Council and the Australian Government's Roads To Recovery Program.		
Timelines	It is anticipated that the program will be completed by the end of April		
Update	Road resealing preparation works are now complete, with resealing works scheduled for the summer months. Road rehabilitation works have recently commenced on Manks Road, Dalmore, with works to follow on Hall Road, Pakenham South and Seven Mile Road, Nar Nar Goon. Works on the asphalt overlay program is about to commence with the majority of overlay works expected to be completed during the summer months.		

2017-18 unsealed road re-sheeting program

Project description	The unsealed roads re-sheeting program is aimed to replenish approximately 45 kilometres of unsealed roads throughout the shire with new crushed rock that has been lost due to storms and general wear and tear.
Funding	The \$960,000 program is fully funded by Council
Timelines	It is anticipated that the program will be completed by March 2018
Update	The 2017-18 program has commenced with approximately 10 kilometres of roads completed to date.

2017-18 drainage program

Project description	The maintenance and upgrading of Council's drainage network.
Funding	The \$400,000 program is fully funded by Council
Timelines	It is anticipated that the program will be completed by the end of April
Update	The 2017-18 drainage program is well underway with detailed design commencing for several projects, including a complex project in Bunyip and a major culvert replacement on Ingram Road, Nar Nar Goon North. Works have now commenced on a number of projects including a drainage improvement project in Poplar Crescent in Emerald. Works were recently completed on a number of drainage improvement projects including Nash Rd, Bunyip and Station Street, Gembrook.

Jolley Road bridge replacement

Project description	Replacement of existing timber bridge with a contemporary reinforced concrete structure. The existing bridge was constructed in the 1930's and has a 10 tonne load limit which severely restricts the bridge being able to be used by large agricultural machinery and CFA fire fighting vehicles.
Funding	The project is funded by Council and the Australian Governments Bridges Renewal Programme.
Timelines	The tendered for design and construction is due to be advertised in the coming months with works to commence early 2018.
Update	The funding agreement has been signed and returned to the Australian Government and tender documentation is being prepared.

Other capital projects

Pakenham Depot construction of stages 3 and 4 for the administrative building

Project description	<p>Stages 3 and 4 include:</p> <ul style="list-style-type: none">• completion of the lower and upper level of the concrete portion of the redeveloped building• refurbishment of the metal shed portion providing full occupancy of the lower level and with opportunity for upper level as need may arise• formal toolbox and meeting space for over 100 staff• lift adjacent to reception and stair access to both buildings• lunchroom incorporating kitchen, amenities including toilets for the disabled and showers• multi-purpose room and sick bay, and• formal meeting rooms and informal spaces
Funding	<p>The project is funded by Council</p>
Timelines	<p>Completion end of May 2018</p>
Update	<p>A site meeting with the appointed contractor has been held to review and confirm logistics and address any impacts to on-going operations. Works commenced late September.</p>

10 MAJOR PROJECT AND STRATEGIES ACTIVITY REPORT

Moved Cr L Wilmot Seconded Cr M Schilling

That the report be noted.

Cd.

REPORTS OR MINUTES OF COMMITTEES

The Mayor advised of minutes received from various Council Committees and recent Council briefing sessions that were available for perusal.

REPORTS BY DELEGATES

Ice awareness

Cr Ryan reported on her attendance at a drug awareness program.

Community Leadership

Cr Schilling reported on his attendance at the Community leadership graduation on 14 November.

Halloween

Cr Schilling reported on his attendance at several Halloween functions held at Lakeside and Timbertop.

Youth Council

Cr Schilling advised of progress with the Youth Council that will be commencing in 2018 noting that 24 applications had been received and interviews would shortly be conducted of these applicants.

Local History Archive

Cr Brett Owen reported on his attendance at the launch of the relocated local history archive noting that Council in conjunction with the City of Casey will be celebrating the 150th anniversary of local government in the area.

Opening of IYU Reserve soccer facility

Cr Brett Owen reported on the opening of the IYU Reserve facilities.

International Safer Community designation

Cr Brett Owen reported on the recently received International Safer Communities designation for the Council.

CWA garden

Cr Brett Owen reported on his attendance at the opening of the new Country Women's Association garden in PB Ronald Reserve.

Solar panels

Cr Brett Owen reported on the recent installation of the 1000th solar panel on a council facility being the Emerald Library.

Cockatoo NILS Loan Scheme

Cr Wilmot reported on her attendance at the recent celebrations held to acknowledge the 1,000th loan made by the Cockatoo No Interest Loan Scheme.

Tourism Advisory Committee

Cr Wilmot re[ported on recent activities of the Tourism Advisory Committee noting that the Chair Nadine Hutchins had stepped down to be replaced by Interim Chair Chris Buckingham and that the Committee was transitioning into an independent industry led tourism group.

Ice Awareness Program

Cr Moore reported on his attendance at a recent drug awareness program.

Mill Valley Ranch.

Cr Morre reported that long serving managers of the Mill Valley Ranch in Tynong North, Arthur and Bonnie Bartlett had recently retired and congratulated on their long service at the facility.

Music on the grass

Cr Moore reported on his attendance at a Music on the Grass function at Koo wee Rup.

Walk against family violence.

Cr Moore reminded residents of the upcoming Walk against family violence commencing at 12 noon on Saturday.

Bunjil Place

Cr Brown reported on his attendance at the official opening of Bunjil Place in the City of Casey.

WW1 letters

Cr Brown reported on his attendance at the Cranbourne Library to view the display of letters received from soldiers during World War 1.

PRESENTATION OF PETITIONS

Cr Brett Owen presented a petition arranged by Mountainboarding Victoria Inc requesting the construction of a multi-use jumps track.

The Mayor advised that the petition will lay on the table for consideration by the Council at its next meeting.

NOTICES OF MOTION

Nil

COMMUNITY QUESTION TIME

The Mayor advised of a question received from Ms Shirley Hynes and referred the question to the Manager Governance to read and answer.

Questions

To the Mayor and Councillors. On behalf of our group, McMillan for Refugees, we applaud Cardinia Shire for being an early signatory to the Refugee Welcome Zone Scroll, and for hosting a visit of the Scroll to this Shire on 31 October 2017. This was the day that the Regional Processing Centre on Manus Island closed with all services withdrawn to the men incarcerated there. Since then, there have been some 606 men living in the decommissioned Centre in fear of their lives, and without food, water, medicine and security. Will the Mayor and Councillors write to the Prime Minister of Australia, the Hon Malcolm Turnbull and ask him to intercede for the safety of these vulnerable individuals who have committed no crime, and whose inhumane treatment cannot continue! Please follow the example of the Shire of Indigo and implore the Prime Minister use his influence and move the refugees to a place of safety and security because the alternative accommodation on offer to them is not safe, and not secure.

Answer

The responsibility for refugees and immigration rightly rests with the Federal Government. That being said however Council is supporting the Refugee Welcome Zone and the Safe Haven Enterprise Visa Program, however Council is not privy to the details associated with the refugee facility on Manus Island or the proposed alternative arrangements for the welfare of the current detainees and is therefore not in a position to write to the Prime Minister as requested.

The Mayor asked Ms Hynes if she wished to ask a supplementary question.

Ms Hynes asked if the Council would be agreeable to her group presenting to the Council regarding the concerns of the Manus Island detainees.

The Mayor advised that the Council would be pleased to receive a presentation and asked the Manager Governance to liaise with Ms Hynes in this regard.

The Mayor advised of a series of questions received from Mrs Gloria O'Connor and referred the first question to Manager Governance to read and answer.

Question 1

When will the recently announced works to be done on Seven Mile Road, Nar Nar Goon, be commenced. The dangerous sections of the road are becoming worse especially when there is rain, and heavy vehicles coming through, and many vehicles failing to reduce speed?

Answer

The works on Seven Mile Road were awarded to QR Construction (Gippsland) Pty Ltd as a package of three road projects along with Manks Road and Hall Road at the Council Meeting in September. Works on both Manks Road and Hall Road have now commenced with works underway as scheduled. The program for delivery will see Seven Mile Road commence following the completion of these other roads which is expected to occur late February, early March 2018

The Mayor referred Mrs O'Connor's next question to General Manager Planning and Development to read and answer.

Question 2

How much longer will the real estate items be permitted to sit on the bird and dog display in main street outside the post office? When will the permit expire?

Answer

Council Officers have been out on site and on the days visiting the site officers have not assessed the 'A' frame as blocking or covering the sculpture. Officers have spoken to the owner of the sign to ensure that the sign does not block the sculptures. The current permit will expire in June 2018 and will be reviewed at this time.

Mrs O'Connor asked whether the permit would be renewed.

GMPD advised that this would be assessed when the permit was due for renewal in June 2018.

The Mayor referred Mrs O'Connor's next question to the CEO to respond

Question 3.

Would you please give a summary of Council involvement with the proposal for an airport at Koo Wee Rup, including amount of ratepayer funds spent (staff time, discussion, negotiation, advertising and promotion?) Is an airport not a matter for other levels of government, and what amount has there been of community consultation or consideration of residential amenity,

agricultural benefit and environmental resources that will to be lost?

Answer

Council has prepared three submissions regarding the South East International Airport. Submissions were made and in respect of

Plan Melbourne (2014)
Plan Melbourne Refresh (2016)
Infrastructure Victoria 30 year strategy

Council was successful in the State Government agreeing there should be an international airport south east of Melbourne and Infrastructure Victoria set out the role of State Government.

The State Government recommended through Plan Melbourne Refresh than an appropriate site be identified over the next 2.5 years and a rail corridor from Clyde be investigated.

Councils role now is the continue to advocate for the international airport and the identification of a site be investigated as soon as possible.

As no site has been designated by the Government, matters such as, residential amenities, agricultural benefit and environmental resources would be taken into consideration in identifying a site.

The Mayor referred Mrs O'Connor's final question to the General Manager Planning and Development to read and respond.

Question 4.

A lot of rapid changes are happening regarding State planning policy, and when will the residential community be updated regarding these, especially if there are to be fast permits with no notice required, or other issues that should be known to the community?

Answer

The State Government regularly undertakes amendments to the State Planning scheme and is currently consulting via the DELWP web site and the Engage Victoria web page, in relation to changes to the Smart Planning program. Submissions are open to everyone until 24th November and have been open since 16th October. Council officers are currently reviewing the documentation and may be making a submission. Small café and restaurants, Temporary retail & cultural events, Home occupation, Small lots and dependant person's unit are currently being considered for the code asses approach. I would encourage all parties to review and make a submission to the States process to ensure that it aligns with their expectations.

Any announcement on changes to the planning scheme will be by the State Government and this will be done weekly through the Government Gazette.

Mrs O'Connor asked if a written response to her question could be provided.

Meeting closed at 8.31pm

Minutes Confirmed
Chairman