

17 QUARTERLY REPORT - IMPLEMENTATION OF COUNCIL RESOLUTIONS

FILE REFERENCE INT209273

RESPONSIBLE GENERAL MANAGER Tom McQualter

AUTHOR Doug Evans

RECOMMENDATION

That Council note the report detailing the implementation of Council resolutions for the period October to December 2019.

Attachments

1 Quarterly Report - Actions 16 Pages

EXECUTIVE SUMMARY

The attached report details all resolutions made at Council and Town Planning Committee Meetings for the quarter ended December 2019 and the actions taken to implement the decision. The report also includes resolution made at earlier meetings where actions are still proceeding.

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

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.

Quarterly Council Actions report
October – December 2019 and outstanding matters.

Meeting	Subject	Resolution	Responsible Officer	Completion Date/ Action
Council 19/08/2019	Am C238 - Glismann Road Development Plan and Development Contributions Plan Authorisation Request	<p>Moved Cr B Owen Seconded Cr J Springfield</p> <p>That: Authorisation be sought from the Minister for Planning under Section 9(2) of the Planning and Environment Act 1987 to prepare and exhibit amendment C238 to the Cardinia Planning Scheme to facilitate the following in the Glismann Road Development Plan area:</p> <ul style="list-style-type: none"> • Rezone land from the Rural Living Zone (RLZ2) to the General Residential Zone (GRZ1) • Remove the amendment area from the Environmental Significance Landscape Overlay (ESO1) • Amend the Schedule to Clause 43.04 (Development Plan Overlay) to include schedule 'Glismann Road Development Plan' • Amend the Schedule to Clause 45.06 (Development Contributions Plan Overlay) to include 'Glismann Road Development Contributions Plan' • Amend Planning Scheme Maps 12, 12DCPO, 12DPO and 12ESO. <p>Council's request to seek authorisation from the Minister for Planning under Section 9(2) of the Planning and Environment Act 1987 to prepare amendment C238 to the Cardinia Planning Scheme as resolved by Council on the 15 October 2018 has</p>	Lablache, Lorna	Authorisation sought 28/8/19, still waiting for this to be provided.

Quarterly Council Actions report
October – December 2019 and outstanding matters.

		<p>now been superseded by Council's resolution of the 19 August 2019.</p> <p>Officers may make changes to the Glismann Road Development Plan (Rev. M dated 29 January 2018) (Attachment 2) that do not change the intent or direction of the plan.</p> <p>That during the formal exhibition process of the proposed planning scheme amendment, that the Minister for Education be sent a copy of previous correspondence between Council and the Minister with regards to the possible options for Beaconsfield Primary School as part of the Development Plan and planning scheme amendment process.</p>		
Council 19/08/2019	Lakeside Discovery Centre at Emerald Lake Park	<p>Moved Cr J Springfield Seconded Cr L Wilmot</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Note that the Heads of Agreement document with Emerald Tourist Railway Board has been executed, 2. Proceed with the sale of 8068 square metres of land at Emerald Lake Park, shown as Lot 1 on PS 829353T, to the Emerald Tourist Railway Board for the valuation to be set by the Victorian Valuer General to allow construction of the Lakeside Discovery Centre, 	Evans, Doug	Waiting for Valuer General's advice regarding valuation.

Quarterly Council Actions report
October – December 2019 and outstanding matters.

		<ol style="list-style-type: none"> Use the proceeds from the sale to provide improvements to both Emerald Lake Park and Puffing Billy Place Reserve in Emerald, and Note that this sale is in accordance with section 191 of the <i>Local Government Act 1989</i> (Vic). 		
Council 19/08/2019	Notice of Motion 1047 Cr Brett Owen	<p>Moved Cr B Owen Seconded Cr J Springfield That:</p> <ol style="list-style-type: none"> Council write to the Victorian Minister for Roads - The Honourable Jaala Pulford and Vic Roads to complete a new review of road safety at the intersection of Beaconsfield Emerald Road, St Georges Road and Salisbury Road, Upper Beaconsfield Respectfully request that modifications are implemented by Vic Roads in consultation with the community and Cardinia Shire Council. Council seek a delegation to Vic Roads to advocate for the above improvements. Council continue to support and assist the Upper Beaconsfield Association and interested community members to advocate for safety improvements to the intersection. 	Evans, Doug	Letter sent 27/8/19. DOT have advised that they will investigate and will contact Council to discuss matter further and arrange a joint site inspection. No further contact at this stage. A further letter will be sent in February 2020.
Council 16/09/2019	My Place Youth Facility Expansion and Relocation Project- Site Options	<p>Moved Cr M Schilling Seconded Cr J Springfield</p> <p>That Council approve the My Place Youth Facility to be built at 41 James Street Pakenham in order to meet the needs of young people, increase specialist support services locally and meet the timelines required under the Growing Suburbs Fund.</p>	Firth, Emma	<p>Funding under the Growing Suburbs has been obtained. Detailed designs to be undertaken.</p> <p>COMPLETE</p>

Quarterly Council Actions report
October – December 2019 and outstanding matters.

Council 16/09/2019	Contract No. 19/21 Comely Banks Recreational Reserve Sporting Pavilion	Moved Cr C Ryan Seconded Cr R Brown That Council: <ul style="list-style-type: none"> Award the tender for Contract No. 19/21 Comely Banks Recreational Reserve Sporting Pavilion to Dura Construction at the tender price of \$5,402,738.00 (excl. GST) including \$98,000 for Provisional items. Advise all tenderers accordingly. Seal is affixed to the relevant contract documents. 	Dowber, John	Tenderer advised 17/9/19 COMPLETE
Council 16/09/2019	Notice of Motion 1048 Cr Schilling	Moved Cr M Schilling Seconded Cr C Ryan That Council resolves to: <ul style="list-style-type: none"> Note that the Municipal Association of Victoria State Council (May 2019) and the Australian Local Government Association National General Assembly (June 2019) have both declared a climate emergency; Declare a climate emergency, in response to the overwhelming climate science which indicates rising global temperatures are putting our local economy, people, species, and ecosystems at risk. Give priority to policy and actions that will provide for both mitigation and adaptation in response to accelerating global warming and climate change. Ensure climate change adaptation and mitigation are emphasised as a key priority in the 2021-2025 council plan. 	Evans, Doug	Following actions underway <ul style="list-style-type: none"> Report templates being amended to include specific reference to 'Climate Emergency Considerations'. Tender templates and Procurement Policy being amended to include reference to climate change mitigation and adaptation criteria. Draft Council Plan to include appropriate reference. Investigation of financial institutions in progress. Climate Change Action Plan subject to allocation in 2020/2021 budget. Green Energy option being considered.

Quarterly Council Actions report
October – December 2019 and outstanding matters.

		<ul style="list-style-type: none"> Investigate the financial viability of divestment within council financing, with the aim to move away from financial institutions, which fund the fossil fuel industry. Fund a climate change action plan in the 2020-2021 budget cycle, with a focus on climate change adaptation and mitigation. Investigate the cost effectiveness in purchasing "green energy". Acknowledge the work Cardinia Shire Council has already done in the move to a zero carbon operational target, with a planned 36% reduction in community emissions. 		
Council 21/10/2019	Petition - Cardinia Primary School	<p>Moved Cr C Ross Seconded Cr C Ryan</p> <p>That Council receive and note the petition tabled at the September Council Meeting and respond to the petitioners in regard to signage and parking conditions at the School as detailed in this report</p>	Evans, Doug	<p>School Council and Principal advised of outcome and offered assistance.</p> <p>COMPLETE</p>
Council 21/10/2019	Dissolution of Toomuc Recreation Reserve Committee	<p>Moved Cr C Ryan Seconded Cr C Ross</p> <p>That the Toomuc Recreation Reserve Committee be dissolved and the members of the Committee be thanked for their service.</p>	Evans, Doug	<p>Committee disbanded, transition meetings commenced.</p> <p>COMPLETE</p>
Council 21/10/2019	Memorandum of Understanding - Metropolitan Waste and Resource Recovery Group (MWRRG) Collective Contract for Landfill Services	<p>Moved Cr C Ryan Seconded Cr C Ross</p> <p>That Council authorises the CEO to execute all required contract documents to enter into a new Landfill Services agreement subject to negotiations</p>	Kelly, Jacqui	<p>MWRRG advised.</p> <p>COMPLETE</p>

Quarterly Council Actions report
October – December 2019 and outstanding matters.

		and a satisfactory outcome to the procurement and meeting the council requisites detailed in the MOU.		
Council 18/11/2019	Off Leash Dog Areas	<p>Moved Cr M Schilling Seconded Cr B Owen</p> <p>That Council resolve to endorse the fourteen proposed off leash dog areas outlined below and advertise the areas in the Government Gazette and local newspapers.</p> <p><u>Regional Dog Off Leash Areas</u></p> <ul style="list-style-type: none"> • Toomuc Creek Linear Reserve, Pakenham. • Alma Treloar Reserve, Cockatoo. • Don Jackson Reserve, Pakenham • Cochrane Park, Koo Wee Rup. <p><u>District Dog Off Leash Areas</u></p> <ul style="list-style-type: none"> • Pepi's Land, Emerald. • Cockatoo Road Reserve, Pakenham. • Garfield Recreation Reserve, Garfield. • Tantallon Bvd Detention Basin Reserve, Beaconsfield <p><u>Neighbourhood Dog Off Leash Areas</u></p> <ul style="list-style-type: none"> • Bob Burgess Reserve, Beaconsfield. • Vantage Drive Reserve, Pakenham. • Simon Drive Reserve, Pakenham. • Ray Canobie Reserve, Pakenham. • Harris Reserve, Upper Beaconsfield. • Onyx Reserve, Officer. 	Powell, Belinda	Development of parks underway, formal resolution to declare 'off leash' areas included in February Council Meeting Agenda

Quarterly Council Actions report
October – December 2019 and outstanding matters.

Council 18/11/2019	Contract 19/01 - Parks, Gardens, Tree & Sportsfield Maintenance Including Fire Season Mowing	Moved Cr G Moore Seconded Cr J Owen That: <ul style="list-style-type: none"> Council accept the tender submitted by Citywide Services Pty Ltd (Citywide) for the provision of Parks, Gardens, Tree, and Sports Field Maintenance including Fire Season Mowing (Parts A, B1, B2, B3 and B4 - all parts of the Contract) up to the 29th of February 2024, with provision for two further terms each of four years. The Private Allotment Fire Season Mowing component shall be on a shared basis. Council accept the tender submitted by Landlinks Environmental Services Pty Ltd (Landlinks) for the provision of the Private Allotment Fire Season Mowing component of the Service (Subset Part B1) on a shared basis up to the 29th of February 2024, with provision for two further terms each of four years. All tenderers be advised accordingly, and The common seal of the Council be affixed to the contract documents 	Mannering, Stephen	Tenderers advised. COMPLETE
Council 18/11/2019	Contract 19/24 - Kenilworth Avenue Stage 2 Construction	Moved Cr B Owen Seconded Cr L Wilmot That:	Robertson, Katherine	Tenderers advised. COMPLETE

Quarterly Council Actions report
October – December 2019 and outstanding matters.

		<ul style="list-style-type: none"> The tender submitted by Streetworks Pty Ltd to undertake the works associated with Contract 19/24 - Construction of Kenilworth Avenue Stage 2 be accepted for the contract sum of \$1,001,009.67 (excl GST). The common seal of the Council be affixed to the Contract Documents. 		
Council 18/11/2019	Contract 19/28 - 2019-20 Pavement Renewal Works	<p>Moved Cr G Moore Seconded Cr J Owen</p> <p>That:</p> <ul style="list-style-type: none"> The tender submitted by Stabilised Pavement of Australia Pty Ltd to undertake the works associated with Contract 19/28 A - Pavement Renewal Works at Caldermeade Road in Caldermeade, Tynong Bayles road in Bayles, Redwood Road and Redwood Rd Service Road in Gembrook be accepted for the contract sum of \$1,701,865.20 (Excl. GST); The tender submitted by R&C Asphalt Paving Pty Ltd to undertake the works associated with Contract 19/28 B - Pavement Renewal Works on O'Neil Rd (Roundabouts at Janet Bowman Bvd and Timberside Drive /Connassidy Close), Beaconsfield and Seven Mile Road (Intersection at Bunyip River Rd To 165m South Of Whitta Lane) in Nar Nar Goon be accepted for the contract sum of 875,471.25 (Excl. GST); 	Achchige, Buddhika	<p>Tenderer advised 21/11/2019.</p> <p>COMPLETE</p>

Quarterly Council Actions report
October – December 2019 and outstanding matters.

		<ul style="list-style-type: none"> The remaining Tenderers be advised accordingly; and The common seal of the Council be affixed to the contract documents. 		
Council 18/11/2019	Contract 19/33 - Road Resealing of Various Roads	<p>Moved Cr G Moore Seconded Cr J Owen</p> <p>Achchige, Buddhika</p> <p>Tenderer advised 22/11/2019.</p> <p>That:</p> <p>COMPLETE</p> <ul style="list-style-type: none"> The tender submitted by Fulton Hogan Industries Pty Ltd to undertake the works associated with Contract 19/33 – Road Resealing of Various Roads within the Cardinia Shire Council be accepted for the contract sum of \$1,300,619.38 (excl. GST); The remaining Tenderers be advised accordingly; and The common seal of the Council be affixed to the contract documents. 		
Council 18/11/2019	Use of Local Government Funding Vehicle Interim Borrowing Facility	<p>Moved Cr G Moore Seconded Cr J Owen</p> <p>Williams, Richard</p> <p>Refinancing processed.</p> <p>That Council:</p> <ol style="list-style-type: none"> Approve the use of Local Government Funding Vehicle (LGFV) interim borrowing facility with Commonwealth Bank of Australia (CBA). Authorise the CEO, as Council's representative, to approve refinancing of the <p>COMPLETE</p>		

Quarterly Council Actions report
October – December 2019 and outstanding matters.

\$8.0m borrowed through the facility and maturing in November 2019.				
Council 18/11/2019	Notice of Motion 1050 Cr Brett Owen	<p>Moved Cr B Owen Seconded Cr M Schilling</p> <p>That Council officer's prepare a report for the February 2020 Council meeting detailing the current status of basketball in Cardinia.</p> <p>The report to include:</p> <ul style="list-style-type: none"> • Current participation rates at council's existing council basketball facilities • Occupancy of courts across the municipality's courts. • What infrastructure requirements at existing facilities is required to maximise usage • Details regarding proposed additional courts, stadium extensions and the building of new basketball facilities and there expected timeframes. <p style="text-align: right;">Cd.</p>	Evans, Doug	Report will be considered at February Council Meeting.
Council 18/11/2019	Notice of Motion 1051 Cr Brett Owen	<p>Moved Cr B Owen Seconded Cr L Wilmot</p> <p>That Council officers prepare a report for the March 2020 General Council meeting considering-</p> <ul style="list-style-type: none"> • The viability, practicability and financial costs associated with providing a satellite customer service/access to officers from appropriate council departments at the Hills Hub. • Such satellite services/access to officers could include, but not limited to customer 	Evans, Doug	Report will be presented to March Council Meeting.

Quarterly Council Actions report
October – December 2019 and outstanding matters.

		<p>service, general enquiries, ability to pay rates, planning queries, access to planners etc.</p> <ul style="list-style-type: none"> Conducting a future pilot to facilitate such an increased provision of council services/access to officers at the Hill's Hub. 		
Town Planning Committee 2/12/2019	Development of the Land for Six (6) Dwellings and Alteration of Access to a Road in a Road Zone Category 1	<p>Moved Cr J Owen Seconded Cr G Moore</p> <p>That a Notice of Decision to Grant Planning Permit T190155 be issued for the development of the land for six (6) dwellings (five (5) additional dwellings) and alteration of an access to a Road in Road Zone Category 1 at 9 Sybella Avenue, Koo Wee Rup VIC 3981 subject to conditions: (25 conditions listed).</p>	McGauley-Kennedy, Evangeline	<p>Permit approval letter sent 10/01/2020.</p> <p>COMPLETE</p>
Town Planning Committee 2/12/2019	Amendment C234 - Pakenham East Precinct Structure Plan	<p>Moved Cr G Moore Seconded Cr C Ross</p> <p>Council endorse a submission to the proposed changes to Amendment C234 by the Minister for Planning, by requesting:</p> <ol style="list-style-type: none"> The four parcels of land intersected by the electricity transmission easement remain as part of Amendment C234 and the Pakenham East Precinct Structure Plan. The four parcels of land intersected by the electricity transmission easement remain as Urban Growth Zone and the Pakenham East Precinct Structure Plan provides the opportunity and guidance in the design and development of the land, as per the discussions in this report and 	Bell, Marcelle	<p>Submission lodged, matter has been referred to a further planning panel by the Minister for Planning.</p> <p>COMPLETE</p>

Quarterly Council Actions report
October – December 2019 and outstanding matters.

		<p>3. If the land is to be designated as Farming Zone, Council respectfully requests the Minister for Planning modifies the location of the urban growth boundary to demonstrate the four parcels of land are located outside the urban growth boundary within green wedge land to provide greater certainty on its future use and development.</p> <p>4. Assurance from the Victorian Planning Authority that the Infrastructure Contributions Plan is a standard levy and there is still a surplus in the Infrastructure Contributions Plan associated with Amendment C234.</p>		
Council 9/12/2019	Cardinia Planning Scheme Amendment C241 - Public Acquisition Overlay to Facilitate Officer PSP Intersections	<p>Moved Cr B Owen Seconded Cr L Wilmot</p> <p>That Council resolve to seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C241 to the Cardinia Planning Scheme.</p>	Nichols, Michelle	<p>Request for authorisation sent 13 December 2019.</p> <p>COMPLETE</p>
Council 9/12/2019	Petition Objecting to Planning Permit Application	<p>Moved Cr B Owen Seconded Cr L Wilmot</p> <p>That the petition lodged by residents of Guys Hill objecting to a planning permit application for a telecommunications tower at 145 High Street, Guys Hill be received and noted and be considered as an objection to planning permit T190287 when this application is considered by the Council or Town Planning Committee in the New Year.</p>	Evans, Doug	<p>Petition and permit considered at 3 February 2020 Town Planning Committee.</p> <p>COMPLETE</p>

Quarterly Council Actions report
October – December 2019 and outstanding matters.

Council 9/12/2019	Contract 19/15 - Bookable Hard and Bundled Green Waste Collection Service	Moved Cr G Moore Seconded Cr L Wilmot That: 1. Council proceed to transition from a blanket hard waste collection to an at call service. 2. The scheduled of rates tender submitted by Cleanaway Pty Ltd to undertake the works associated with Contract 19/15 Bookable Hard and Bundled Green Waste Collection Service be accepted for the initial term of 5 years with 4 x 1 year extension options.	Kelly, Jacqui	Tenderers advised, new contract to commence 1 July 2020. COMPLETE
Council 9/12/2019	Contract 19/22 - Gembrook Recreation Reserve Pavilion Upgrade	Moved Cr B Owen Seconded Cr L Wilmot That Council: 1. Award the tender for Contract No. 19/22 Gembrook Recreation Reserve Pavilion Upgrade to Insight Construction Group Pty Ltd for the tender price of \$2,357,000 (excl. GST). 2. Advise all tenderers accordingly. 3. Affix the Council Seal to the relevant contract documents.	Battista, Marlene	Tenderer advised 13/12/2019. COMPLETE
Council 9/12/2019	Contract 19/27 - Kerbside Waste Collections Service	Moved Cr G Moore Seconded Cr L Wilmot That:	Kelly, Jacqui	Tenderers advised. COMPLETE

Quarterly Council Actions report
October – December 2019 and outstanding matters.

		<ol style="list-style-type: none"> 1. Cardinia Shire Council commence a Garden and Food Bin service in Oct 2020, to align with the new waste collection contract CT 19/27. 2. The schedule of rates tender submitted by Cleanaway Pty Ltd be accepted for the Kerbside Waste Collections Service CT19/27 for an initial term of 7 years with 3 x 1 year extension options. 		
Council 9/12/2019	Contract 19/29 - Pepi's Land (Emerald) Netball Pavilion Construction	<p>Moved Cr G Moore Seconded Cr L Wilmot</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Award the tender for Contract No. 19/29 (Emerald) Netball Pavilion Construction to Lloyd Group at the tender price (including offered savings) of \$1,411,928.00 (excl. GST). 2. Advise all tenderers accordingly. 3. Affix the Council Seal to the relevant contract documents. 	Kitchin, Trevor	<p>Tenderer advised 8/1/2020.</p> <p>COMPLETE</p>
Council 9/12/2019	Contract 19/32 - Supply Delivery Quarry and Civil Products	<p>Moved Cr G Moore Seconded Cr L Wilmot</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Award Contract CT 19/32 to Fulton Hogan Quarries Pty Ltd and Holcim Australia Pty Ltd for a up to a 3-year period for the Supply 	Howard, Mark	<p>Tenderers advised.</p> <p>COMPLETE</p>

Quarterly Council Actions report
October – December 2019 and outstanding matters.

		Delivery Quarry & Civil Products from 1 January 2020, in accordance with the General Conditions of Contract; and		
		2. Advise all Tenders accordingly;		
		3. Affix the Common seal of the Council to the Contract documents		
Council 9/12/2019	Contract 19/34 - Supply and Delivery of Heavy Trucks	Moved Cr G Moore Seconded Cr L Wilmot That Council:	Wood, Ben	Tenderers advised. COMPLETE
		1. Accept the proposal submitted by CMV Truck and Bus Pty Ltd (Volvo dealer) through Procurement Australia (ref 1908-0905) to purchase six off heavy rigid trucks fitted with suitable bodies at a total cost of \$1,868,330.00 (excl. GST) plus statutory charges, with delivery over up to 12 months be accepted.		
		2. Accept the proposal submitted by CMV Truck and Bus Pty Ltd (Volvo dealer) under MAV Australia Panel arrangement NPN04-13 Trucks for the purchase of up to two prime movers at a total cost of \$416,454.54 (excl. GST) plus statutory charges, with delivery over up to 12 months be accepted.		
		3. Advise all proponents accordingly;		

Quarterly Council Actions report
October – December 2019 and outstanding matters.

		4. Affix the common seal of the Council to the Contract documents where appropriate.		
Council 9/12/2019	Contract 19/36 - Gembrook Netball Court Construction	Moved Cr B Owen Seconded Cr L Wilmot That: 1. The tender submitted by AS Lodge Pty Ltd to undertake the works associated with Contract 19/36 Gembrook Netball Court Construction be accepted by Council for the contract sum of \$504,580.00 (Excl. GST); 2. Council advise the remaining Tenderers accordingly; and 3. The common seal of the Council be affixed to the contract documents.	Nicholls, Thomas	Tenderers advised. COMPLETE