



Cardinia

MINUTES OF SPECIAL COUNCIL MEETING

MONDAY, 30 JULY 2018

MINUTES OF SPECIAL COUNCIL MEETING

held in the Council Chambers, 20 Siding Avenue, Officer
on Monday, 30 July 2018

The meeting commenced at 6.16 pm

PRESENT:

Mayor, Collin Ross, Chairman

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

Messrs Garry McQuillan (CEO), Mike Ellis (GMAS), Derek Madden
(GMCS), Andrew Paxton (GMPD), Jenny Scicluna (GMCWB), Doug Evans (MG)

The Mayor noted that the required 7 days public notice required for a Special Meeting had not been given due to the lack of time between the calling of the meeting and the holding of the meeting.

APOLOGIES

Cr Jodie Owen

DECLARATION OF PECUNIARY AND OTHER INTERESTS

Nil.

TABLE OF CONTENTS

1. CHANGE OF STATUS FROM RESERVE FOR MUNICIPAL PURPOSES TO ROAD
RESERVE AT PAKENHAM HILLS PRIMARY SCHOOL, 15 KENNEDY ROAD,
PAKENHAM.....3

1 CHANGE OF STATUS FROM RESERVE FOR MUNICIPAL PURPOSES TO ROAD RESERVE AT PAKENHAM HILLS PRIMARY SCHOOL, 15 KENNEDY ROAD, PAKENHAM

FILE REFERENCE INT1851515

RESPONSIBLE GENERAL MANAGER Derek Madden

AUTHOR Fiona Shadforth

RECOMMENDATION

That:

1. Council commence the statutory procedures under Sections 192 and 223 of the Local Government Act 1989 and that Council publish a Notice in the local paper circulating in the area of Pakenham advising of a proposal to change the status of a portion of the Municipal Reserve 3 along Army Road, Pakenham to Road Reserve abutting the Pakenham Hills Primary School
2. In the event that submissions are received, a committee comprising the Ward Councillors be appointed and the Chief Executive Officer be authorised to set the day, time and place for the hearing of such submissions;
3. That a subdivision application be lodged to remove the Municipal Reserve Status and create the road Reserve Status.

Attachments

- | | | |
|---|--------------------------------------|---------|
| 1 | Locality plan | 1 Page |
| 2 | Plan of subdivision | 2 Pages |
| 3 | Proposed plan of subdivision | 1 Page |
| 4 | Pakenham Hills Parent zone site plan | 1 Page |

EXECUTIVE SUMMARY

To further consider the proposed change of status of a portion of road reserve on Army Road that was deferred for further consideration at the Council Meeting held on 16 July.

Council owns the property abutting Pakenham Hills Primary School (School) at Army Road, Pakenham (Land) which was vested to Council upon registration of Plan of Subdivision 339370. To assist in the development of a Parents Zone at the Primary School it is proposed to change the status of the land to road reserve which will facilitate vehicle access over the land to the new Parents Zone.

BACKGROUND

Council Officers have identified the need for greater on site carpark facilities for the School and access to a proposed new Parent Zone building. The School site has the capacity for further car parking, however, to ensure safe entry and exit of the School, the crossover should be widened to allow for a traffic island creating defined entry and exit points with clear line of sight. The School's Parentzone site Plan details the proposed car park and cross over.

To facilitate the proposal, an area of 64.57 square metres of the Land currently known as Reserve 3 would be required to be changed to Road Reserve. The balance remaining of Reserve 3 would be 152.43 square metres in size.

Further details of the Land are as follows:

Property details: The Land is known as Reserve 3 for Municipal Purpose on Plan of Subdivision 339370A described in Certificate of Title Volume 10239 Folio 886

Land area: 217 square metres

Zone: Public Use

Overlays: DCP01

As the Land is a Reserve on Title it is necessary to change the Reserve status from the Land under Section 24A of the Subdivision Act 1988

POLICY IMPLICATIONS

Nil

RELEVANCE TO COUNCIL PLAN

The relevant Council Plan objective is that 'We continue to plan and manage the natural and built environment for future generation'. The objective is to be achieved through balancing the needs of development, community and environment.

CONSULTATION/COMMUNICATION

Discussions have been held with the Pakenham Hills Primary School in regard to the proposed new Parents Zone facility and the proposed change of status to road reserve has been recommended to assist in this development.

Council will give public notice of the intention to change the use of the land in accordance with Sections 192 and 223 of the Local Government Act 1989 in the local paper circulating in the area and a notice on Council's website.

Any submission received following such public notice will be considered by a committee of Council.

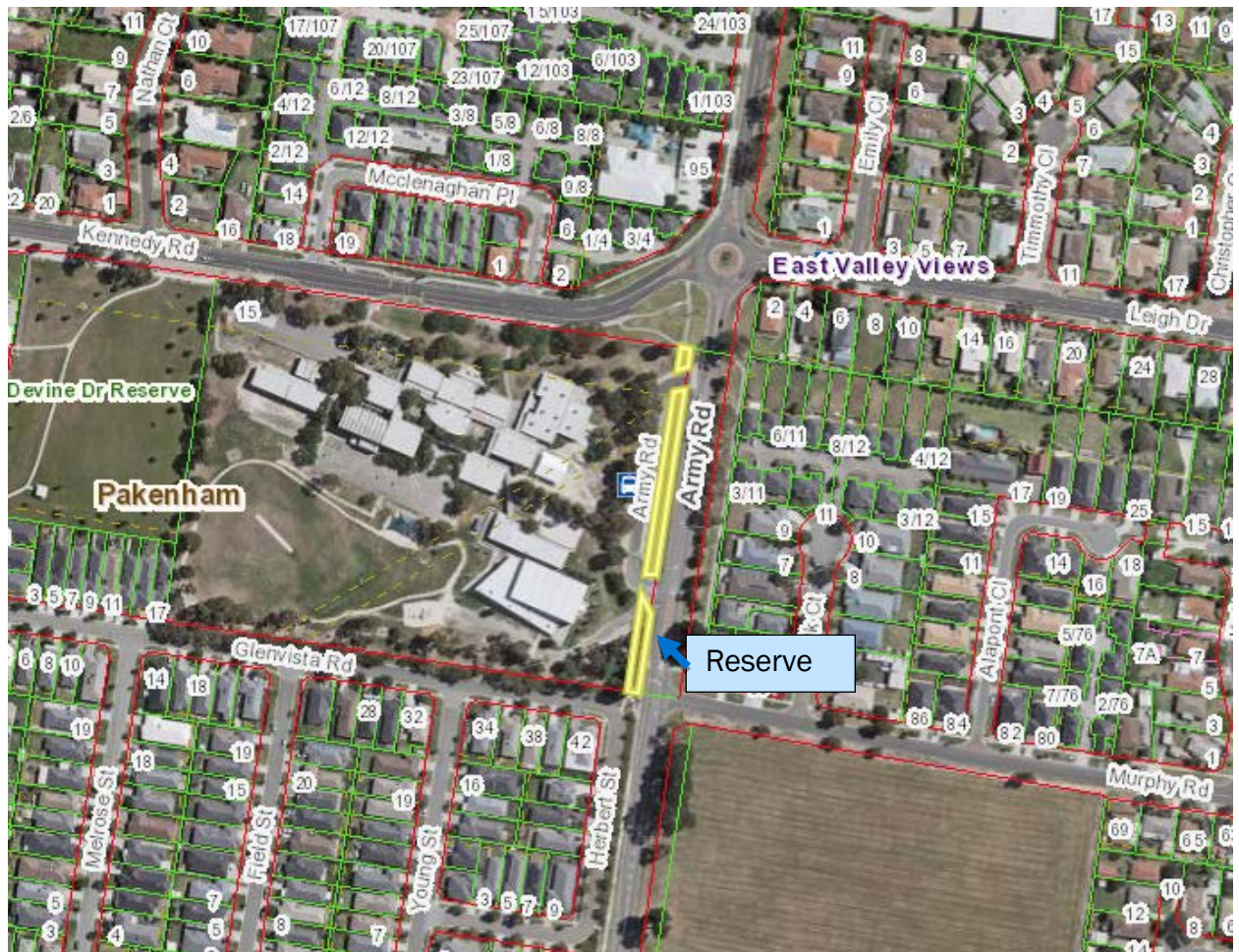
FINANCIAL AND RESOURCE IMPLICATIONS

Following the statutory process to allocate road reserve status and removal of reserve status, it is anticipated that the School will engage in development of its site and improve services to the local community. Funding for costs involved in administrative, surveying and legal fees to be incurred by Council will be covered by Community and Family Services initially and will be recovered from DET funding. Construction costs will be borne by DET.

CONCLUSION

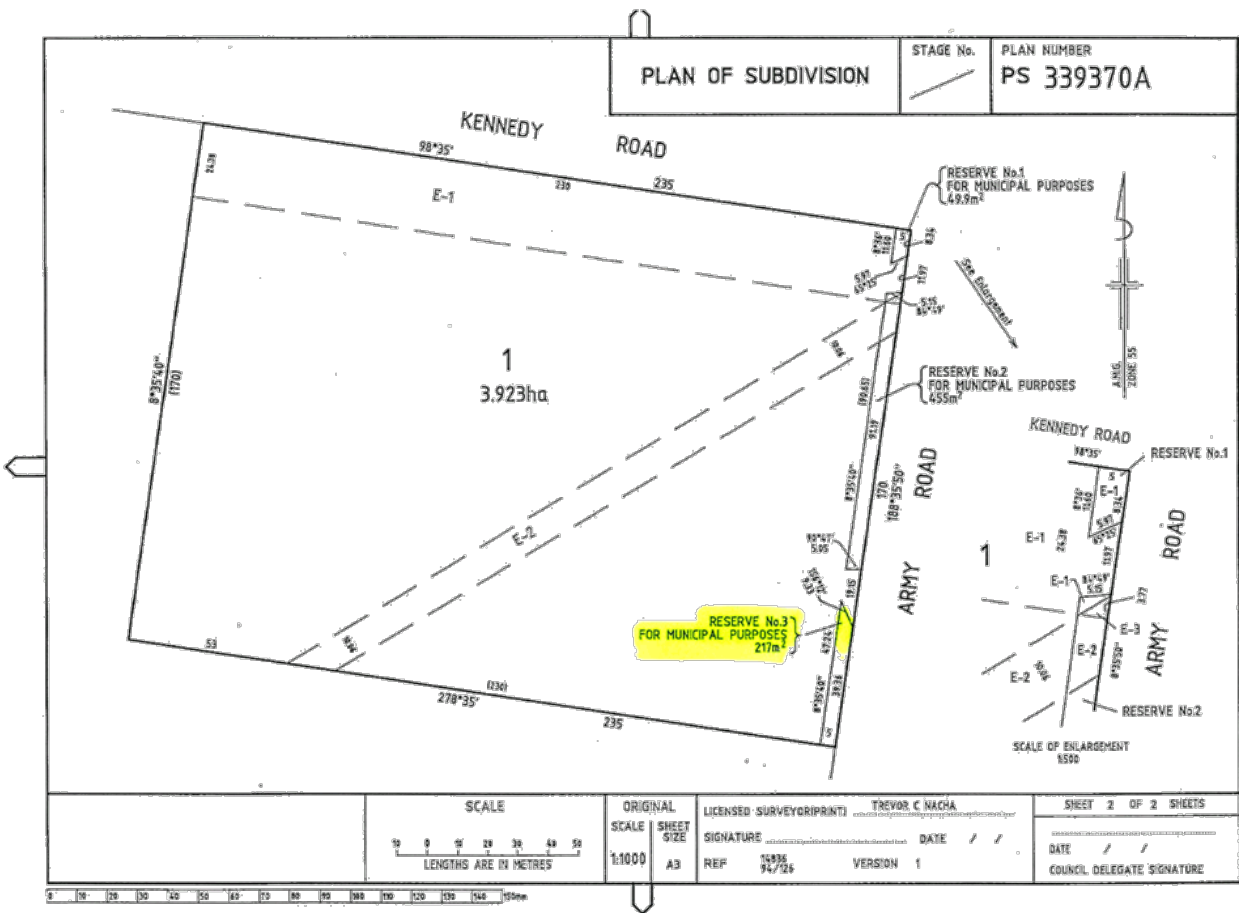
The proposed change of status of this parcel of land will greatly assist the Pakenham Hills Primary and should be supported.

Reserve for Municipal Purposes abutting Pakenham Hills Primary School



Delivered by LANDATA®. Land Use Victoria timestamp 19/02/2018 13:46 Page 1 of 2
 © State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

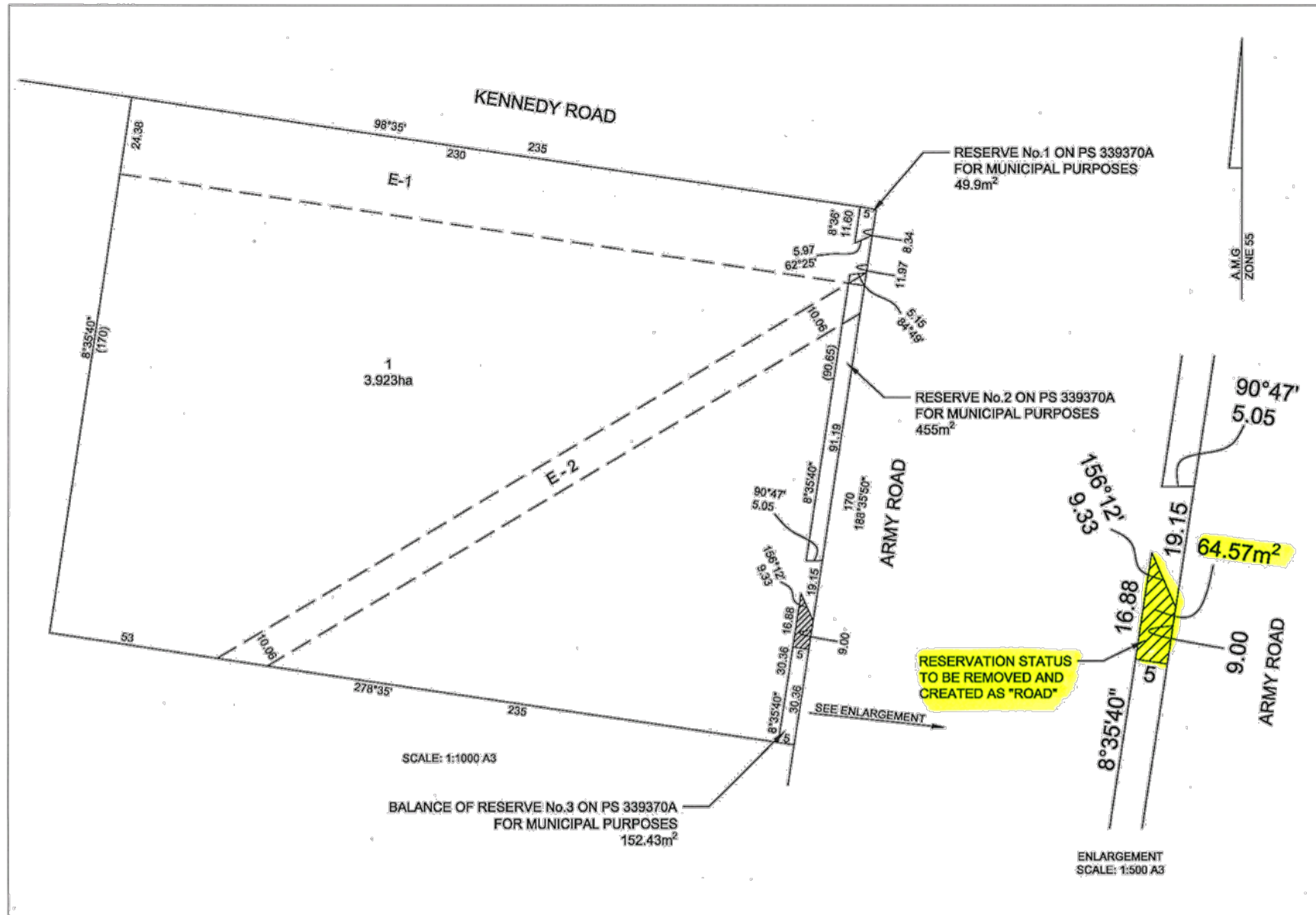
PLAN OF SUBDIVISION		STAGE No. <hr/>	LTO USE ONLY EDITION 1	PLAN NUMBER PS 339370A										
LOCATION OF LAND PARISH: NAR-NAR-GOON TOWNSHIP: _____ SECTION: _____ CROWN ALLOTMENT: (PART) 11 CROWN PORTION: _____ LTO BASE RECORD: NAR-NAR-GOON 13 (3272) TITLE REFERENCES: C/T VOL10226 FOL 502 LAST PLAN REFERENCE/S: LOT 1 PS 325114X POSTAL ADDRESS: Cnr. Kennedy Road & Army Road (At time of subdivision) PAKENHAM EAST 3810 AMG Co-ordinates (of approx centre of land in plan) E 368000 ZONE: 55 N 5860100		COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: CARDINIA SHIRE COUNCIL REF: S95/001 1. This plan is certified under Section 6 of the Subdivision Act 1988. 2. This plan is certified under Section 4(17) of the Subdivision Act 1988. Date of original certification under Section 6: / / 3. This is a statement of compliance issued under Section 21 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has/has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage _____ Council Delegate Council Seal Date 25 / 01 / 99 Re-certified under Section 4(17) of the Subdivision Act 1988. Council Delegate Council Seal Date / /												
VESTING OF ROADS AND/OR RESERVES		NOTATIONS												
IDENTIFIER	COUNCIL/BDDY/PERSON	STAGING This is not a staged subdivision. Planning permit No.												
RESERVE No's 1, 2 & 3	CARDINIA SHIRE COUNCIL	DEPTH LIMITATION DOES NOT APPLY SURVEY DIMENSIONS BASED ON SURVEY BY ME PS 325114X												
EASEMENT INFORMATION		LTO USE ONLY												
LEGEND E-Encumbering Easement or Condition in Crown Grant in the Nature of an Easement A-Appurtenant Easement R-Encumbering Easement(Road)		STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT												
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:10%;">Easement Reference</th> <th style="width:20%;">Purpose</th> <th style="width:10%;">Width (Metres)</th> <th style="width:15%;">Origin</th> <th style="width:45%;">Land Benefited/In Favour Of</th> </tr> </thead> <tbody> <tr> <td>E-1 & E-3 E-2 & E-3</td> <td>PIPELINE WATER</td> <td>24.38 10.06</td> <td>C/E D652667 C/E 2210137</td> <td>Victorian Pipelines Commission Rural Water Corporation</td> </tr> </tbody> </table>		Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	E-1 & E-3 E-2 & E-3	PIPELINE WATER	24.38 10.06	C/E D652667 C/E 2210137	Victorian Pipelines Commission Rural Water Corporation	RECEIVED <input checked="" type="checkbox"/> DATE 29 / 12 / 94		
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of										
E-1 & E-3 E-2 & E-3	PIPELINE WATER	24.38 10.06	C/E D652667 C/E 2210137	Victorian Pipelines Commission Rural Water Corporation										
		LTO USE ONLY PLAN REGISTERED TIME 1:45 DATE 26 / 7 / 95 <i>K Osborne</i> Assistant Registrar of Titles SHEET 1 OF 2 SHEETS												
		LICENSED SURVEYOR(PRINT). TREVOR C NACHA SIGNATURE _____ DATE / / REF 14836 VERSION 1 94/126												
		DATE / / COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3												

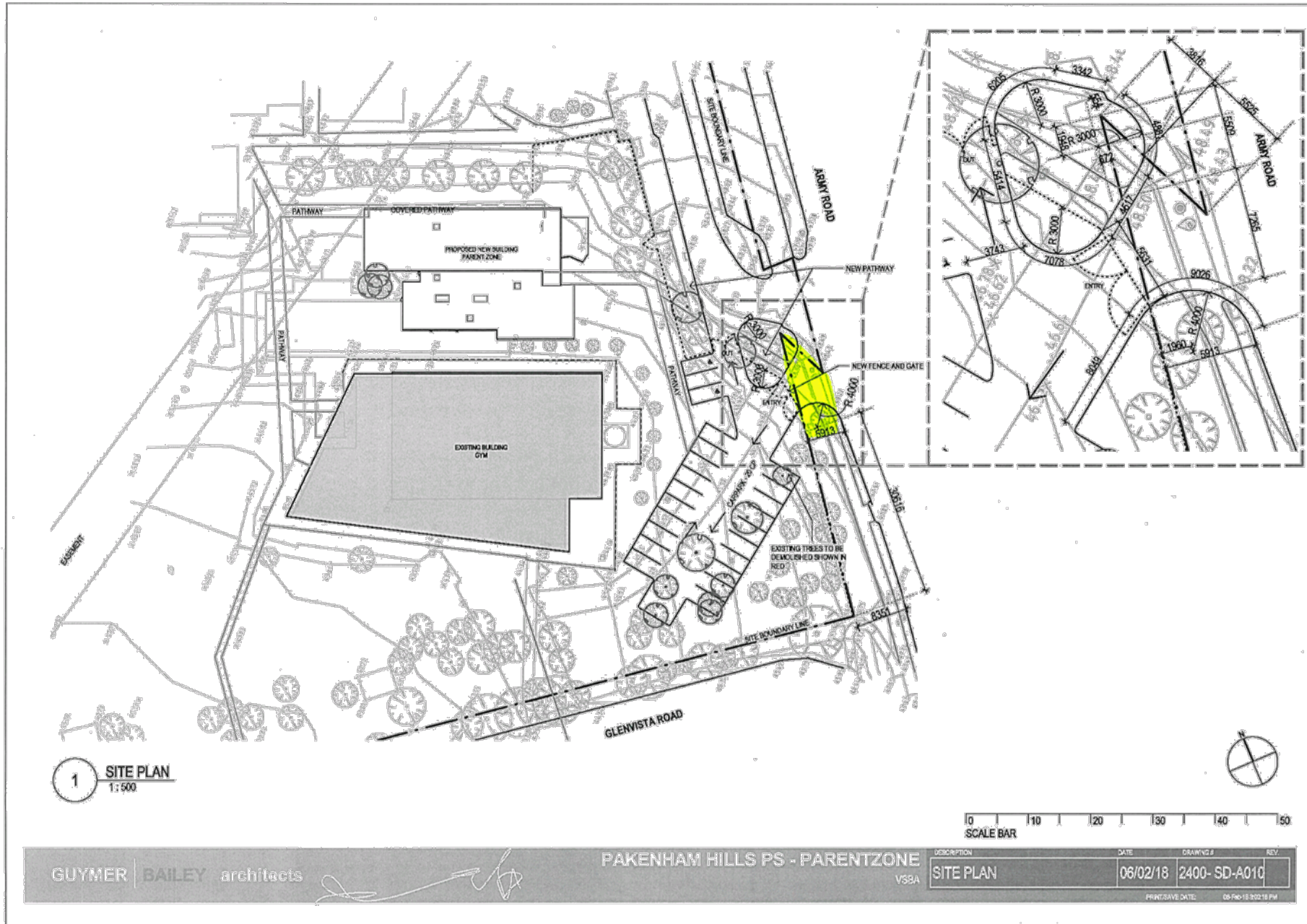


Delivered by LANDATA® Land Use Victoria Browsersamp 18/02/2019 13:46 Page 2 of 2

PLAN OF SUBDIVISION	STAGE No. /	PLAN NUMBER PS 339370A
---------------------	-------------	---------------------------

SCALE 10 0 10 20 30 40 50 LENGTHS ARE IN METRES	ORIGINAL SCALE 1:1000	SHEET SIZE A3	LICENSED SURVEYOR(PRINT) TREVOR C NACHA	SIGNATURE	DATE / /	VERSION 1	SHEET 2 OF 2 SHEETS
<p style="text-align: right;">DATE / /</p> <p style="text-align: right;">COUNCIL DELEGATE SIGNATURE</p>							





1 CHANGE OF STATUS FROM RESERVE FOR MUNICIPAL PURPOSES TO ROAD RESERVE AT PAKENHAM HILLS PRIMARY SCHOOL, 15 KENNEDY ROAD, PAKENHAM

Moved Cr C Ryan Seconded Cr J Springfield

That:

1. Council commence the statutory procedures under Sections 192 and 223 of the Local Government Act 1989 and that Council publish a Notice in the local paper circulating in the area of Pakenham advising of a proposal to change the status of a portion of the Municipal Reserve 3 along Army Road, Pakenham to Road Reserve abutting the Pakenham Hills Primary School
2. In the event that submissions are received, a committee comprising the Ward Councillors be appointed and the Chief Executive Officer be authorised to set the day, time and place for the hearing of such submissions;
3. That a subdivision application be lodged to remove the Municipal Reserve Status and create the road Reserve Status.

Cd.

Meeting closed at 6.23pm

Minutes Confirmed
Chairman