

## 6.5.2 Quarterly Resolutions Report January - March 2022

**Responsible GM:** Debbie Tyson  
**Author:** Doug Evans

### Recommendation(s)

That Council note the report detailing implementation of Council resolutions for the period January to March 2022.

### Attachments

1. Quarterly Resolutions report April 2022 [6.5.2.1 - 18 pages]

### Executive Summary

The attached report details all resolutions made for the period January to March 2022, with one matter still in progress from the meeting held in October last year. It includes the actions taken to implement the decisions.

The report does not include matters listed for noting.

### Background

The Chief Executive Officer is responsible for ensuring that Council decisions are implemented without undue delay and, when requested, to report to Council in respect of the implementation of these decisions.

The attached report informs the Council about the implementation of these decisions and provides transparency to the community regarding this.

### Policy Implications

This regular report is in keeping with the Governance Rules.

### Relevance to Council Plan

#### 5.1 We practise responsible leadership

5.1.1 Build trust through meaningful community engagement and transparent decision-making.

### Climate Emergency Consideration

There are no Climate Emergency considerations in regard to this report.

### Consultation/Communication

All relevant staff have been consulted in regard to this report.

### Financial and Resource Implications

There are no financial considerations associated with this matter.

**Conclusion**

This report is provided for the information of Councillors to provide transparency regarding the implementation of Council decisions and provide confidence to the Council that the decisions are implemented without undue delay.

## Quarterly Resolutions Report January – March 2022

Meeting	Item No.	Item	Status	Resolution	Action Taken
Council Meeting 18/10/2021	6.1.8	Response to petition requesting public toilet at Eastone Reserve	In progress	<p>That Council:</p> <ul style="list-style-type: none"> <li>Notes the request, through the submission of a petition by the Cardinia Lakes Early Learning Centre (ELC), for the installation of a new public amenity at Cardinia Lakes (Eastone Reserve). and</li> <li>Consult and work in conjunction with the Cardinia Lakes Resident Association, in seeking appropriate community feedback, to determine need and evidence for a new public amenity at Cardinia Lakes (Eastone Reserve).</li> </ul>	<p>Responded to petitioner, Buildings &amp; Facilities team undertaking investigations into potential sites for new facility.</p> <p>Consultation with Cardinia Lakes resident's group commenced.</p>
Council Meeting 21/02/2022	6.1.1	Planning Scheme Amendment C268 - 49 Garfield Road, Garfield	In progress	<ol style="list-style-type: none"> <li>That Council resolve to seek the authorisation of the Minister for Planning under Section 8A(2) of the <i>Planning and Environment Act 1987</i> to prepare Amendment C268card to the Cardinia Planning Scheme to: <ul style="list-style-type: none"> <li>Rezone part of the land at 49 Garfield Road, Garfield from Low Density Residential Zone – Schedule 2 (LDRZ2) to Low Density Residential Zone – Schedule 3 (LDRZ3).</li> <li>Rezone part of the land at 49 Garfield Road, Garfield from Low Density Residential Zone – Schedule 2 (LDRZ2) to Green Wedge Zone – Schedule 1 (GWZ1).</li> <li>generally in accordance with Attachment 1.</li> </ul> </li> <li>That Council consider Planning Application No. T190104 for: <ul style="list-style-type: none"> <li>Staged subdivision of the subject land into low density residential lots</li> <li>Removal of native vegetation</li> <li>Removal of easements</li> <li>Creation of restrictions on the plan of subdivision.</li> <li>concurrently with Amendment C268card under Section 96A of the <i>Planning and Environment Act 1987</i>.</li> </ul> </li> <li>That Council, subject to receiving the authorisation of the Minister for Planning, gives notice of Amendment C268card and Proposed Planning</li> </ol>	<p>Authorisation sought 22/02/2022 and proponent advised.</p>

Meeting	Item No.	Item	Status	Resolution	Action Taken
				<p>Permit T190104 containing conditions generally in accordance with Attachment 2, under Section 96C of the <i>Planning and Environment Act 1987</i>.</p> <p>4. That the proponent be advised of Council’s decision.</p>	
	6.2.1	Appointment of Committee Members to Yannathan Hall and Lilypond House Community Centre Community Asset Committees	Completed	<p>That Council:</p> <p>1. Make the following appointments to the Yannathan Hall Community Asset Committee under Section 65 of the Local Government Act (2020):</p> <ul style="list-style-type: none"> <li>• Matthew Coleman      President</li> <li>• Kevin Kitchin          Vice President</li> <li>• Noel Campbell          Secretary</li> <li>• Evan Campbell          Treasurer</li> <li>• Jenny Liebe              Bookings Officer</li> <li>• Stephen Kent            Committee member</li> <li>• Ann Campbell           Committee member</li> <li>• Brian Pitman            Committee member</li> <li>• Loris Milner             Committee member</li> <li>• Val Williams            Committee member</li> <li>• Calvin Coghlan         Committee member</li> <li>• Andrew Liebe           Committee member</li> </ul> <p>2. Make the following appointments to Lilypond House Community Centre Community Asset Committee under Section 65 of the Local Government Act (2020):</p> <ul style="list-style-type: none"> <li>• Peter Frenken            President</li> <li>• Jayde Frenken          Secretary</li> <li>• Jim Stone                Treasurer</li> <li>• Kelly Parry              Bookings Officer</li> <li>• Karyn Frenken          Committee member</li> </ul>	Both committees emailed and advised 22/02/2022.

Meeting	Item No.	Item	Status	Resolution	Action Taken
	6.2.2	Sealing the Hills - Old Gembrook Road, Emerald Catchment Special Charge Scheme	In progress	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Acknowledge the majority landowner support as set out in this report to contribute to the construction of Old Gembrook Road, Durban Road and Sherriff Road, Emerald, (as shown in attachment 2), including sealed pavement, kerb &amp; channel and associated drainage and incidental works;</li> <li>2. approve the assessment of the benefit ratio for the proposed special rate and charge scheme as set out in attachment 3 of this report.</li> <li>3. Adopt the proposed area of the scheme and method of apportionment as set out in attachments 2 and 4 respectively.</li> <li>4. Give notice of intention to declare a special charge scheme in accordance with the proposed declaration set out in attachment 5 to fund the construction of Old Gembrook Road, Durban Road and Sherriff Road, Emerald.</li> <li>5. Consider the declaration (attachment 5) at its meeting of 16th May, 2022, or such later date as necessary.</li> <li>6. Appoint the Mayor and/or ward Councillor and/ General Manager Infrastructure and Environment as a Council committee with a quorum of one to consider submissions received to Section 223 of the Local Government Act with respect to this scheme.</li> <li>7. Authorise the General Manager Infrastructure and Environment to determine the administrative arrangements to enable submissions to be heard and considered.</li> <li>8. Approve the public notice as set out in attachment 6 to be advertised in the Pakenham-Berwick Gazette and Hills Trader as newspapers that service the area.</li> </ol>	Public notice given and notices forwarded to all participants of scheme 28/02/2022.
	6.2.3	Outcome of Review of Expense Claims	In progress	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Note that the Local Government Inspectorate following assessment of a number of expense claims submitted by Cr Collin Ross have concluded that there is insufficient evidence of a breach of the Local Government Act 189 or Crimes Act 1958.</li> </ol>	Report listed for consideration at April Council meeting.

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				2. Consider the recommended amendments to the 'Claim for Travel Expenses' form contained within the Councillor Expenses Policy as recommended by the Inspectorate at a future meeting.	
	6.2.4	Casey Cardinia Foundation	Completed	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notes the report with information about the Casey Cardinia Foundation and the strategic review that has been undertaken.</li> <li>2. Notes the decision by City of Casey to withdraw from involvement with the Casey Cardinia Foundation</li> <li>3. Supports the transition of the Casey Cardinia Foundation to a Cardinia Foundation and write to the chair encouraging the legal transition take effect as soon as possible.</li> <li>4. Supports a medium to long term growth agenda for the newly formed Cardinia Foundation and agrees in principle to provide financial support for the first five years of the Cardinia Foundation.</li> <li>5. Refers \$120,000 per year for the next five years to the 22/23 budget process for consideration.</li> </ol>	Chairman of Foundation advised in writing 1 March 2022.
	6.2.5	Response to Petition Requesting the Closure of Pinehill Drive at the end of Ryan Road, Pakenham	In progress	<p>That Council:</p> <p>Notes the requests, through the submission of a petition by the residents of Pinehill Drive Pakenham for:</p> <ul style="list-style-type: none"> <li>• the permanent closure of Pinehill Drive at the end of Ryan Road, Pakenham</li> <li>• the permanent closure of two driveways from the compulsory acquired properties no: 38A and 44 Pinehill Drive</li> <li>• the total re-development of Ryan Road, including the closure of Pinehill Drive, to be funded by Level Crossing Removal Projects (LXRP) and the Victorian Government.</li> </ul> <p>Investigate and work in conjunction with the residents of Pinehill Drive, and LXRP to ensure residents of Pinehill Drive are not adversely affected through the level crossing removal project which includes the construction of the new East Pakenham Railway Station.</p>	Ongoing discussions being held with LXRP.
	6.2.6	Beaconsfield	Completed	That Council:	DELWP again requested to

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		Reservoir		<ol style="list-style-type: none"> <li>1. Note the officers report.</li> <li>2. Highly commends the work that the Cardinia Environment Coalition has undertaken in managing the reserve and continue to advocate for ongoing recurrent funding for their Park Management activities.</li> <li>3. Advocate for the State Government to assign the Park Manager role to a State Government Agency.</li> <li>4. Advocate for the enhancement for recreational assets that creates opportunity for the community to experience the high value natural environment.</li> <li>5. Continue to advocate to DELWP to fund the development of a long-term strategic plan for the reserve.</li> <li>6. Acknowledge the community correspondence received by council supporting the preservation of the dam in its current state.</li> <li>7. Request that Melbourne Water continue to engage with the community and explain the rationale for the selecting the a partial decommissioning option.</li> </ol>	fund strategic plan, Melbourne Water have agreed to additional community consultation that is occurring.
	6.3.1	Review of Leasing and Licensing Policy	Completed	That Council endorse the updated Cardinia Shire's Lease and Licence Policy.	Notified all user of the policy that it has been updated and arranged for it to be updated on the website - 23/02/2022.
	6.3.2	Open Air Fires -Local Law 20	In progress	That this matter be deferred for further consideration at the March Council Meeting	Report considered at March Meeting and deferred.
	6.4.2	Facility Management and Maintenance Extension of Term	Completed	That Council approves the proposed extension period as per the Deed of Variation, from June 2022 until 30 June 2023, for the Facility Management and Maintenance Contract with Campeyn Group P/L.	Contract extension in place.

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	10.1	Notice of Motion 1072 - Cr Ross	Completed	That Council: <ul style="list-style-type: none"> <li>invites the relevant ward Councillor/s to attend and participate in any announcements made by state and federal Ministers or MPs, and Council organised events and openings that pertain to his/her ward where it is practicable to do so.</li> <li>the invitation be extended as early as possible to enable attendance.</li> </ul>	Protocol in place throughout organization.
Town Planning Committee 07/03/2022	5.1	T200713 PA - Development of the Land for a Habitable Outbuilding and Development of the Land for a Non-Habitable Outbuilding (Carport) at 21 Ford Rd, Emerald	Completed	That Council refuse to grant Planning Permit T200713 for the development of the land for a habitable outbuilding and non-habitable outbuilding (carport) at PC362011, 21 Ford Road, Emerald VIC on the following grounds: <ol style="list-style-type: none"> <li>The application does not comply with relevant State and Local planning policies in relation to the protection and preservation of agricultural land.</li> <li>The application does not comply with relevant State and Local planning policies in relation to the maintenance and enhancement of the landscape.</li> <li>The application does not comply with the environmental objectives of the Significant Landscape Overlay – Schedule 1.</li> <li>The application does not comply with the environmental objectives of the Environmental Significance Overlay – Schedule 1.</li> <li>The application does not comply with the relevant considerations of Clause 65 Decision Guidelines, including the purpose of the zones and overlays and the orderly planning of the area.</li> </ol>	Refusal issued 21/03/2022.
	5.2	T210617 PA - Use and Development of the Land for a Telecommunications Facility and	Completed	That Council issue a Notice of Decision to Grant a Permit for the use and development of the land for a Telecommunications Facility at L1 TP142357, 1015 Manks Road, Dalmore VIC 3981, subject to the following conditions (13 conditions listed)	NOD issued 21/03/2022.



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		Associated Works at 1015 Manks Rd, Dalmore																																							
Council Meeting 21/03/2022	6.2.1	Appointment of Community Asset Committees for Recreation Reserves	Completed	<p>That Council:</p> <p>1. Appoint the following persons to the respective recreation reserve Community Asset Committees appointed by Cardinia Shire Council in accordance with the Local Government Act 2020.</p> <p>Cardinia Recreation Reserve</p> <table data-bbox="840 678 1243 933"> <tr><td>President</td><td>Chris Beard</td></tr> <tr><td>Vice President</td><td>Bill Orr</td></tr> <tr><td>Secretary</td><td>Liz Bergmeier</td></tr> <tr><td>Treasurer</td><td>John Adlam</td></tr> <tr><td>Committee Member</td><td>Rudy de Jong</td></tr> <tr><td>Committee Member</td><td>David Young</td></tr> <tr><td>Committee Member</td><td>Luke Turner</td></tr> <tr><td>Committee Member</td><td>Bradey Welsh</td></tr> </table> <p>Chandler Reserve</p> <table data-bbox="840 997 1288 1189"> <tr><td>Co-President</td><td>Rod Smith</td></tr> <tr><td>Co-President</td><td>Mark Pedder</td></tr> <tr><td>Secretary</td><td>Geoff McKimmie</td></tr> <tr><td>Treasurer</td><td>Judy Strong</td></tr> <tr><td>Committee Member</td><td>Steve Livermore</td></tr> <tr><td>Committee Member</td><td>Brad Bishop</td></tr> </table> <p>Lang Lang Community Recreation Reserve</p> <table data-bbox="840 1252 1265 1380"> <tr><td>President</td><td>Dave McLean</td></tr> <tr><td>Secretary</td><td>Laura Healy</td></tr> <tr><td>Treasurer</td><td>Geoff Pickering</td></tr> <tr><td>Committee Member</td><td>Wendy Thom</td></tr> </table>	President	Chris Beard	Vice President	Bill Orr	Secretary	Liz Bergmeier	Treasurer	John Adlam	Committee Member	Rudy de Jong	Committee Member	David Young	Committee Member	Luke Turner	Committee Member	Bradey Welsh	Co-President	Rod Smith	Co-President	Mark Pedder	Secretary	Geoff McKimmie	Treasurer	Judy Strong	Committee Member	Steve Livermore	Committee Member	Brad Bishop	President	Dave McLean	Secretary	Laura Healy	Treasurer	Geoff Pickering	Committee Member	Wendy Thom	Committees appointed 24/03/2022.
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				<p>Committee Member Sam Loughridge                      Committee Member Max Papley                      Committee Member Andrew Bullen                      Committee Member Keith Halden                      Committee Member Joe Giacco                      Committee Member Stuart Casey                      Committee Member Carolyn Wainwright</p> <p>Worrell Reserve                      President Kris Strong                      Secretary Howard Winter                      Treasurer Neil Burns                      Committee Member Chris Beardhaw                      Committee Member Gary Campbell                      Committee Member Jamie Grace                      Committee Member Claude Cullino</p> <p>2. Thanks all Committee members for their valuable contribution to the management of community recreation reserves.</p> <p>.</p>	
	6.2.2	Sealing the Hills - Burton Road, Morris Road and Young Street Upper Beaconsfield	Completed	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. That Council notes that following the issue of the Notice of Decision by Council to declare a special charge scheme on the 13 December, 2021, to part fund the construction of Burton Road, Morris Road and Young Street, Upper Beaconsfield, three submissions were received within the prescribed 28 day period. Details of the submissions are included in attachment 5 to this report.</li> <li>2. That a special charge in accordance with Section 163 of the Local Government, 1989 ('the Act') be declared as follows:                             <ol style="list-style-type: none"> <li>a) A special charge is declared for a period until the works have been completed and the scheme finalised.</li> </ol> </li> </ol>	Scheme participants advised accordingly.

Meeting	Item No.	Item	Status	Resolution	Action Taken
				<p>b) The special charge be declared for the purposes of defraying any expenses incurred by Council in relation to the construction of Burton Road, Morris Road and Young Street, Upper Beaconsfield including sealed road pavement, kerb &amp; channel and associated drainage and incidental works. Council considers that these works will be of special benefit to those persons required to pay the special charge, (and who are described in succeeding parts of this resolution).</p> <p>c) The special benefit accruing to those properties to be levied is considered to include improved access, improved amenity and appearance, improved roadside drainage, reduced mud and dust, reduced erosion and lessened nuisance.</p> <p>d) The following be specified as the area for which the special charge is declared:</p> <ul style="list-style-type: none"> <li>• All those properties described in attachment 4 of this report and as highlighted on the plan included as attachment 2.</li> </ul> <p>e) The following be specified as the land in relation to which the special charge is declared:</p> <ul style="list-style-type: none"> <li>• All properties described in attachment 4 of this declaration.</li> </ul> <p>f) The following be specified as the criteria which form the basis of the special charge so declared:</p> <ul style="list-style-type: none"> <li>• Those properties fronting, abutting or adjacent to the works.</li> </ul> <p>g) The following be specified as the manner in which the special charge so declared will be assessed and levied:</p> <ul style="list-style-type: none"> <li>• Existing lots, either developed or vacant, that gain, or will gain, primary (vehicular) access from a road being constructed would generally be required to contribute one benefit unit.</li> <li>• Existing lots, either developed or vacant, with side or rear abuttal to a road being constructed would generally be required to contribute one half benefit unit.</li> <li>• Existing lots, either developed or vacant, that gain, or will gain, primary access and also have side or rear abuttal to</li> </ul>	

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				<p>roads being constructed would generally be required to contribute one benefit unit.</p> <ul style="list-style-type: none"> <li>• Existing lots that have the potential to be further subdivided or developed may be allocated a multiple development benefit unit charge.</li> <li>• The special charge will be levied by sending a notice to the person who is liable to pay, pursuant to Section 163 (4) of the Local Government Act, 1989.</li> </ul> <p>h) The total cost of the works is the amount shown in attachment 4 of this report estimated at \$2,235,600.</p> <p>i) The total amount of the special charge to be levied is the amount shown in attachment 4 of this report estimated at \$364,000.</p> <p>j) Having regard to the proceeding parts of this resolution but subject to Sections 166(1) and 167(6) of the Local Government Act, 1989, it is recorded that:</p> <p>i) The owners of the land described in columns A and B of the table in attachment 4 are estimated liable for the respective amounts set out in column F of the table in attachment 4 and;</p> <p>ii) Such owners may, subject to any further resolution of Council pay the special charge in the following manner:</p> <ul style="list-style-type: none"> <li>a. The charge will become due and payable within one month of the issue of the notice requesting payment pursuant to Section 167(3) of the Local Government Act, 1989.</li> <li>b. The charge may be paid by: <ul style="list-style-type: none"> <li># Lump sum within one month of the issue of the notice without incurring interest, or</li> <li># Quarterly instalments of principal and interest over a period of up to seven years.</li> </ul> </li> <li>c. Interest will not be charged for three months after the issue of the notice provided the person liable makes timely payment in accordance with the payment arrangements that may be agreed on by Council.</li> </ul>	

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				<p>d. In accordance with Sections 167(6)(b) and 172 of the Act, the rate of interest which is payable on instalments is set at the 180 day bank bill rate as published in the Australian Financial Review plus one percent and reviewed every three months, (provided that it will not exceed the rate fixed by the Governor in Council by order of the purposes of Section 172(2A) in which case the rate of interest shall be the maximum rate fixed by the Governor in Council by order for the purposes of this section).</p> <p>k) There are no incentives for prompt payment, rebates or concessions associated with this special charge.</p>	
	6.2.3	Sealing the Hills - Station Catchment (Cockatoo) Special Charge Scheme	Completed	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. That Council notes that following the issue of the notice of decision by Council to declare a special charge scheme on 13 December 2021, to part fund the construction of Baker Street, Glen Road, Station Road, Garden Street-Cockatoo, one submission was received by Council in the prescribed 28-day submission period following advertising this decision. Details of the submissions are outlined in attachment 5 to this report.</li> <li>2. That a special charge in accordance with Section 163 of the Local Government, 1989 (the Act) be declared as follows:               <ol style="list-style-type: none"> <li>a. A special charge is declared for a period until the works have been completed and the scheme finalised.</li> <li>b. The special charge be declared for the purposes of defraying any expenses incurred by Council in relation to the construction of Baker Street, Glen Road, Station Road and Garden Street, Cockatoo including sealed road pavement, kerb &amp; channel and associated drainage and incidental works. Council considers that these works will be of special benefit to those persons required to pay the special charge, (and who are described in succeeding parts of this resolution).</li> <li>c. The special benefit accruing to those properties to be levied is</li> </ol> </li> </ol>	Scheme participants advised accordingly.

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				<p>considered to include improved access, improved amenity and appearance, improved roadside drainage, reduced mud and dust, reduced erosion, and lessened nuisance.</p> <p>d. The following be specified as the area for which the special charge is declared:</p> <p>i. All those properties described in attachment 4 of this report and as highlighted on the plan included as attachment 2.</p> <p>e. The following be specified as the land in relation to which the special charge is declared:</p> <p>i. All properties described in attachment 4 of this declaration.</p> <p>f. The following be specified as the criteria which form the basis of the special charge so declared:</p> <p>i. Those properties fronting, abutting or adjacent to the works.</p> <p>g. The following be specified as the way the special charge so declared will be assessed and levied:</p> <p>i. Existing lots, either developed or vacant, that gain, or will gain, primary (vehicular) access from a road being constructed would generally be required to contribute one benefit unit.</p> <p>ii. Existing lots, either developed or vacant, with side or rear abuttal to a road being constructed would generally be required to contribute one half benefit unit.</p> <p>iii. Existing lots, either developed or vacant, that gain, or will gain, primary access and have side or rear abuttal to roads being constructed would generally be required to contribute one benefit unit.</p> <p>iv. Existing lots that have the potential to be further subdivided or developed may be allocated a multiple development benefit unit charge.</p> <p>v. The special charge will be levied by sending a notice to the person who is liable to pay, pursuant to Section 163 (4) of the Local Government Act, 1989.</p>	

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				<ul style="list-style-type: none"> <li>h. The total cost of the works is the amount shown in attachment 4 of this report estimated at \$2,535,750.</li> <li>i. The total amount of the special charge to be levied is the amount shown in attachment 4 of this report estimated at \$609,000.</li> <li>j. Having regard to the proceeding parts of this resolution but subject to Sections 166(1) and 167(6) of the Local Government Act, 1989, it is recorded that:                             <ul style="list-style-type: none"> <li>i. The owners of the land described in columns A and B of the table in attachment 4 are estimated liable for the respective amounts set out in column F of the table in attachment 4 and;</li> <li>ii. Such owners may, subject to any further resolution of Council pay the special charge in the following manner:                                     <ul style="list-style-type: none"> <li>- The charge will become due and payable within one month of the issue of the notice requesting payment pursuant to Section 167(3) of the Local Government Act, 1989.</li> <li>- The charge may be paid by:   <ul style="list-style-type: none"> <li>Lump sum within one month of the issue of the notice without incurring interest, or</li> <li>Quarterly instalments of principal and interest over a period of up to seven years.</li> </ul> </li> <li>- Interest will not be charged for three months after the issue of the notice provided the person liable makes timely payment in accordance with the payment arrangements that may be agreed on by Council.</li> <li>- In accordance with Sections 167(6)(b) and 172 of the Act, the rate of interest which is payable on instalments is set at the 180 day bank bill rate as published in the Australian Financial Review plus one percent and reviewed every three months, (provided that it will not exceed the rate fixed by the Governor in Council by order of the purposes of Section 172(2A) in which case the rate of interest shall be the maximum rate fixed by the Governor in Council by order for</li> </ul> </li> </ul> </li> </ul>	

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				<p>the purposes of this section).</p> <p>There are no incentives for prompt payment, rebates or concessions associated with this special charge.</p>	
	6.2.4	Declaration of Special Charge Scheme - Russell-Blackwood catchment	Completed	<ol style="list-style-type: none"> <li>1. That Council notes that following the issue of the notice of decision by Council to declare a special charge scheme on 13 December 2021, to part fund the construction of Blackwood Lane, Redwood Road (service lane), Gembrook Road (service lane) and Russell Road Gembrook, no submissions were received by Council in the prescribed 28 day submission period following advertising this decision</li> <li>2. That a special charge in accordance with Section 163 of the Local Government, 1989 (the Act) be declared as follows:                         <ol style="list-style-type: none"> <li>a. A special charge is declared for a period until the works have been completed and the scheme finalised.</li> <li>b. The special charge be declared for the purposes of defraying any expenses incurred by Council in relation to the construction of Blackwood Lane, Redwood Road (service lane), Gembrook Road (service lane) and Russell Road Gembrook including sealed road pavement, kerb &amp; channel and associated drainage and incidental works. Council considers that these works will be of special benefit to those persons required to pay the special charge, (and who are described in succeeding parts of this resolution).</li> <li>c. The special benefit accruing to those properties to be levied is considered to include improved access, improved amenity and appearance, improved roadside drainage, reduced mud and dust, reduced erosion and lessened nuisance.</li> <li>d. The following be specified as the area for which the special charge is declared:                                 <ol style="list-style-type: none"> <li>i. All those properties described in attachment 4 of this report and as highlighted on the plan included as attachment 2.</li> </ol> </li> <li>e. The following be specified as the land in relation to which the special charge is declared:                                 <ol style="list-style-type: none"> <li>i. All properties described in attachment 4 of this declaration.</li> </ol> </li> </ol> </li> </ol>	Scheme participants advised accordingly



Meeting	Item No.	Item	Status	Resolution	Action Taken
				<ul style="list-style-type: none"> <li>f. The following be specified as the criteria which form the basis of the special charge so declared:                             <ul style="list-style-type: none"> <li>i. Those properties fronting, abutting or adjacent to the works.</li> </ul> </li> <li>g. The following be specified as the manner in which the special charge so declared will be assessed and levied:                             <ul style="list-style-type: none"> <li>i. Existing lots, either developed or vacant, that gain, or will gain, primary (vehicular) access from a road being constructed would generally be required to contribute one benefit unit.</li> <li>ii. Existing lots, either developed or vacant, with side or rear abuttal to a road being constructed would generally be required to contribute one half benefit unit.</li> <li>iii. Existing lots, either developed or vacant, that gain, or will gain, primary access and also have side or rear abuttal to roads being constructed would generally be required to contribute one benefit unit.</li> <li>iv. Existing lots that have the potential to be further subdivided or developed may be allocated a multiple development benefit unit charge.</li> <li>v. The special charge will be levied by sending a notice to the person who is liable to pay, pursuant to Section 163 (4) of the Local Government Act, 1989.</li> </ul> </li> <li>h. The total cost of the works is the amount shown in attachment 4 of this report estimated at \$1,989,500.</li> <li>i. The total amount of the special charge to be levied is the amount shown in attachment 4 of this report estimated at \$ 343,000.00.</li> <li>j. Having regard to the proceeding parts of this resolution but subject to Sections 166(1) and 167(6) of the Local Government Act, 1989, it is recorded that:                             <ul style="list-style-type: none"> <li>i. The owners of the land described in columns A and B of the table in attachment 4 are estimated liable for the respective amounts set out in column F of the table in attachment 4 and;</li> <li>ii. Such owners may, subject to any further resolution of Council</li> </ul> </li> </ul>	

Meeting	Item No.	Item	Status	Resolution	Action Taken
				<p>pay the special charge in the following manner:</p> <ul style="list-style-type: none"> <li>- The charge will become due and payable within one month of the issue of the notice requesting payment pursuant to Section 167(3) of the Local Government Act, 1989.</li> <li>- The charge may be paid by:                             <ul style="list-style-type: none"> <li>Lump sum within one month of the issue of the notice without incurring interest, or</li> <li>Quarterly instalments of principal and interest over a period of up to seven years.</li> </ul> </li> <li>- Interest will not be charged for three months after the issue of the notice provided the person liable makes timely payment in accordance with the payment arrangements that may be agreed on by Council.</li> <li>- In accordance with Sections 167(6)(b) and 172 of the Act, the rate of interest which is payable on instalments is set at the 180 day bank bill rate as published in the Australian Financial Review plus one percent and reviewed every three months, (provided that it will not exceed the rate fixed by the Governor in Council by order of the purposes of Section 172(2A) in which case the rate of interest shall be the maximum rate fixed by the Governor in Council by order for the purposes of this section).</li> </ul> <p>k. There are no incentives for prompt payment, rebates or concessions associated with this special charge.</p>	
	6.2.5	Response to Petition regarding the Garfield Township Strategy	Completed	<p>That Council:</p> <ul style="list-style-type: none"> <li>• Notes the petition received from the Garfield Action Group.</li> <li>• Notes that funding for the review of the Garfield Township Strategy will be considered by Council in the preparation of its 22/23 FY budget.</li> <li>• Notes that development of the Garfield Township Strategy will require and include community engagement. All feedback will be</li> </ul>	Head petitioner advised accordingly.

Meeting	Item No.	Item	Status	Resolution	Action Taken
				<p>considered by Council prior to finalisation of the Strategy.</p> <ul style="list-style-type: none"> <li>• Notes that the two planning applications referred to in the submission will be assessed in accordance with the Planning Scheme under the current legislative controls.</li> <li>• Thanks the head petitioner for submitting the petition and requests Council Officers write to the head petitioner informing them of Council’s resolution.</li> </ul>	
	6.2.6	Pakenham LXP - Community Asset Upgrades	Completed	<p>That Council:</p> <ul style="list-style-type: none"> <li>• delegates the Chief Executive Officer (CEO), on behalf of Council, to negotiate and approve the scope of improved community assets that form part of the Level Crossing Removal Project (LXP) project, with the LXP project authority.</li> <li>• Notes the principles for the improved community assets that will inform the negotiations include the following:                             <ul style="list-style-type: none"> <li>○ Value for money.</li> <li>○ Needed in the community.</li> <li>○ Consistent with feedback from community about the project and open space in Cardinia.</li> <li>○ Consistent with the existing and future aspirations of the Pakenham Major Activity Centre, other Council policies, strategies, and Council’s Vision for the project.</li> <li>○ Will not present an extraordinary maintenance burden into the future.</li> </ul> </li> </ul>	Negotiations commenced.
	6.3.1	Open Air Fires - Local Law 20	In progress	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. That Council amend the proposed Local Law 20 – Open Air Fires Local Law (ver4.10), to substitute the Beaconsfield detail map (page 34) with the map labelled Attachment BO-1, to amend the zoning of properties to the north of Holm Park Rd, Beaconsfield, and to amend the commencement date.</li> <li>2. That Council undertake further consultation regarding the amendment with affected persons, in accordance with Section 73(6)</li> </ol>	Matter to be listed for April Council meeting.

Meeting	Item No.	Item	Status	Resolution	Action Taken
				<p>of the Local Government Act</p> <p>3. That the results of the consultation, and the proposed Local Law be considered further at a future Council meeting.</p>	
	6.4.1	Supply & Implementation of a SaaS based Financial Management System - Tender CT021-025	Completed	<p>That Council accepts the tender submitted by TechnologyOne Limited for:</p> <ol style="list-style-type: none"> <li>1. Implementation fees \$463,327</li> <li>2. Ongoing operational SaaS fees as determined within operational budgetary constraints, for year 2 to 5 of \$618,635pa., increased each year in line with CPI</li> <li>3. For a period of five years plus three optional extensions of two years each at the sole discretion of Council.</li> </ol> <p>There are adequate funds over the life of the contract in the current Budget 2021-22 and draft Financial Plan 2022-32 to award these contract works and the evaluation panel is confident in this Company's ability to complete the contract within the specified timeframes.</p>	Tenderer advised.
	6.4.2	Princes Highway Intersection Upgrades, Officer	Completed	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Accept the following tenders submitted by Negri Contractors Pty Ltd, subject to additional Federal Government funding for:                             <ol style="list-style-type: none"> <li>a) Contract 21-034, Princes Highway/Bayview Rd intersection, \$8,759,611.49 (exc GST)</li> <li>b) Contract 21-036, Princes Hwy/Station St/Tivendale Rd Intersection, \$7,403,519.83 (exc GST)</li> </ol> </li> <li>2. Advise the remaining Tenderers accordingly</li> </ol>	Tenderers advised.