

5 QUARTERLY REPORT - IMPLEMENTATION OF COUNCIL RESOLUTIONS

FILE REFERENCE INT1949764

RESPONSIBLE GENERAL MANAGER David Jackson

AUTHOR Doug Evans

RECOMMENDATION

That Council note the report detailing the implementation of Council resolutions for the period April to June 2019.

Attachments

1 Council Resolutions - April - June 2019 14 Pages

EXECUTIVE SUMMARY

The attached report details all resolutions made at General and Special Council and Town Planning Committee Meetings for the quarter ended June 2019 and the actions taken to implement the decision.

BACKGROUND

One of the responsibilities of the Chief Executive officer is ensure that Council decisions are implemented without undue delay, this report is intended to inform the Council about the implementation of these decisions and provide transparency to the community regarding this.

POLICY IMPLICATIONS

Nil

RELEVANCE TO COUNCIL PLAN

This regular reporting is relevant to the Council Plan goals included in the Our Governance section, in particular:

- 5.2.1 Embrace and demonstrate effective governance and transparency, notwithstanding that on occasions, matters under consideration will be confidential.
- 5.2.2 Govern and make decisions in the best interests of the Cardinia Shire community.

CONSULTATION/COMMUNICATION

All Council staff have been consulted in the preparation of this report

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

CONCLUSION

This report is provided for the information of Councillors to provide a transparent report and provide confidence to the Council that the decisions taken are implemented in a timely manner and without undue delay.

Meeting	Subject	Resolution	Responsible Officer	Completion Date
Town Planning Committee 1/04/2019	Construction of four dwellings – 3 Goff Street Beaconsfield	Moved Cr B Owen Seconded Cr J Springfield That a Notice of Decision to Grant Planning Permit T180694 be issued for Construction of four (4) dwellings on a lot at 3 Goff Street, Beaconsfield subject to conditions	Wright, Melanie	NOD issued 02/04/2019, permit issued 01/05/2019
Council 15/04/2019	Council Plan, Strategic Resource Plan and Council Plan Actions	Moved Cr J Owen Seconded Cr J Springfield That: 1. the following changes to the council plan are adopted as draft and released for public comment: <ul style="list-style-type: none"> • Updates to the Strategic Resource Plan (SRP) to align with budget papers, • Updates to the Council Plan actions that identify key initiatives to implement the Council Plan, • Updates to the Council Plan to accurately reflect updates to the Council Plan actions, and • Updates to the Council Plan in the areas of demographic data, key activities of Council, and strategies, policies, and plans that support the Council Plan. 2. That the Council Plan be released for comment and any persons wishing to speak in support of their submission made in accordance with Section 223 of the Local Government Act 1989, be heard at a Special Meeting to be held in the Council Chamber on 27 May 2019 commencing at 7pm.	Philp, Peter	Public Notice appeared 17/04/2019
Council 15/04/2019	Proposed Budget 2019-20	Moved Cr B Owen Seconded Cr M Schilling That: 1. The Proposed Budget annexed to this resolution be the budget prepared by Council for the purposes of section 127 of the Local Government Act 1989;	Moore, Scott	Public Notice appeared 17/04/2019

		<ol style="list-style-type: none"> 2. The Chief Executive Officer be authorised to give public notice of the preparation of such budget in accordance with section 129 of the Local Government Act 1989; 3. Council hear any submission on any proposal (or proposals) contained in such budget, made in accordance with sections 129 and 223 of the Local Government Act 1989 at a Special Council Meeting to be held at 7pm on Monday 27 May 2019 in the Council Chambers, Civic Centre, 20 Siding Avenue, Officer, 3809, and 4. Council consider the adoption of the budget and the declaration and levy of rates and charges for the 2019-20 financial year at the Council Meeting to be held on Monday 17 June 2019. 		
Council 15/04/2019	Update on the Beaconsfield Parking Study	<p>Moved Cr B Owen Seconded Cr J Springfield</p> <p>That Council note the progress of the actions following the report to the December 2018 General Council meeting regarding the parking restrictions and railway station improvements at the Beaconsfield train station.</p>	Barr, Andrew	Completed 15/04/2019
Council 15/04/2019	Lease to Pakenham Auto Club - 21 Key Lane	<p>Moved Cr B Owen Seconded Cr J Springfield</p> <p>That Council enters into a lease of 21 Key Lane Pakenham to the Pakenham Auto Club Incorporated.</p> <p>The principal terms of the lease to be:</p> <ul style="list-style-type: none"> - Term 20 years - Further term 20 years - Rental \$104 pa - Rental increase Annual by 3% - Maintenance Responsibility of the tenant - Special conditions Tenant to construct all facility subject to Council approval 	Evans, Doug	Lease executed
Council 15/04/2019	Petition of residents who opposed the proposed dog park for	Moved Cr B Owen Seconded Cr M Schilling	Alexander, Kevin	Report drafted for May Council Meeting

	Toddington Avenue, Officer	Council acknowledge and receive the petition opposing the Leash Free dog area in Goldsborough Drive Reserve Officer.			
Council 15/04/2019	Contract 18/29 - Koo Wee Rup Primary & Secondary School Oval Upgrade	Moved Cr R Brown Seconded Cr J Springfield That: 1. The tender submitted by SJM Turf & Civil Pty Ltd to undertake the works associated with Contract 18/29 - Koo Wee Rup Primary & Secondary School Oval Upgrades be accepted for the contract sum of \$1,473,095.35 (excluding GST); 2. The remaining Tenderers be advised accordingly; and 3. The common seal of the Council be affixed to the contract documents.	Wilkes, Shell	Tenderers 16/04/2019	advised
Council 15/04/2019	Contract 18/02 - PB Ronald Reserve Carpark Construction & Upgrade	Moved Cr M Schilling Seconded Cr J Owen That: • That the tender submitted by R & C Asphalt Pty Ltd for Contract No. 18/02 PB Ronald Reserve Carpark Construction & Upgrade be accepted for the contract sum of \$588,117.20 (excl. GST); • Advise tenderers accordingly. • The common seal of the Council be affixed to the contract documents.	Newman, Malcolm	Tenderers 16/04/2019	advised
Council 15/04/2019	Contract 19/03 - Alma Treloar BMX & Skate design & construct	Moved Cr J Springfield Seconded Cr B Owen That: • The tender submitted by Common Ground Trails Pty Ltd to undertake the works associated with Contract 19 /03 - Alma Treloar BMX & Skate Design & Construct be accepted for the contract sum of \$350,00.00 (Excl. GST); • The remaining Tenderers be advised accordingly;	Nicholls, Thomas	Tenderers 16/04/2019	advised

			and			
			<ul style="list-style-type: none"> The common seal of the Council be affixed to the contract documents. 			
Council 15/04/2019	Contract 18/47 - Deep Creek Reserve Plant Nursery	Moved Cr B Owen Seconded Cr M Schilling	Dowber, John	Tenderers 16/04/2019	advised	
		That:	<ul style="list-style-type: none"> Council accept the revised tender sum of \$950,000.00 (excl. GST) from Insight Construction Group Pty Ltd for Contract No. 18/47 Deep Creek Reserve Nursery, Shortfall in order to deliver this project be sourced from the recent Council's savings achieved through the success of the KWR football/cricket Building Better Region Fund Round 3 grant application. The common seal of Council be affixed to the Contract documents. 			
Council 15/04/2019	Contract 18/41 - Toomuc Creek Pedestrian Bridges - North & South	Moved Cr J Springfield Seconded Cr J Owen	Dowber, John	Tenderers 16/04/2019	advised	
		That:	<ol style="list-style-type: none"> The tender submitted by Open Space Infrastructure Australia Pty Ltd to undertake the works associated with Contract 18/41 - Toomuc Creek Pedestrian Bridges - North & South be accepted for the contract sum of \$459,000.00 (excluding GST). The remaining Tenderers are advised accordingly; and The Common Seal of Council be affixed to the contract documents.. 			
Council 15/04/2019	Appointment of Councillor representatives to the Biosphere Foundation	Moved Cr R Brown Seconded Cr J Springfield	Evans, Doug	Biosphere 16/04/2019	advised	
		That Council approves the appointment of Cr. McCormack (Primary) from Frankston City Council and Cr. Whelan (Vice) from Mornington Peninsula Shire				

			Council as the Councillor representatives on the Board of the Mornington Peninsula and Western Port Biosphere Reserve Foundation Ltd.		
Town Planning Committee 6/05/2019	Variation of restrictive covenant at 33 Highland Drive, Pakenham	Moved Cr M Schilling Seconded Cr J Owen	That a Refusal to Grant Planning Permit T190026 be issued for the variation of restrictive covenant at 33 Highland Drive, Pakenham VIC 3810 for reasons set out below:	Hooper, Tara	Refusal issued 7/05/2019
			<ol style="list-style-type: none"> 1. Council cannot be satisfied that the variation of the covenant will be unlikely to cause any beneficiary of the covenant or any other person any detriment relating to: <ol style="list-style-type: none"> a) Financial loss; or b) Loss of amenity; or c) Loss arising from change to the character of the neighbourhood; or d) Any other material detriment. 2. The variation of the covenant will detrimentally affect the interests of surrounding landowners under Clause 52.02 of the Cardinia Planning Scheme. 3. The variation of the covenant is inconsistent with the orderly planning of the area. 		
Town Planning Committee 6/05/2019	Use and development of the land (in stages) for a place of worship and food & drink premises (restaurant), buildings and works within the Land Subject to Inundation Overlay, business identification signage and a reduction in car parking at L4 LP57429, 30 Tivendale Road, Officer	Moved Cr B Owen Seconded Cr C Ross	That Planning Permit T180460 be issued for the use and development of the land (in stages) for a place of worship and food & drink premises (restaurant), buildings and works within the Land Subject to Inundation Overlay, business identification signage and a reduction in car parking at L4 LP57429, 30 Tivendale Road, Officer VIC 3809 subject to conditions:	Cook, Emily	Permit issued 07/05/2019
Council 20/05/2019	Youth and Family Outreach Support Program	Moved Cr C Ryan Seconded Cr M Schilling	That Council awards the contract for the Youth and	Firth, Emma	Tenderers advised 21/05/2019

		<p>Family Outreach Support Program to TaskForce Community Agency. The initial contract term will be 1 July 2019 - 30 June 2021 with an option to extend for a further 2 years from 1 July 2021- 30 June 2023.</p> <p>The total amount of funding for the period July 2019- June 2021 is \$225K (excluding GST) The total amount of funding for the period July 2021- July 2023 is \$245K (excluding GST)</p>		
Council 20/05/2019	Council Delegations to Members of Council Staff	<p>Moved Cr C Ryan Seconded Cr M Schilling</p> <p>In exercising the powers conferred by section 98(1) of the Local Government Act 1989 and the other legislation referred to in the attached instrument of delegation, Council resolves that:</p> <ol style="list-style-type: none"> 1. Duties, functions and powers outlined be delegated to the members of Council staff holding, acting in or performing the duties of the positions referred to in the attached Instrument of Delegation to members of Council staff. The powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument. 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument. 3. On the coming into force of the instrument all previous delegations to members of Council staff under the Instrument of Delegation dated 17 September 2018 are revoked. 4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt. 	Evans, Doug	Delegations documents executed 21/05/2019
Council 20/05/2019	Draft Social Justice & Equity Policy 2019 - 2023	<p>Moved Cr M Schilling Seconded Cr L Wilmot</p> <p>That Council adopt the draft Social Justice and Equity</p>	George, Glenda	Completed 21/05/2019

Policy..																			
Council 17/06/2019	Adoption of Budget 2019-2020	Moved Cr B Owen Seconded Cr C Ross	Moore, Scott	Budget forwarded to Minister 21/06/2019															
<p>That Council having advertised the Budget for the financial year 2019-20 and considered the submissions received resolves as follows:</p> <p>1. The Budget as presented for the financial year 2019-20 be adopted, with the following amendments:</p> <ul style="list-style-type: none"> IYU Recreation Reserve Athletics Facility - brought forward three years; 																			
<table border="1"> <thead> <tr> <th>From</th> <th>to</th> <th>Amount \$</th> </tr> </thead> <tbody> <tr> <td>2022-23</td> <td>2019-20</td> <td>150,000</td> </tr> <tr> <td>2023-24</td> <td>2020-21</td> <td>3,750,000</td> </tr> <tr> <td>2024-25</td> <td>2021-22</td> <td>1,200,000</td> </tr> <tr> <td>Total</td> <td></td> <td>5,100,000</td> </tr> </tbody> </table>					From	to	Amount \$	2022-23	2019-20	150,000	2023-24	2020-21	3,750,000	2024-25	2021-22	1,200,000	Total		5,100,000
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<ul style="list-style-type: none"> Officer District Park Masterplan Implementation - deferred three years; 																			
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<ul style="list-style-type: none"> Worrell Reserve - \$234k increase in 2019-20 for high ball nets (\$36k), oval lighting (\$180k) and coaches boxes (\$18k); Officer Recreation Reserve - \$62k increase in 2019-20 for high ball nets (\$36k) and AFL goal posts (\$26k); Officer Recreation Reserve Pavilion - \$70k increase in 2019-20; 																			

- Cockatoo Community Centre - \$44k grant now Council funded;
- Fees and charges wording amendments – public event bookings and public market space hire – now ‘only for commercial or for-profit organisations’.
- The amount which Council intends to raise by general rates and the annual service charges be amended to be declared as \$96,664,763.21 and calculated as follows:
 General Rates
 \$81,264,646.21
 Garbage Charge \$12,431,592.00
 Green Waste Charge
 \$2,968,525.00
 or such further amount as is lawfully levied as a consequence of this resolution;
- Each differential rate be amended to be determined by multiplying the capital improved value of each rateable land (categorised by the characteristics described in the Budget document) by the relevant cents in the dollar of the Capital Improved Value of each property indicated in the following table:

Type	\$/CIV
Base Rate	0.002777
Agricultural Land	0.002083
Urban Rate	0.002945
Urban Vacant Land	0.006363
Urban Commercial and Industrial	0.004030
Urban Agricultural Land	0.002361
Lakeside Residential	0.003001
Lakeside Vacant Land	0.006484

2. The Chief Executive Officer be authorised to give public notice of the adoption of such budget;
3. All person that lodged submissions be thanked for their interest and a written response be forwarded to all submitters advising that the budget has been

- adopted with amendments and responding to the matters raised in their individual submissions;
4. A general rate be declared in respect of the 2019-20 financial year and that the general rate be raised by the application of differential rates;
 5. In accordance with section 4(4) of the Recreational Lands Act 1963, the amount of rates payable in respect of each of the rateable land to which that Act applies be determined by multiplying the capital improved value of that rateable land by .2083% (or 0.2083 cents in the dollar of capital improved value);
 6. That council adopt the fees and charges for 2019-20 included within the budget
 7. An annual service charge be declared in respect of 2019-20 financial year for the collection and disposal of refuse and that this charge be set at of \$283.70 for land (or part) in respect of which any annual service charge may be levied, and be based on the criterion of location within council's municipal district
 8. An annual service charge be declared in respect of 2019-20 financial year for the collection of green waste and that this charge be in the sum of \$123.16 for land (or part) supplied with a green waste collection service
 9. All rates and charges be paid in four instalments, in accordance with section 167(1) of the Local Government Act 1989;
 10. If any rates and charges are not paid by the date on which they are due, interest be paid by the person liable to pay them in accordance with section 172 of the Local Government Act 1989;
 11. The Executive Manager Office of the CEO be authorised to levy and recover the general rates, annual service charges and interest in accordance

with the Local Government Act 1989.				
Council 17/06/2019	Adoption of Council Plan and Council Plan Actions	Moved Cr L Wilmot Seconded Cr C Ross That Council 1. Adopts the attached Council Plan for the period 2019-2023 incorporating the updated Strategic Resource Plan (SRP), for the period 2019-2023. 2. Adopts the attached Council Plan Actions for the period 2019-2023	Philp, Peter	Council Plan and actions forwarded to Minister 21/06/2019
Council 17/06/2019	Road Development Program	Moved Cr B Owen Seconded Cr J Springfield That Council endorses the below roads to be included in the first package of tender documentation to seek prices for delivery; <ul style="list-style-type: none"> • Huxtable Road • Hobsons, Soldiers and McGregor Road • Bessie Creek Road • Armytage, LL and Thewlis Road • Boundary, Denhams and Main Drain Road • Dore Road • Evans Road • Mount Lyall Road 	Barr, Andrew	Tender documentation being finalised prior to calling tenders.
Council 17/06/2019	Casey Cardinia Libraries - Library Plan and Draft Budget 2019-20	Moved Cr L Wilmot Seconded Cr J Springfield That Council approves the proposed Casey Cardinia Libraries Budget 2019-20: Casey Cardinia Libraries Plan and Strategic Resource Plan 2019-2023.	Scicluna, Jenny	Library Corporation advised 18/06/2019
Council 17/06/2019	Proposed Leash Free Dog Area - Goldsborough Drive, Officer	Moved Cr B Owen Seconded Cr J Springfield That Council not proceed with the proposed leash free dog area in Goldsborough Drive Reserve Officer, and respond to the head petitioner advising them of the decision.	Alexander, Kevin	Petitioner advised 21/06/2019

Council 17/06/2019	Biodiversity Conservation Strategy 2019-29	Moved Cr J Springfield Seconded Cr C Ross	Jones, Rob	Completed 18/06/2019
		That Council adopts the Biodiversity Conservation Strategy.		
Council 17/06/2019	Weed Management Strategy 2019-29	Moved Cr L Wilmot Seconded Cr J Springfield	Sawyer, Marianne	Completed 18/06/2019
		That Council adopts the Weed Management Strategy.		
Council 17/06/2019	Collaborative Procurement for Advanced Waste Processing Solutions	Moved Cr L Wilmot Seconded Cr J Springfield	Barr, Andrew	MWRRG advised 18/06/2019
		That Council:		
		1. Supports joining the collaborative procurement for advanced waste processing solutions in 2019, facilitated by MWRRG;		
		2. Supports using a Special Purpose Vehicle to aggregate waste and to provide a viable proposition to the market and drive investment;		
		3. Provides delegated authority to the CEO to participate in establishing a Special Purpose Vehicle;		
		4. Provides delegated authority to the CEO to make necessary decisions to progress the procurement, until a binding commitment to enter into contract is required;		
		5. Notes a full-services concession contract model was identified as being the most suited contract approach and it will be further explored.		
Council 17/06/2019	Proposed Update to the Community Engagement Policy	Moved Cr L Wilmot Seconded Cr C Ross	Carter, Mark	Completed 18/06/2019
		That Council adopts the updated Community Engagement Policy.		

Council 17/06/2019	Sport Facility Standards Policy 2019	Moved Cr R Brown Seconded Cr B Owen	Casey, Michael	Completed 18/06/2019
<p>That Council adopts the 2019 Sport Facility Standards Policy and Appendix including endorsing a modified option three which will involve designing and constructing facilities in accordance with the state sporting association standards for each sport, and providing;</p>				
<p>a) 100m² of social space for all sports (not including neighbourhood facilities),</p> <p>b) 90m² of external covered viewing areas for all sports (not including neighbourhood facilities), and</p> <p>c) Up to an additional 15m² to each change room for Australian Rules football facilities</p>				
Council 17/06/2019	Bunyip Bushfire Arborist and Tree Clearing Contracts	Moved Cr L Wilmot Seconded Cr J Springfield	Evans, Doug	Completed 18/06/2019
<p>That Council:</p> <ol style="list-style-type: none"> 1. retrospectively approves entering into a contract with Total Tree Contracting for arborist works to 'make safe', dangerous trees on private property affecting by the Bunyip Bushfires for an amount of \$316,424 (includes 15% contingency for unknown costs); 2. retrospectively approves entering into a contract with Kent Excavations for tree works on Council road reserves as a result of the Bunyip Bushfires for an amount of \$598,727 3. retrospectively approves entering into a contract with Accurate Group (Aust) P/L for emergency tree works as a result of the Bunyip Bushfires for an amount of \$197,961 4. resolves that in accordance with the provisions of Section 186 (5)(a) of the Local Government Act that these contracts must be entered into because of an emergency without giving public notice of the contract 				

and inviting tenders.							
Council 17/06/2019	Microsoft Software Licensing Purchase - June 2019	Moved Cr L Wilmot Seconded Cr J Springfield	Jackson, David	Contract 18/06/2019	entered	That Council approve purchase of the Annual Maintenance Agreement with Data#3 Limited for all Microsoft software, for an amount of \$194,000.	
Council 17/06/2019	Contract 19/10 - Gembrook Leisure Park - Skate & Landscape Construction	Moved Cr L Wilmot Seconded Cr J Springfield	Nicholls, Thomas	Tenderers 18/06/2019	advised	That: 1. The tender submitted by Warrantdale Industries Pty Ltd to undertake the works associated with Contract 19/10 Gembrook Leisure Park Skate & Landscape Construction be accepted for the contract sum of \$1,245,795.84 (Excl. GST); 2. The remaining Tenderers be advised accordingly; and 3. The common seal of the Council be affixed to the contract documents.	
Council 17/06/2019	Contract 19/02 - Provision of Plant Tools Equipment and Traffic Management Hire Services	Moved Cr L Wilmot Seconded Cr J Springfield	Howard, Mark	Tenderers 18/06/2019	advised	That: 1. Council award contract CT 19/02 Provision of Plant Tools Equipment and Traffic Management Hires Services to the 14 following contractors, Accomplished Plumbing Services, Ashleys Domestic Water Cartage, Australian Traffic Control, Comar Constructions, Kennards Hire, Kent Environmental & Vegetation Management, Lincroads, Momentum Traffic Control, Pipeline Services & Equipment, Porter Plant, Sherrin Rentals, TFH Hire Services, Traffic Control Victoria and Tutt Bryant Hire, for a three-year period from 24 June 2019 to 30 June 2022 (with the option to extend the contract for a further period of up to	

			two years), in accordance with the General Conditions of Contract;			
			2. All contractors be advised accordingly.			
Council 17/06/2019	Contract 19/23 - Supply of a New Tractor	Moved Cr L Wilmot Seconded Cr J Springfield	Wood, Ben	Tenderers 18/06/2019	advised	
		That:				
		1. The proposal submitted by D&S McIntyre Family Trust trading as Darmac Ag be accepted for the supply of one Fendt 514 Profi tractor and McConnel reach arm mower as specified for the contract sum of \$247,748 (excl. GST) plus statutory charges;				
		2. Proponents are advised accordingly;				
		3. The Common seal of the Council is affixed to the Contract documents..				