

Ordinary Council Meeting

Minutes

Monday 20 February 2023

Commenced at 7:00 PM

Council Chambers
20 Siding Avenue, Officer
Victoria

Members: Cr Tammy Radford Mayor

Cr Jack Kowarzik Deputy Mayor

Cr Kaye Cameron

Cr Stephanie Davies

Cr Jeff Springfield

Cr Graeme Moore

Cr Collin Ross

Cr Brett Owen

Cr Carol Ryan

Officers:	Carol Jeffs	Chief Executive Officer
	Peter Benazic	General Manager Infrastructure and Environment
	Lili Rosic	General Manager Liveable Communities
	Debbie Tyson	General Manager Governance, Facilities and Economy
	Jenny Scicluna	General Manager Customer, People and Performance
	Doug Evans	Manager Governance
	Jack Coogan	Governance Officer

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1 Opening And Reflection/Prayer

Meeting opened at 5:57pm to consider a confidential item and adjourned to resume at 7:00pm to consider general business.

Moved Cr Ryan seconded Cr Moore

That the meeting be closed to members of the public to consider a confidential council business matter as provided for in Section 66(2)(A) of the Local Government Act.

Carried

At the conclusion of confidential business.

Moved Cr Ross seconded by Cr Moore

That the meeting be opened to members of the public

Carried

I would ask those gathered to join us now for a few moments of silence as we reflect on our roles in this chamber. Please use this opportunity for reflection, Prayer or thought, to focus on our shared intention to work respectfully together for the well-being of our whole community.

Condolences

The Mayor reflected on the recent disasters through earthquakes in Turkey and Syria and the flooding that has occurred in New Zealand and advised that's Councils concerns were with the thousands of innocent persons either killed or injured through these horrific events and extended the Councils condolences to the family and friends of those affected.

2 Acknowledgements

Cardinia Shire Council acknowledges that we are on the traditional land of the Bunurong and Wurundjeri people and pay our respects to their elders past, present and emerging.

3 Apologies

Nil.

4 Adoption And Confirmation Of Minutes

Moved Cr Graeme Moore, seconded Cr Jack Kowarzik

That minutes of the following meetings be confirmed:

- General Council meeting 12 December 2022
- Town Planning Committee 6 February 2023

Carried

5 Declaration Of Interests

Item 6.2.1 - Cr Brett Owen has declared a general conflict of interest.

6 Ordinary Business

6.1 Town Planning Reports

6.1.1 Amendment C268 - Rezone and Subdivide Land at 49 Garfield Road, Garfield

Responsible GM: Lili Rosic
Author: Teresa Hazendonk

Recommendation(s)

That Council:

1. Receive and consider all submissions made to Planning Scheme Amendment C268card.
2. In accordance with Section 23 of the Planning and Environment Act 1987, refer all submissions for consideration to a Planning Panel to be appointed by the Minister for Planning.
3. Advise the proponent and submitters of Council's decision.

Attachments

1. Amendment C268 Summary of Submissions and Officer Responses [6.1.1.1 - 23 pages]
2. Amendment Documentation Authorisation (as exhibited) [6.1.1.2 - 10 pages]
3. Proposed Subdivision Plan (as exhibited) [6.1.1.3 - 2 pages]
4. Proposed Planning Permit T190104 with proposed post exhibition changes [6.1.1.4 - 29 pages]

Executive Summary

Council received a request to rezone part of the land at 49 Garfield Road, Garfield (Lot 1 PS436250U and Lot 1 PS531590N) from Low Density Residential Zone Schedule 2 (LDRZ2) to Low Density Residential Zone Schedule 3 (LDRZ3) and Green Wedge Zone Schedule 1 (GWZ1).

The request also sought Council's consent to concurrently consider a planning permit application for a staged subdivision of the land into thirty-seven lots for low density residential purposes, removal of native vegetation, creation of various reserves, creation/variation of easements, and creation of restrictions on the plan of subdivision.

The *Garfield Township Strategy 2002* (GFTS) identifies the subject land to be developed with low density residential housing, it also identifies the 'existing significant vegetation' in the northwest corner be protected and Ti-Tree Creek to form part of public open space.

At its meeting on 21 February 2022, Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C268 concurrently with Proposed Planning Permit T190104. On 22 August 2022 Council received authorisation to proceed.

Amendment C268 was exhibited from 13 October to 14 November 2022 in accordance with the requirements of the *Planning and Environment Act 1987*. Thirteen submissions have been received.

Some matters raised by submissions are not able to be resolved, it is therefore recommended to refer all submissions to a Ministerial Planning Panel for consideration.

Background

Council received a request from NBA Group Pty Ltd on behalf of the landowners Oakhouse Nominees Pty Ltd to amend the Cardinia Planning Scheme to rezone the land at 49 Garfield Road, Garfield (Lot 1 PS436250U and Lot 1 PS531590N) from LDRZ2 to LDRZ3 and GWZ1.

In association with the amendment request, planning permit application T190104 was also lodged for a staged subdivision of the land into 37 low density residential lots and reserves, removal of native vegetation, creation/variation of easements, and creation of restriction on the plan of subdivision. Council resolved on 21 February 2022 to consider this application concurrently with the amendment to facilitate development of the land for residential purposes.

In 2013, the state government changed the Low Density Residential Zone to allow a minimum lot size of 2,000 sqm where land is connected to reticulated sewerage disposal, in addition to the minimum lot size of 4,000 sqm which continues to apply to land where reticulated sewerage disposal is not available.

In 2016, Amendment C188 reviewed the application of the Low Density Residential Zone across the Shire and rezoned land from LDRZ2 to LDRZ3 to allow subdivision to a minimum lot size of 2,000 sqm where lots could be connected to reticulated sewerage and no other planning issues were evident to prevent the reduced lot size. There was insufficient strategic justification at that time to support rezoning of the subject land.

The proponent of Amendment C268 lodged a submission to Amendment C188 requesting to be included in the proposed rezoning. Council responded as follows:

Council Officers consider that this land could be considered for inclusion in Schedule 3 to the Low Density Residential Zone, allowing the minimum lot size for subdivision to be reduced to 0.2 hectares, however, given that this land has not been part of a public notification process, it should be undertaken as part of a separate planning scheme amendment which should also include an application for planning permit to allow Council Officers to appropriately consider the potential impacts on Ti tree Creek and the gas pipeline easement.

Several background reports have since been provided by the landowner to address the site constraints and the potential impacts. These reports have informed this combined planning scheme amendment request and planning permit application.

The land and surrounds

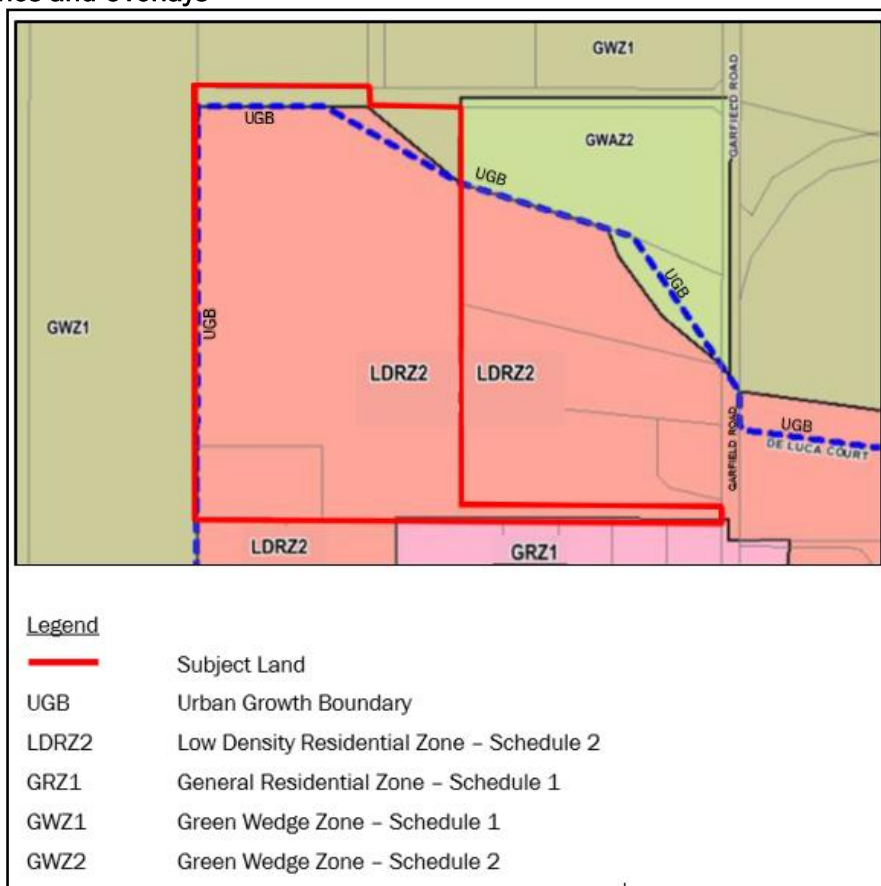
The land is located on the north-west fringe of Garfield township approximately 900 metres from the town centre and has an area of 14.075 hectares. Ti Tree Creek traverses the northeast corner of the land.

Land to the north and west is zoned GWZ1, land to the south and east is zoned LDRZ2, and land to the southeast is zoned General Residential Zone – Schedule 1 (GRZ1).



Locality Map

Current Zones and Overlays



Zone Map

Most of the land is inside the Urban Growth Boundary (UGB) and is zoned LDRZ2 which has a minimum lot size of 4,000 sqm. A smaller part of the land is outside the UGB and is partly zoned LDRZ2 and partly zoned GWZ1.

The delineation between the LDRZ2 and the GWZ1 does not align with the UGB which traverses the land. This is an anomaly.

The land inside the UGB is affected by the Design and Development Overlay Schedule 1 (DDO1).

The land outside the UGB is affected by the Environmental Significance overlay – Schedule 1 (ESO1).

What the Amendment does

The amendment request and planning permit application were lodged under Section 96A of the *Planning and Environment Act 1987* (PE Act). Section 96A allows Council to consider a planning permit application concurrently with a planning scheme amendment, even though the proposed subdivision would otherwise be prohibited under the current planning controls.

- In summary, the amendment and Proposed Planning Permit seeks:
- Rezoning of the land inside the UGB from LDRZ2 to LDRZ3.
- Rezoning of part of the land outside the UGB from LDRZ2 to GWZ1.
- Staged subdivision of the land into 37 low density residential lots ranging in size from 2,000m² to 8,749m².
- Creation of Reserves to be transferred to Council and Melbourne Water.
- Removal of native vegetation.
- Removal/variation of existing easements.
- Creation of restrictions on the plan of subdivision.

A map of the proposed planning zone is contained in Attachment 2, the Proposed Planning Permit has been amended in response to submissions and is contained in Attachment 4, while the proposed subdivision plan is contained in Attachment 3.

Policy Implications

Strategic Assessment

The full strategic assessment is provided in the Explanatory Report contained in Attachment 2.

The strategic assessment demonstrates that the proposal is consistent with the relevant planning provisions of the *Plan Melbourne Metropolitan Planning Strategy 2017-2050*, State and Local planning policy contained in the Cardinia Planning Scheme, and the *Garfield Township Strategy 2002*.

Relevance to Council Plan

2.1 We support the creation of liveable spaces and places

2.1.1 Advocate, plan for and deliver accessible community infrastructure and services that address community need.

2.1.2 Plan and maintain safe, inclusive and connected open spaces, places and active travel routes.

2.1.3 Plan for housing diversity that meets community need, is affordable and delivers environmental sustainability, safety and healthy living outcomes.

Climate Emergency Consideration

Climate change will increase the risk to land in Cardinia Shire from bushfires and flood. The proposal introduces management provisions to addresses both drainage and bushfire risk which will reduce the future impact of climate change on this site. The proposal will also facilitate new housing within the existing township boundary of Garfield. This will contribute to housing consolidation within a rural township, reducing the amount of urban sprawl and pressure on Cardinia's main growth front, thereby helping to mitigate the effects on climate change.

Consultation/Communication

Notification (formal exhibition)

Amendment C268 was formally exhibited for one month from 13 October to 14 November 2022 in accordance with the requirements of the *Planning and Environment Act 1987*.

Owners and occupiers adjoining and surrounding the subject land, community groups, relevant public authorities, and Prescribed Ministers were notified of the exhibition of the Amendment. A total of 121 letters were sent out.

In addition, the Amendment was exhibited using the following methods:

- Public Notice in the Pakenham Gazette – 12 October 2022.
- Public Notice in the Government Gazette – 13 October 2022.
- Display on DELWP website.
- Display on Cardinia Shire Council website.
- Hard copy of the Amendment documents made available for viewing at Cardinia Shire Council Civic Centre Customer Service.

Submissions and responses

Thirteen (13) submissions were received. Eleven (11) were from nearby owners, occupiers and traders, and two (2) from public authorities.

Six (6) submissions provide full support and request no changes, five (5) submissions provide conditional support and seek changes, and two (2) submissions object to the proposal.

The supporting comments can be summarised as follows:

- 2000sqm blocks will be attractive to future residents
- Additional housing will be beneficial to local businesses
- The proposed development is well designed
- New development will improve local infrastructure and community assets
- The connection to reticulated sewer will be a good environmental outcome
- Concerns raised by submissions can be summarised as follows:
- No development to be allowed until Garfield Township Strategy has been reviewed and adopted by Council.
- Loss of privacy and security
- Noise and amenity
- Provision of utility services and driveways to land external to the proposed subdivision
- Treatment and maintenance of Road A reservation prior to commencement of stage 2 works.
- Drainage along Road A
- Increased traffic and associated pedestrian safety,
- Intersection sightlines and designs.
- Provision of water tanks and solar panels
- One dwelling restriction on titles

- Southern Brown Bandicoot habitat

A full summary of issues raised by submissions and officer responses is included in Attachment 1.

Next Steps

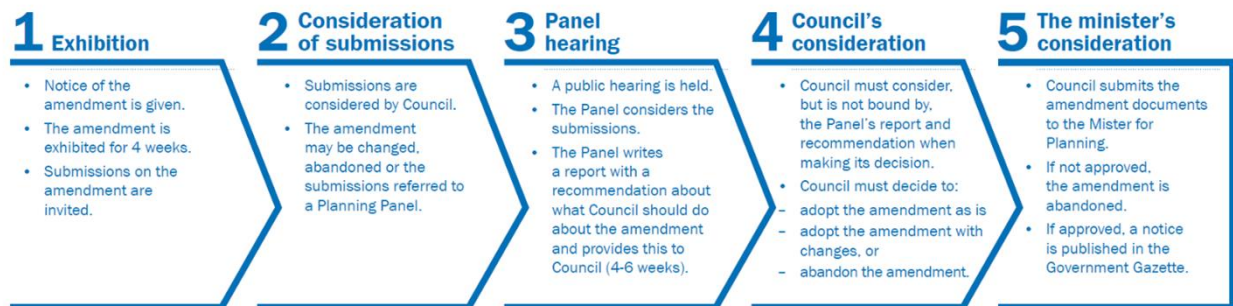


Figure 1. Steps in the Planning Scheme Amendment process

We are at Stage 2 of the Planning Scheme Amendment process as detailed in Figure 1. As it is not possible to resolve all matters raised by submissions, it is recommended that all submissions are referred to an independent ministerial planning panel, thereby moving the Amendment on to Stage 3 of the process.

A Panel Hearing is pre-set to occur during the week commencing 24 April 2023. Following the hearing, the Panel will prepare a report with recommendations on how to proceed with the Amendment. The Panel Report will then be considered by Council at a future Council meeting (Stage 4).

Financial and Resource Implications

The statutory fees and any planning panel costs will be paid for by the proponent. Resourcing and any additional costs associated with the planning scheme amendment process are provided for by the current and proposed Planning Strategy operating budget.

Conclusion

Planning Scheme Amendment C268card is supported by both State and local planning policy including the *Garfield Township Strategy 2002*).

Amendment C268, including concurrent Proposed Planning Permit T190104, was exhibited in accordance with the *Planning and Environment Act 1987* and a total of thirteen (13) submissions were received.

As some matters raised by submissions cannot be resolved, it is recommended that Council refer all submissions to a Planning Panel, to be appointed by the Minister for Planning, for consideration.

Resolution

Moved Cr Graeme Moore, seconded Cr Stephanie Davies.

That Council:

1. Receive and consider all submissions made to Planning Scheme Amendment C268card.
2. In accordance with Section 23 of the Planning and Environment Act 1987, refer all submissions for consideration to a Planning Panel to be appointed by the Minister for Planning.
3. Advise the proponent and submitters of Council's decision.

Carried

6.2 General Reports

6.2.1 Request For Leave of Absence - Cr Owen

Responsible GM: Debbie Tyson
Author: Doug Evans

Recommendation(s)

That Council note the request received from Cr Brett Owen for a leave of absence for the period 25 December 2022 until 28 January 2023 and retrospectively approve this request.

Attachments

Nil

Executive Summary

Cr Brett Owen has lodged a request for a leave of absence from his councillor duties while he was on a period of long service leave from Victoria Police.

Background

The Local Government Act 2020 contains provisions regarding a Councillor requesting leave from the Council and stipulates that any reasonable request for such leave must be granted.

Cr Owen has taken a period of leave from Victoria Police and has applied for a leave of absence from his Councillor duties for this period being from 25 December 2022 until 28 January 2023.

Policy Implications

There are no policy implications regarding this matter.

Relevance to Council Plan

5.1 We practise responsible leadership

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

5.1.5 Champion the collective values of the community through the Councillors' governance of the shire.

Climate Emergency Consideration

There are no climate emergency considerations associated with this matter

Consultation/Communication

Nil

Financial and Resource Implications

There are no financial implications associated with this matter

Conclusion

It is appropriate to retrospectively approve of the request for a leave of absence received from Cr Owen for the period 25 December 2022 to 28 January 2023

Cr Owen left the chamber at 7:10pm due to a general conflict of interest.

Resolution

Moved Cr Collin Ross, seconded Cr Kaye Cameron.

That Council note the request received from Cr Brett Owen for a leave of absence for the period 25 December 2022 until 28 January 2023 and retrospectively approve this request.

Carried

Cr Owen returned to the meeting 7:12pm.

6.2.2 Appointment of Authorised Officers under Planning and Environment Act

Responsible GM: Debbie Tyson
Author: Owen Hardidge

Recommendation(s)

That Council resolve to appoint the following staff members as Authorised Officers pursuant to Section 147(4) of the *Planning and Environment Act 1997*, and resolve to attach the Council Seal to the instrument of appointment attached to this report:

- Ms Samantha McMAHON
- Ms Lauren WILBY
- Ms Lisa HURLEY
- Mr Troy LEDBURY
- Ms Kristen GOETZ
- Mr Russell GREY
- Mr Darryl McKEAN
- Mr Ashley REED
- Mr Aditya MOOND
- Mr Ankur KHOSLA
- Mr Tim DREDGE
- Ms Jennifer FALLU
- Mr Peter TRUONG
- Mr Andrew WEBB
- Mr Adrian DOWELL
- Mr David GULENC
- Mr Minh LE
- Mr Nathan JOHNSTON
- Mr Jack ALFORD

Attachments

1. Planning and Environment Appointment Compliance Building Staff [6.2.2.1 - 1 page]

Executive Summary

Section 147 (4) of the *Planning and Environment Act 1997* allows Council to appoint staff members to conduct enforcement when breaches of the Cardinia Planning Scheme occur. Council routinely appoints staff members to undertake enforcement, and it is recommended that the named staff members should be so appointed. They will exercise their powers in accordance with the Cardinia Shire Compliance and Enforcement Policy. All investigating officers in Compliance and Building teams are included in the above list, and in some cases are proposed for re-appointment

Background

When breaches of the Cardinia Planning Scheme are detected, certain investigative powers may be exercised, such as entering land without consent, applying for search warrants, issuing infringements or issuing charge sheets. Only designated appointees may exercise these powers.

Council routinely appoints staff members to undertake enforcement. Typically, the Chief Executive Officer directly appoints staff, but a section 188 (2)(c) of the *Planning and Environment Act* does not allow this function to be delegated to the CEO or to Committees. As such, Council resolutions are required to appoint staff members for this purpose.

The staff members are officers in the Compliance Services, Building and Prosecutions teams, some of whom have recently commenced with Council. Others have previously been appointed as Authorised Officers. In all cases, it is recommended that the authorisation be made. All staff will exercise their powers in accordance with the Cardinia Shire Compliance and Enforcement Policy.

Policy Implications

There are not Policy Implications with this report

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 required as part of this report.

Consultation/Communication

There is no consultation necessary in respect of this resolution

Financial and Resource Implications

There are no financial implications of this resolution. The named staff are existing staff members.

Conclusion

It is recommended that all named staff members be appointed as authorised officers for the purpose of conducting enforcement powers under the *Planning and Environment Act 1997*.

- Ms Samantha McMAHON
- Ms Lauren WILBY
- Ms Lisa HURLEY
- Mr Troy LEDBURY
- Ms Kristen GOETZ
- Mr Russell GREY
- Mr Darryl McKEAN
- Mr Ashley REED
- Mr Aditya MOOND
- Mr Ankur KHOSLA
- Mr Tim DREDGE
- Ms Jennifer FALLU
- Mr Peter TRUONG
- Mr Andrew WEBB
- Mr Adrian DOWELL

- Mr David GULENC
- Mr Minh LE
- Mr Nathan JOHNSTON
- Mr Jack ALFORD

Resolution

Moved Cr Stephanie Davies, seconded Cr Graeme Moore.

That Council resolve to appoint the following staff members as Authorised Officers pursuant to Section 147(4) of the *Planning and Environment Act 1997*, and resolve to attach the Council Seal to the instrument of appointment attached to this report:

- Ms Samantha McMAHON
- Ms Lauren WILBY
- Ms Lisa HURLEY
- Mr Troy LEDBURY
- Ms Kristen GOETZ
- Mr Russell GREY
- Mr Darryl McKEAN
- Mr Ashley REED
- Mr Aditya MOOND
- Mr Ankur KHOSLA
- Mr Tim DREDGE
- Ms Jennifer FALLU
- Mr Peter TRUONG
- Mr Andrew WEBB
- Mr Adrian DOWELL
- Mr David GULENC
- Mr Minh LE
- Mr Nathan JOHNSTON
- Mr Jack ALFORD

Carried

6.4 Financial Reports

6.4.1 Quarterly Financial Report

Responsible GM: Jenny Scicluna
Author: Scott Moore

Recommendation(s)

That Council:

- Receives and notes the quarterly financial report for the period 1 July 2022 to 31 December 2022.
- Notes that the Chief Executive Officer, as required under Section 97(3) of the *Local Government Act 2020*, is of the opinion a revised budget is not required.

Attachments

1. Financial Performance Report [6.4.1.1 - 10 pages]
2. Income Statement and Balance Sheet Glossary [6.4.1.2 - 3 pages]
3. Capital Works Report [6.4.1.3 - 12 pages]

Executive Summary

This report summarises Council's financial performance for the six months ended 31 December 2022.

Background

The report is broken into a number of parts highlighting various components of Council's financial performance and position and includes the following financial statements:

- Income Statement – Analysed by income, expenditure and non-recurrent Items. A favourable budget variance is reported where actual income exceeds budget or actual expenditure is less than budget. An unfavourable budget variance is reported where actual income is less than budget or actual expenditure exceeds budget.
- Cash Flow Statement;
- Balance Sheet; and
- Capital Works Report.

Also included is a summary of performance against the LGPRF/VAGO financial sustainability indicators.

Policy Implications

Nil

Relevance to Council Plan

5.1 We practise responsible leadership

5.1.2 Manage our finances responsibly and leave a positive legacy for future generations.

Climate Emergency Consideration

Nil

Consultation/Communication

Finance Business Partners meet monthly with Business Unit Managers to discuss year-to-date progress against the Operating and Capital Works budgets. Outcomes of these discussions provide input to the completion of the monthly Financial Performance and Capital Works reports for further review with the relevant General Managers. These reports are subsequently presented monthly to the Senior Leadership Team and quarterly to the Audit and Risk Committee and Council.

Financial and Resource Implications

The analysis undertaken as part of the Financial Performance and Capital Works reports is based on the differences between the 2022-23 budget adopted in June 2022 and actual results year-to-date and as at 31 December 2022.

Year-to-date adjusted underlying deficit \$7.9m is \$3.7m unfavourable to the year-to-date budgeted deficit of \$4.2m. The adjusted underlying result excludes capital income and other abnormals, but includes recurrent capital grants. The unadjusted result year-to-date to December is a surplus of \$59.5m, which is \$11.9m favourable to the year-to-date budgeted surplus of \$47.6m.

Year-to-date total income \$135.5m is \$14.4m higher than budget. Contributing to this result are material favourable variances mainly in the following:

- Development levies (non-monetary) received that were unbudgeted \$3.8m; and
- Capital grants \$23.0m
 - received earlier than expected for Sealing the Hills \$21.0m.
 - received that were not budgeted, including Upper Beaconsfield Recreation Reserve \$3.3m, Worrell Reserve Master Plan Implementation (Youth Activity Space) \$800k, Toomuc Reserve South Oval Pavilion Upgrade \$750k, Gembrook Reserve Pavilion Upgrade \$618k and PB Ronald Reserve Public Toilet \$400k.

These favourable income variances have been partly offset by

- Capital contributions (non-monetary) received from developers that were \$10.9m lower than expected by December, although the value and timing of these contributions are uncertain and extremely difficult to project.
- Development levies (monetary) received for Public Open Space contributions that were \$911k less than expected by December, partially offset by higher than expected Developer levy of \$264k.

Year-to-date total expenditure \$76.0m is \$2.4m higher than budget. Contributing to this result are material expenditure over budget, mainly in the following:

- Materials and services \$3.1m, including materials and services costs \$1.6m and contract service payments, such as Aquatic & Recreation facilities \$864k, Library \$724k, Dangerous Tree Removal \$398k and Garbage Collection \$336k.
Partly offsetting these timing driven contract payment underspends are Building Cleaning \$275k, Litter/Recycling Bin Collections \$178k and Putrescible Disposal \$169k.
- Employee benefits \$326k due to additional positions approved out of budget.

These have been offset by lower than budgeted expenses in:

- Borrowing costs \$308k due to budgeted loans not yet drawn for capital works projects Connect Cardinia, Comely Banks and Cora Lynn Pavilion; and
- Other expenses \$300k, including Infrastructure Services' garbage collection other costs \$84k, Regulatory Services' animal control costs \$65k, rental property lease costs \$43k,
- IT hardware leases \$23k and financial audit fees \$63k.

A detailed variance analysis is included in the attached Financial Performance report.

Year-end forecast adjusted underlying deficit \$10.3m projected at the end of December is \$2.1m more than the adopted budget adjusted underlying deficit of \$8.2m. The unadjusted surplus is forecast to be \$12.1m less than the adopted budget, with income forecast to be \$10.5m lower and expenditure to be \$1.6m higher.

Year-end forecast total income \$224.1m is \$10.5m less than the full year adopted budget of \$234.6m. Contributing to this result is the net impact of the following:

- Capital contributions (non-monetary) less than budget by \$15.0m;
- User fees less than budget by \$669k;
- Statutory fees and fines income less than budget by \$193k;
- Development levies (monetary) more than budget by \$5.0m; and
- Operating grants more than budget by \$434k.

Year-end forecast total expenditure \$155.4m is \$1.6m more than the full year adopted budget of \$153.8m. Contributing to this result is the net impact of the following:

- Materials & services more than budget by \$1.5m mainly due to increases in
 - Operations materials and services \$579k,
 - Operations contract payments \$313k,
 - Operations training \$45k,
 - Planning and Design legal and professional fees \$660k, and
 - Planning and Design external labour \$169k.
- Employee benefits more than budget by \$642k primarily due to the addition of a net 17 staff FTE to resource major infrastructure projects, statutory planning and Future and Connected Communities activities amounting to approximately \$2.2m.
- Partially offsetting this increase are \$1.5m savings from existing position employment status changes, year-to-date vacancies and recruitment delays.

Year-to-date total cash balance \$136.4m is \$3.9m higher than at 30 June 2022 (Council cash \$5m lower and DCP cash \$8.9m higher) and \$39.8m more than year-to-date budget. This is mainly due to the net of impact of the following:

- Higher than anticipated cash holdings at 1 July 2022 \$24.1m due to financial assistance grants received in advance in 2021-22, higher than expected capital grants received in 2021-22, higher than expected capital carry-overs to 2022-23 and lower than expected materials and services cash outflows to 30 June 2022;
- Favourable timing of receipts for rates \$4.1m, other receipts \$5.3m, GST receipts \$5.9m and lower than budgeted capital works payments to date \$31.1m; and
- Unfavourable timing of receipts for capital grants \$9.7m, operating grants \$4.5m and contributions \$1.0 and higher than budgeted materials and services cash outflows \$15.0m.

An actual net cash surplus at 31 December of \$61.9m is after external restrictions on cash of \$64.7m and intended allocations of \$9.8m.

Year-end forecast total cash balance \$110.9m, including total financial assets, is \$26.2m more than the full year budget of \$84.7m. This is mainly due to the \$24.1m higher actual opening cash balance at the start of the year and higher forecast of net cash from operating activities of \$10.5m, less \$11.3m higher forecast payments for property, plant and equipment.

Year-to-date total reserves \$929m include public open space and various infrastructure reserves of \$72.0m. Within these are DCP reserves of \$52.2m, against which future commitments estimated at 31 December are approximately \$95.9m to foreshadow a material funding shortfall of approximately \$43.7m. This, together with a DCP cash & equivalents shortfall of \$52.0m, indicates a potential need for material Council subsidisation of DCP capital works projects in the medium to long term. Such subsidisation is not possible through rate revenue and Council will need to consider other funding alternatives, including debt borrowing, government grants and new operating revenue streams.

Year-to-date total capital works project expenditure (including operating initiatives) \$23.7m is \$2.7m higher than at the same time last year and \$5m lower than the year-to-date budget. The forecast capital works expenditure for 2022-23 of \$110.9m is \$873k more than full year budget \$110.0m (adjusted for actual carry-overs from 2021-22).

Council has committed \$77.5m in capital works expenditure, which is approximately 70% of the full year budget as at 31 December 2022, with 22% actually spent. Key projects to which Council has committed funds include: Intersection upgrades, roads resealing, Sealing the Hills program, IYU Recreation Reserve Athletics Facility, Integrated Children's Facilities and Cardinia Youth Facility Expansion.

Further details are included in the attached Financial Performance Report and Capital Works Report.

Conclusion

It is appropriate that Council receives and notes the quarterly financial report for the period 1 July 2022 to 31 December 2022 and notes that the Chief Executive Officer, as required under Section 97(3) of the *Local Government Act 2020*, is of the opinion a revised budget is not required.

Resolution

Moved Cr Jack Kowarzik, seconded Cr Collin Ross.

That Council:

- Receives and notes the quarterly financial report for the period 1 July 2022 to 31 December 2022.
- Notes that the Chief Executive Officer, as required under Section 97(3) of the *Local Government Act 2020*, is of the opinion a revised budget is not required.

Carried

6.4.2 Facility Management and Maintenance Contract

Responsible GM: Debbie Tyson
Author: Walter Carmignani

Recommendation(s)

That Council approves the extension period of the Deed of Variation from 30 June 2023 to 30 June 2024, for the Facility Management and Maintenance Contract with Campeyn Group P/L.

Attachments

Nil

Executive Summary

The Facility Management and Maintenance Contract is proposed to be extended from 30 June 2023 to 30 June 2024 as per the Deed of Variation for the Service Provider - Campeyn Group P/L.

The proposed extension date to the existing Contract term will allow Cardinia Shire Council to prepare relevant documentation to re-tender the services early 2024.

Background

In January 2017, the then Infrastructure Directors, Procurement and Facilities Management staff from three participating Councils, Dandenong, Yarra Ranges and Cardinia, agreed to a framework to jointly tender for the Facility Management and Maintenance Services.

Five tenders were received with Campeyn Group P/L successfully being appointed in providing the best value for money offer and outcomes in the delivery of services for facility management and maintenance.

The accepted tender had a term of 3 years with the option of three x 2-year options, which can be exercised by Council.

This extension is the last that can be provided as per the current terms of the contract. Extending the current contract will allow the Building and Facilities team to have sufficient time to re-tender early 2024 for the Facility Management and Maintenance Contract.

Policy Implications

There are no policy implications as part of this proposal.

Relevance to Council Plan

2.1 We support the creation of liveable spaces and places

2.1.1 Advocate, plan for and deliver accessible community infrastructure and services that address community need.

2.1.2 Plan and maintain safe, inclusive and connected open spaces, places and active travel routes.

5.1 We practise responsible leadership

5.1.2 Manage our finances responsibly and leave a positive legacy for future generations.

5.1.4 Maximise value for our community through efficient service delivery, innovation, strategic partnerships and advocacy.

Climate Emergency Consideration

The Facility Management and Maintenance Contract has been developed to consider Council's climate change strategies and actions throughout the life cycle of services, and ensures that impacts to community and Council are mitigated.

Consultation/Communication

Our clients continually provide feedback on the performance and quality delivery of services to further understand how well or otherwise client expectations are being met, including key performance measures.

Financial and Resource Implications

Council's annual Operating and minor Capital Expenditure budgets cover the costs of the contract.

The cost of the contract to date:

- 2017/18FY - \$1,133,999 (Mar to June 2018)
- 2018/19FY - \$3,500,983.
- 2019/20FY - \$5,305,752
- 2020/21FY - \$3,396,509.
- 2021/22FY - \$1,472,000.
- 2022/23FY - \$560,000 (July to date).

Conclusion

With approximately 1000 assets within the municipality, being buildings, public toilets, pump houses, water tanks, rotundas, shelters, shade structures, BBQs and infrastructure, it is important that we maintain a consistent and effective management and maintenance program. Supporting the extension to the current contract will support continuity in the work being undertaken, whilst allowing sufficient time for a re-tendering process to occur.

Resolution

Moved Cr Stephanie Davies, seconded Cr Jack Kowarzik.

That Council approves the extension period of the Deed of Variation from 30 June 2023 to 30 June 2024, for the Facility Management and Maintenance Contract with Campeyn Group P/L.

Carried

6.4.3 CT22-045 Station Road Catchment, Cockatoo

Responsible GM: Peter Benazic
Author: David Conomy

Recommendation(s)

That Council award Contract CT22-045 Station Rd Catchment to R&C Asphalt Pty Ltd for the total amount of \$2,917,632.25 excl. GST.

Attachments

1. Road Reconstruction Works - Baker Street [6.4.3.1 - 28 pages]
2. Road Reconstruction Works - Garden St, Station Rd West & Glen Rd [6.4.3.2 - 46 pages]
3. CONFIDENTIAL - Confidential Memorandum, Circulated to Councillors only [6.4.3.3 - 3 pages]

Executive Summary

The competitive public tender process for the Station Road Catchment which forms part of the Sealing the Hills project has now closed, and four (4) submissions were received. All four (4) submissions were conforming to the specification provided within the tender. Post-tender clarifications were sought from all tenderers on the 1st of December 2022 regarding several items within the original schedule of quantities, with responses subsequently being received from all tenderers. All received tenders were formally evaluated both against the criteria described within the tender and submission price. Based on this evaluation, it was concluded that the submission received from R&C Asphalt Pty Ltd provided the best value. It was further noted that the submission from R&C Asphalt Pty Ltd for the total amount of \$2,917,632.25 excl. GST can be accommodated within the project budget. It is further noted that Federal funding for the project has already been secured and is not impacted by the recently announced changes to the Sealing the Hills funding. Consequently, it is recommended that Council award the Contract 22-045 Station Road Catchment to R&C Asphalt Pty Ltd for the total amount of \$2,917,632.25 excl. GST.

Background

Station Road Cockatoo Catchment project is a package of roads including Station Road, Glen Road, Garden Street and Baker Street in Cockatoo.

This project was earmarked for delivery in FY 22/23 and 23/24 under the [Sealing the Hills](#) project within the [Better Local Roads](#) program. The project is mainly Federally funded with additional funding received through Special Charge Scheme landowner contributions. The scope of the works for these projects includes:

- Pavement widening and reconstruction
- Concrete works (kerb & channel)
- Drainage works and,
- Asphalt wearing surfacing, etc.

It should be noted that while the Federal funding for the Sealing the Hills project was unexpectedly reduced from \$150 million to \$41 million, as confirmed on the 10th of January 2023 from the Federal Minister's Office, the Station Road Catchment project is funded under the confirmed \$41 million.

Tenders for RFT22-045 were publicly advertised on 29th October 2022 and closed on the 29th November 2022 at 2.00pm. It is a federal funding requirement that for any contracts exceeding \$4 million (inclusive of GST) all tenderers are to be prequalified under the Federal Work Health and Safety Scheme, however, as this contract is less than \$4 million (inclusive of GST) this requirement does not apply. Council also set a DoT prequalification level of R2.

Tenders were evaluated against the criteria of compliance with the specifications, financial viability, risk and insurance, compliance to conditions of contract, conflict of interest, OHS, quality systems, quality of previous work, project plan, pricing and value for money, compliance with the specifications, capability, relevant experience, and past performance of the tenderer.

Policy Implications/Relevance to Council Plan

2.1 We support the creation of liveable spaces and places

2.1.1 Advocate, plan for and deliver accessible community infrastructure and services that address community need.

2.1.5 Upgrade Council's road network to improve safety and connectivity while considering traffic demand and freight transport needs.

3.1 We value our natural assets and support our biodiversity to thrive

3.1.1 Partner with community, business and industry to take action on, and adapt to, climate change.

3.1.3 Work with community to improve and manage our natural assets, biodiversity and cultural heritage.

3.1.5 Facilitate community stewardship to build preparedness for natural threats.

5.1 We practise responsible leadership

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

5.1.2 Manage our finances responsibly and leave a positive legacy for future generations.

Climate Emergency Consideration

Council declared a climate emergency on 16th September 2019 in response to the overwhelming climate science which indicates rising global temperatures are putting our local economy, people, species and ecosystems at risk. This declaration resolved to:

- Give priority to policy and actions that will provide for both mitigation and adaptation in response to accelerating global warming and climate change

The Council Plan acknowledges tackling climate change and its impact on our environment, economy and people. The effects of climate change are already being seen through more warm spells, frequent and intense downpours and longer fire seasons. It's impacting our biodiversity, water supplies, energy demand and health. As outlined in our Sustainable Environment Policy 2018-28, we recognise that every action our community and Council takes influences our environment. We want to make that influence as positive as possible.

Consultation/Communication

Extensive community consultation has been undertaken for the Sealing the Hills project including throughout the Special Charge Scheme process. The Station Road Catchment Special Charge Scheme was declared at the Council meeting on the 21st March 2022. No objections were received by the statutory date to lodge VCAT objections the 5th May 2022.

Financial and Resource Implications

The Sealing the Hills project is mainly Federally funded with additional funding from landowner contributions received through Special Charge Schemes.

As previously noted, while the Federal funding for the Sealing the Hills project was unexpectedly reduced from \$150 million to \$41 million, as confirmed on the 10th of January 2023 from the Federal Minister's Office, the Station Road Catchment project is funded under the confirmed \$41 million.

The submission from R&C Asphalt Pty Ltd for the total amount of \$2,917,632.25 excl. GST can be accommodated within the funds allocated from the Sealing the Hills budget for the construction of the project.

Conclusion

It is recommended that Council award the Contract 22-045 Station Road Catchment to R&C Asphalt Pty Ltd for the total amount of \$2,917,632.25 excl. GST.

Resolution

Moved Cr Jeff Springfield, seconded Cr Brett Owen.

That Council award Contract CT22-045 Station Rd Catchment to R&C Asphalt Pty Ltd for the total amount of \$2,917,632.25 excl. GST.

Carried

6.5 Activity Reports

6.5.1 Quarterly Resolutions Report

Responsible GM: Debbie Tyson
Author: Doug Evans

Recommendation(s)

That Council note the report detailing implementation of Council resolutions for the period October to December 2022.

Attachments

1. Quarterly Resolutions Report - October to December 2022 [6.5.1.1 - 18 pages]

Executive Summary

The attached report details all resolutions made for the period October to December 2022, and 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, in addition provides transparency to our community.

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 ensure transparency regarding the implementation of Council decisions and provide confidence to the Council that the decisions are implemented without undue delay.

Resolution

Moved Cr Stephanie Davies, seconded Cr Jeff Springfield.

That Council note the report detailing implementation of Council resolutions for the period October to December 2022.

Carried

6.5.2 Environment Council Plan Initiatives Quarterly Report

Responsible GM: Peter Benazic
Authors: Desiree Lovell and Jacqui Kelly

Recommendation(s)

That this report be noted

Attachments

1. Environment Council Plan Initiatives Quarterly Report [6.5.2.1 - 8 pages]

Executive Summary

This quarterly report provides an update on projects, services and actions that are undertaken by Council to deliver on the Council Plan focus area number three: thriving environments and its associated initiatives.

Priority: We value our natural assets and support our biodiversity to thrive

We place a high value on our natural assets and biodiversity. We take action to help our natural assets and biodiversity thrive and build their resilience to climate change and natural hazards. We enhance green spaces and habitat links, support our communities to live sustainably, and champion sustainable development and waste management practices.

Initiatives

The initiatives have been categorised according to the *Sustainable Environment Policy (SEP) 2018– 28* themes of: Biodiversity, Climate change, Water, Waste and resource recovery

The SEP is the roadmap for the future direction of Council's environmental and sustainability strategies, plans and activities

Background

There are a broad range of projects, services and actions delivering environmental benefits throughout the organisation. While many of these occur within or are led by the Environment and Infrastructure Group, most of the organisation is involved in environmental sustainability to some degree.

Council Plan initiatives and how they link to the *Sustainable Environment Policy* themes:

- Biodiversity
 - Implement initiatives in the *Biodiversity Conservation Strategy*
- Climate change
 - Implement initiatives in the *Aspirational Energy Transition Plan*
- Water
 - Implement initiatives in the *Integrated Water Management Plan*
- Waste and resource recovery
 - Implement the action plan for the *Waste and Resource Recovery Strategy*

This report also covers the Council Plan initiative *actively protect key heritage sites within the shire*.

Project update

Projects and updates are included in the attached report

Resolution

Moved Cr Jack Kowarzik, seconded Cr Graeme Moore.

That this report be noted

Carried

6.5.3 Community Engagement Update

Responsible GM: Jenny Scicluna

Author: Georgia Davies-Jackson (Team Leader Engagement)

Recommendation(s)

That Council notes the community engagement activities being undertaken this month.

Attachments

Nil

Executive Summary

Monthly update on community engagement opportunities commencing or continuing.

Background

Community engagement is a process whereby Council uses a variety of methods to proactively seek out information and feedback from the community, including their values, concerns, ideas and aspirations. Where possible and when required by legislation, Council will include the community in the development and delivery of identified initiatives and projects. This practice establishes an ongoing partnership, ensuring that community members continue to shape Council's decision making and implementation process.

Council's *Community Engagement Policy* (Policy) sets out Council's accountability for community engagement practices. The Policy meets the requirements of the *Local Government Act 2020* and Council's commitment to undertaking best practice, high quality community engagement activities to receive input, feedback and ideas from the community on Council projects, services, plans, policies, strategies and other Council decisions.

Council uses the IAP2 Spectrum of Public Participation (see below) as the model for its community engagement activities depending on the nature of the project, legislative requirements affecting the project and level of influence the community can have on the project, the risk and level of complexity of the project and available resources.

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decision.	To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
EXAMPLE TOOLS	• Fact sheets • Websites • Open houses	• Public comment • Focus groups • Surveys • Public meetings	• Workshops • Deliberate polling	• Citizen Advisory committees • Consensus building • Participatory • Decision-making	• Citizen juries • Ballots • Delegated • Decisions

Policy Implications

Community engagement is undertaken in line with Council's *Community Engagement Policy*.

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

N.A

Consultation/Communication

This month, the following Engagement Plans are being implemented:

Community engagement activity January/February 2023			
Project	Project description	Proposed consultation date/s and details	Responsible Business Unit
Active Cardinia Strategy	Round 2 engagement on draft Active Cardinia Strategy - framework and direction for the long-term planning, development and management of sport and recreation facilities across our shire	Survey on Creating Cardinia between 7 Feb-7 March, 2023.	Active & Connected Communities
Officer Urban Design Framework	Community engagement on drafted Urban Design Framework for Officer town centre.	Engagement between 13 Feb-10 March, 2023. Survey on Creating Cardinia. Letters to residents and businesses in the town centre and immediately adjacent. QR code posters directing people to survey to be distributed locally including schools and early years facilities. Drop-in information sessions at Council Chambers: 22/2/23: 8am-12pm 28/2/23: 3-6:30pm 7/3/23: 10-3pm	Planning & Design
PB Ronald Reserve Artwork	Community engagement to collect memories of outdoor pool use across the decades to inform artwork design by artist commissioned for the project.	Pop up at Pakenham Outdoor Pool 27 Jan, 12-2pm facilitated by artist. Suggestion box at Pakenham Outdoor Pool between 27 Jan- 17 Feb 2023. Creating Cardinia page detailing the project and directing community to artist's website.	Active & Connected Communities/Arts, Advocacy & Economy
Alma Treloar Public Toilet	Community engagement to help decide on external façade for new accessible public toilets in Alma Treloar Reserve.	Online survey on Creating Cardinia for people to vote on preferred external façade. QR code posters directing people to survey to be distributed locally. Survey open 3-17 February 2023.	Buildings & Facilities
PB Ronald Reserve Public Toilet	Community engagement to help decide on external façade for new accessible public toilets in PB Ronald Reserve.	Online survey on Creating Cardinia for people to vote on preferred external façade. QR code posters directing people to survey to be distributed locally.	Buildings & Facilities

		Survey open 3-17 February 2023.	
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Some projects will involve more than one stage of engagement. The relevant Engagement Plans for each project will document the stages and purpose of engagement.

Financial and Resource Implications

N.A

Conclusion

The table above outlines projects for engagement that can be promoted to the community this month to support its awareness and involvement and will assist Council in the delivery of the Council Plan action.

The relevant Business Unit can be contacted for additional information and for further details on specific engagement activities planned (including dates).

Resolution

Moved Cr Stephanie Davies, seconded Cr Jeff Springfield.

That Council notes the community engagement activities being undertaken this month.

Carried

6.5.4 Performance and Growth Reports - Q2 2022-23

Responsible GM: Jenny Scicluna
Author: Joy Emeruwa

Recommendation(s)

The Performance and Growth Reports for Quarter 2 2022-23 be received and noted.

Attachments

1. Performance Report 2022-23 Q 2 [6.5.4.1 - 17 pages]
2. Growth Report 2022-23 Q 2 [6.5.4.2 - 6 pages]
3. Council Plan Initiative - Progress Report – 2022-23 Q 2 [6.5.4.3 - 18 pages]

Executive Summary

The new Council Plan 2021-25 was adopted at the Council Meeting on Monday 21 June 2021. This is the second reporting year for the new Council Plan. The Council Plan is structured around 5 strategic objectives that underpin the overarching strategic direction for the next 3 years. Under each strategic objective are a series of strategies, initiatives, and indicators. Council committed to undertake work on 38 Council Plan initiatives during the 2022-23 financial year. One initiative has been completed, with 2 off track initiatives, and 35 initiatives currently on track to be completed by their due date.

81% of incoming service requests across the organisation were actioned and closed within service standard. While this result is below our target of 90%, it should be noted that the organisation has been required to manage staffing difficulties. Although we have come out of the pandemic, we are still experiencing challenges with the strength of our workforce.

The service levels achieved for unsealed road related requests and drainage related requests this quarter were 84% and 80% respectively. Unsealed road service level while still higher than last three years, was below the target of 90%. The ongoing integration between Council's Customer Relationship Management System (CRMS) and Reflect (Council's inspection and maintenance management system), should result in improving these results further.

The service level for Customer Support call performance was 73% for the quarter. This is the highest it has been in the last 2 years. The improvement from the last quarter's result was due to several initiatives that were implemented to improve performance and assist with secondment extensions and unforeseen departures. Providing no other staffing issues occur, we should see further improvement on these results.

We have observed notable improvements in the results of a couple of Local Government Performance Reporting Framework (LGPRF) service measures, these being 'Council Decisions Closed to Public' and 'Councillor Meeting Attendance'. There have also been notable reductions in performance for some measures, such as 'Time Taken to Action Animal Requests', 'Animals Reclaimed', 'Time Taken to Action Food Complaints' and 'MCH 4-week Key Ages and Stages (KAS) participation'. All other measures have remained stable for the quarter.

Population growth within the Shire has been stable, with four households moving into the Shire per day. Subdivision land activity has slowed this quarter, with new construction of sealed

roads and new construction of footpaths both significantly lower than that of the same time last year.

Background

CEO Report

The second quarter of 2022–23 has been a progressive and eventful period for Cardinia Shire Council, and we've been presented with a number of opportunities to further enhance our growing shire.

Mayoral elections

Congratulations to our newest Mayor and Deputy Mayor: Officer Ward Councillor Tammy Radford was elected Mayor, and Pakenham Hills Ward Councillor, Jack Kowarzik was elected Deputy Mayor for 2022-23.

Supporting our community

This quarter saw many wonderful new initiatives delivered for our community, including the launch of our Community Connection Packs for our Culturally and Linguistically Diverse communities, savings and reduced emissions from our partnership with the Victorian Energy Collaboration, and even a trial in wildlife sensitive lighting in selected locations across the shire.

We also welcomed funding for playground upgrades in Pakenham, with \$90,000 awarded by the Victorian Government's Our Suburbs: Living Local Fund to support the playground upgrade works at Creekwood Park. This project will enhance the overall amenity and access of this existing park, as well as create new play opportunities for our young residents.

Access and inclusion is a fundamental priority for Council, and this quarter we worked in partnership with multiple organisations and neighbouring councils to deliver events for people with disabilities to take part in activities and connect with their community, including events for the Southern Region Disability Inclusion Week and International Day of People with a Disability. Council also completed upgrade works on a new accessible carpark in Garfield, increasing inclusion and participation for people with disability by enhancing access and reducing barriers.

Our community was invited to provide its valuable input on a number of plans and strategies this quarter, such as the draft concept plan for Bonette Reserve, Council's draft budget, and the draft concept design for Worrell Reserve skate park and youth plaza.

We also enjoyed the opportunity to get out into the community and connect with our residents this quarter at events such as Pakenham Christmas Carols, which was enjoyed by almost 5 thousand people. As part of 'Together We Can', we also 'walked against family violence' alongside hundreds of our passionate residents through the streets of Pakenham to take a stand against family violence and violence against women and children in our community.

Advocating for Cardinia

This quarter, we have taken action to deliver on important local issues and have endeavoured to support and advocate for our community, whilst maintaining a high level of commitment to our services and to our residents.

We have continued to advocate for better roads for Cardinia Shire, including actively seeking clarification from the federal government regarding the future of the Sealing the Hills program funding.

Council continues to advocate to the state and federal governments, further highlighting our community's key priorities, and we will continue to work with our wonderful community to further achieve our many shared goals.

Our shire's major projects and roads

Council has continued to work hard to deliver on major projects across the shire, with several projects being officially completed this quarter. Projects included the official opening of multiple sporting facilities throughout the shire, including the Koo Wee Rup sporting pavilions and Gembrook sporting pavilion. Upgrades were also made to several much-loved community assets this quarter, including the redevelopment of the Upper Beaconsfield BMX track.

Construction began for several local roads as part of Council's Better Local Roads program, such as Timbertop and Pink Hill Boulevards in Officer. Several roads were also sealed as part of Cardinia Shire Council's \$25 million Better Local Roads - Strategic Sealed Roads project, including the entire length of McGregor Road and Soldiers Road in Rythdale. Council officers are meeting regularly with the project teams delivering major roads projects in our region to ensure better transport outcomes are considered in the design of future infrastructure.

Many other projects are also underway, further details for which can be found on the following pages.

Carol Jeffs

Chief Executive Officer
Cardinia Shire Council

Government Interaction

Government Advocacy

Council works with all levels of Government to lobby for action on important local issues and works hard to influence government priorities that will benefit our local communities. Council also works with other groups of Councils, such as the Municipal Association of Victoria, Southeast Melbourne, and Interface Councils Groups, to facilitate investment into the broader region.

An advocacy package was prepared detailing Council's priorities for the municipality, and this was used to lobby local members of parliament and candidates in the lead up to both the Federal Election and State Elections and will also be used to promote Council's priorities for consideration in the development of Federal and State budgets.

Grant applications

Council continues to rely heavily on rate revenue to fund the provision of infrastructure and services. Due to the Victorian Government's rate cap, Council is limited in the amount of revenue it can achieve through rates and is required to have a strong focus on seeking grants.

For the first half of this financial year 12 applications were lodged under various programs. Of these 8 have so far been approved for a total of \$4.9M

Legislative Program

Council is monitoring the Victorian Government's progress in reform of Victoria's building system following the introduction of the *Building, Planning and Heritage Legislation Amendment (Administration and Other Matters) Bill 2022*. This Bill has the potential to shift substantial risk and costs on to Councils without providing any benefit to Councils or homeowners.

Other Bills currently before the State Parliament that are being monitored include:

- Disability Amendment Bill
- Local Government (Rates and Charges) Bill
- Planning and Environment Amendment Bill
- Windfall Gains Tax and State Taxation and Other Acts Further Amendment Bill

Performance Summary

Council Plan Performance

The Council Plan sets out a medium to long-term vision for how Council will respond to community needs and the opportunities and challenges facing Cardinia Shire. Council delivers the plan through a 4-year initiative plan which covers 5 Key Priority Areas (KPAs). The performance of the 5 KPAs and their Council Plan Initiatives is illustrated in Figure 1. For a more comprehensive account of the progress of initiatives, please refer to the Council Plan Initiative Progress Report attached.

There are 38 Council Plan initiatives (including 2 carry-overs from FY21/22) due to be completed during the 2022-23 financial year, out of which, 1 initiative has been completed, 2 are off track, and 35 are on track to be completed. Please refer to Figure 1 for details.

Figure 1. Council Plan Initiative Performance by Priority Areas



Service Request Performance

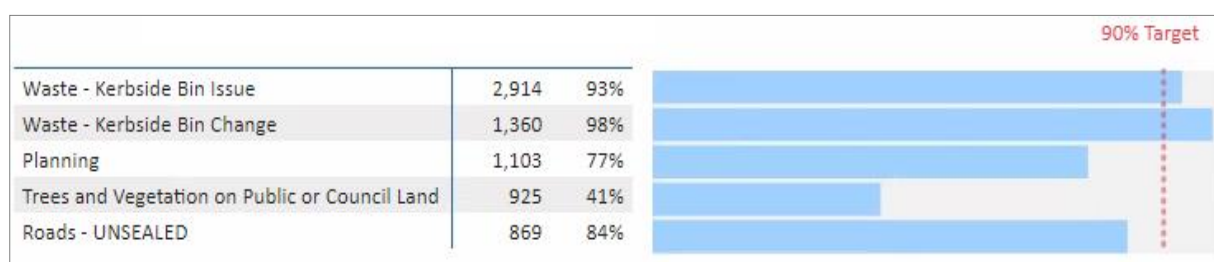
Service requests are recorded in Council's Customer Request Management System (CRMS) when a request for service is made to Council via the established channels, including telephone, Council's website, web mail, and chat. Each request type is assigned a service standard, which is a target timeframe for completion. The term 'Service Level' (SL) refers to the percentage of requests completed within their target timeframe. Council's target Service Level is 90%.

Organisation Performance:

81% of incoming service requests across the organisation were actioned and closed within service standard, which is below our SL target of 90%. While the total number of incoming service requests decreased by 4%, compared to the same time last year, it is important to note that, across the reporting period, the organisation has been required to manage staffing difficulties.

Table 1 illustrates the top five service categories by volume and their service level, for the quarter. A focus on improving service levels across the below service categories is expected to have a strong effect on the overall service level for the organisation.

Table 1. Top 5 Service Request Categories by Volume, and their Service Levels



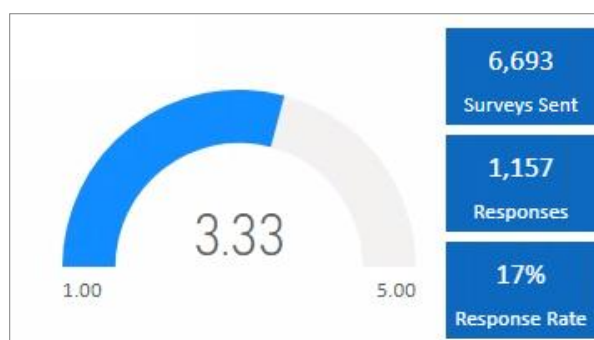
Waste and Planning service categories continue to be in the top 5 request types by volume.

Customer Experience Results:

The overall customer satisfaction score is derived from asking customers, who have had a service request closed, to rate their overall experience with council, on a scale of 1 to 5, with 1 being very poor, and 5 being very good.

We achieved a satisfaction score of 3.33 in quarter 2. The score is based on 1,157 responses received from 6,693 surveys sent.

Figure 2. Overall customer satisfaction results


Operations Performance

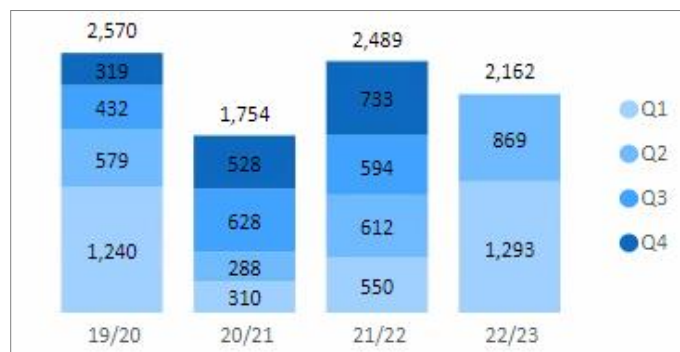
Council maintains a large, unsealed road network. Maintenance works consist of both grading and

resheeting, done on a cyclic basis, along with responses to defects caused by adverse weather conditions such as storms or long dry spells. All works are conducted in accordance with Council's Road Management Plan, which ensures that the network is kept in a safe and trafficable condition.

Unsealed road results:

The service level for unsealed road related requests this quarter was 84%. This is a 8% decrease in service level compared to last quarter. There has been an 86% increase in the number of unsealed road service requests received in this quarter compared to the same time last year.

Figure 3. Unsealed road service requests due



It should be noted that the service level calculation is based upon the number of unsealed road requests closed in time upon completion of inspection and scheduling of work (if work is required).

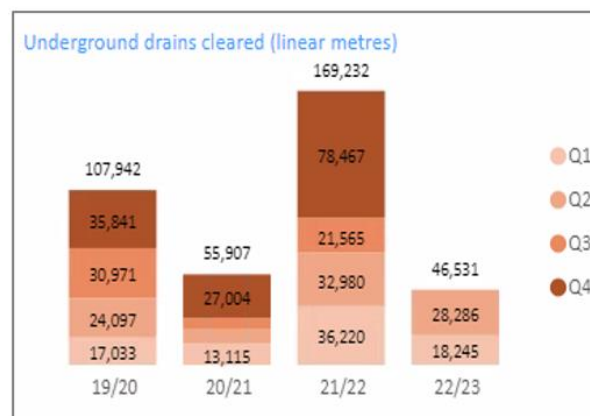
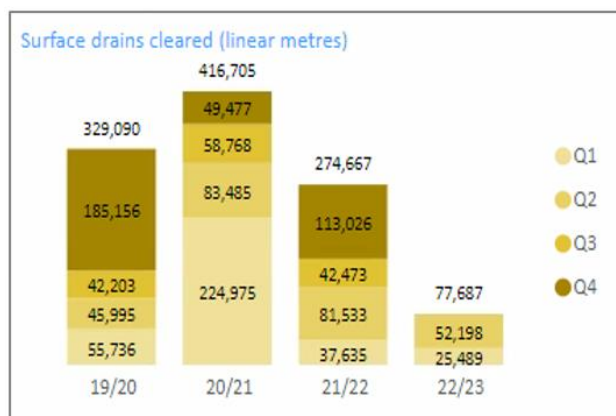
The number of hours spent grading unsealed roads was 2% higher compared to the same time last year. A total of 499 corrugation or pothole complaints requests were received, and this a 92% increase compared to the same time last year. The increase in corrugation or pothole complaints can be attributed to several challenges the team faces, not least of all being weather conditions impacting our roads.

Drains maintained:

Council also maintains over 3,000 km of open surface drains. These drains are cleaned out using a maintenance system that is driven by proactive inspections, and reactive works, and supplemented by responding to flooding issues following storms. Works are prioritised based on risk to property or life.

The percentage of linear metres of surface drains and underground drains cleared this quarter were, respectively, 35% and 33% lower than the same time last year. This result was due to an increase in demand for drainage pipe and pit cleaning. The current service level for drainage related requests is 80%.

It should be noted that the service level calculation for the drains cleared is based upon the number of drainage requests closed in time upon completion of inspection and scheduling of work (if work is required).



Business system/process improvement initiative:

Unsealed road service requests are recorded initially through the CRMS, however, the work to resolve the service request is handled through the inspection and maintenance management system called Reflect. When a service request is logged in the CRMS, it is categorised as a request for inspection and should be closed as soon as practicable following completion of the relevant inspection. This is currently a manual process, and, as such, delays in the closing of requests can occur.

An improvement project, to integrate Council's Reflect with the CRMS, is currently underway. It is anticipated that this project will reduce the time between completion of the requested inspection, and the closing of the request in the CRMS.

As the drainage service requests are also managed through the Reflect system, it is expected that the integration project mentioned above will also improve the efficiency of closing the requests in the CRMS, and therefore have a positive effect on the accuracy of reporting.

Waste Management Performance:

As the Shire's population continues to grow, the amount of waste generated is also growing. Cardinia Shire Council will continue to take advantage of recent advancements such as newer technologies and improved markets for products, resulting in improved financial outcomes for resource recovery. The impact of weather events can also vary the tonnage of green waste recycling due to moisture content from wet or dry years.

Waste management performance results continue to meet the organisation's target, achieving a 95% service standard for the quarter. There was no noticeable change to the percentage of garbage waste being sent to landfill, when compared to the same time last year. The amount of recycling recovered decreased by 4%, while green waste mulched increased slightly by 1% when compared to the same time last year.

Customer Support Performance

The Customer Support team runs the organisation's contact centre. As these contacts are the first interactions our community has with our organisation, it is important that we deliver a positive customer service experience. Monitoring the service level of the contact centre is one of the ways we assess our customers' experience with Council.

Call Performance:

We currently measure our Customer Support call service level as the percentage of calls answered in 300 seconds, with our target being 80% of calls answered within this time. Our service level for the quarter was 73%. This is a significant improvement compared to the Q1 result of 48%.

We also measure the average amount of time customers wait in the call queue (Average Wait Time), average amount of time taken to complete admin work following the conclusion of a call (After-Call Work Time), Average Handle Time (Time taken to action a customer's query), and the percentage of calls that were abandoned by customers (Abandoned Calls).

For the quarter, the Average Wait Time, Average Handle Time, and After-Call Work Time were 168 seconds, 394 seconds, and 125 seconds, respectively. Nine percent of calls were abandoned by customers.

Digital Performance:

In addition to the 1300 number, customers can contact Council via email (mail@cardinia.vic.gov.au) and online chat available on Council's website. More customers are using these alternative channels of contacting Council and, as a result, new measures

(number of emails received, and online chat sessions completed) were introduced to monitor the service performance for these digital interactions.

The email service level target is to respond to/action 100% of emails received within one business day. While the online chat service level target is measured as 80% of chats responded to within 300 seconds. In this quarter, 7,896 emails were received, and 223 online chats sessions were completed. The service levels achieved for emails and online chat sessions were 100% and 83% respectively.

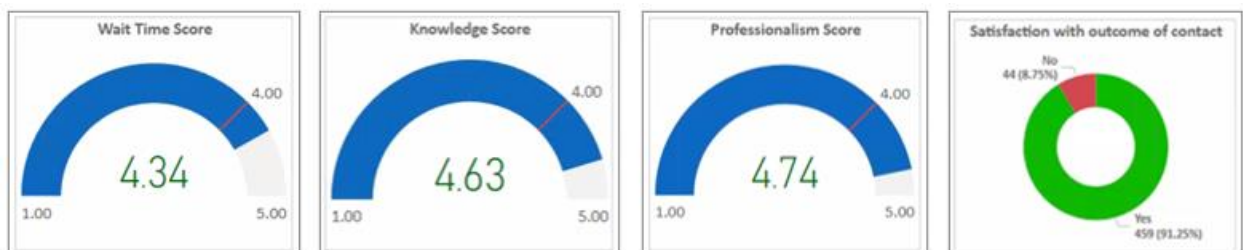
On average, the handle time for emails was 6 minutes 57 secs, which is well under our target of 10 minutes, while the average wait time was 6.5 hours, which is significantly below our 24-hour processing target. The average wait time to respond to an online chat query was 2 minutes 47 seconds, lower than the target of 5 minutes, while the average handle time was 11 minutes 27 seconds, which is above our target of 10 minutes.

Customer Call Experience Results:

One of the improvement initiatives, recently implemented in the Customer Support area, is a survey after each call or chat, to gain our customers' feedback on their experience interacting with Council. Customers are asked to answer five survey questions about their experience interacting with Council on the day.

The survey questions that are asked are as follows:

- How satisfied were you with the time you waited on hold before speaking with an officer? (One to five scale, with one being the lowest, and five being the highest)
- How satisfied were you with our officer's level of knowledge about your inquiry? (One to five scale, with one being the lowest, and five being the highest)
- How satisfied were you with our officer's professionalism and the time they took to handle your inquiry? (One to five scale, with one being the lowest, and five being the highest)
- Are you satisfied with the outcome of your call? (Yes or No answer)



Improvements in these results, compared to last quarter, may be due to various reasons, such as a reduction in call volumes due to the time of the year (holiday period), extensive coaching and training programs, and recruiting and training a casual pool to quickly fill in when needed to take customer enquiries. The cost of the casual pool was funded by repurposing unused staffing budget (secondments), to sufficiently staff the customer support team during the quarter. This initiative has also helped in reducing the percentage of abandoned calls, and wait and handle times, while providing a consistent and great experience for our customers.

LGPRF Performance

The Local Government Performance Reporting Framework (LGPRF) is a platform for key local government service and financial measures. The measures are reported annually in Council Annual Reports. The LGPRF data was previously published on the Know Your Council website,

however that website was decommissioned by LGV on 31st Dec 2022. The performance data will now be published via the Local Government Victoria website.

The 'Councillor Decisions Closed to Public' measure improved, while 'Councillor Meeting Attendance' and 'Sealed Roads Maintained to Standard' measures have remained stable. Our performance on 'Time Taken to Action Food Complaints', 'Time Taken to Action Animal Requests', and 'Animals Reclaimed' have declined.

Council decisions closed to the public decreased to 2.8%, as only three matters were considered at meetings closed to the public. Some notable results in our LGPRF measures are Councillor attendance rate at meetings, which is at 94.4%, and Sealed Roads Maintained to Condition Standards, which remained stable at 99%. Missed bins increased to 7.4 per 10,000 collections, compared to 5.3 per 10,000 collections in quarter 1, and the percentage of waste diverted from landfill also increased to 48.5%, compared to 44.8% in quarter 1. Maternal and Child Health enrolments remain high, however, the 4-week Key Ages and Stages (KAS) participation rates decreased slightly to 94.9% compared to 97.3% last quarter.

Growth Summary

Residential development activity drives much of the growth in demand for Council's services and facilities. There are four main precincts across the Shire in which residential land is currently in development. On 21 January 2021, the structure plan for the Pakenham East Precinct was approved and development has now begun. There are approximately 18,300 lots still to be developed across the Shire, the majority of which being within the Officer and the Pakenham East precincts. This quarter, the number of residential subdivision lot applications lodged was 53% higher compared to the same time last year. The number of residential lots issued a statement of compliance is 33% higher compared to the same time last year.

Activity within the property sector can help determine the growth rate within a municipality and therefore assist with future decision making. The number of building permits issued was 38% lower than the same time last year. Residential building completions are lower, with only 152 residential building completions processed this quarter. The number of non-residential building completions processed is 76% lower than the same time last year. The significant drop in numbers can be attributed to the backlog of building permit applications and additional documents required for a building to be certified as complete that are yet to be processed.

A new household garbage service is requested predominantly when a new home has been completed and is ready to be occupied. This indicator can therefore represent the growth of new households within the Shire. The number of new garbage bin requests received is 1% lower than the same time last year. The household growth rate in the Shire remains steady at four households per calendar day for the current financial year.

The Maternal and Child Health statistics are also a lead growth indicator. Birth notices are the number of notifications received from hospitals, for newborn babies in the municipality. There were 449 births in the Shire for the quarter. Birth notifications dropped slightly compared to the same time last year. Maternal and Child Health Enrolments is the number of babies and children, from birth to school age, who visit and enrol at an MCH centre, including children of families moving to Cardinia Shire. Enrolments are 1% lower than the same time last year.

The growth of the sealed road and footpath network provides insight into the progress of infrastructure activity within the Shire. Sealed road growth is due to a combination of subdivision development and Council's sealing of unsealed roads through special charge schemes or other external funding such as Roads to Recovery. There were 1.19 KMs of sealed roads constructed for the quarter. Sealed road construction is 19% lower than the same time

last year. Footpath growth is due to a combination of footpaths constructed from subdivision development and Council's capital works program. There were 2.30 KMs of footpaths constructed for the quarter. The length of footpaths constructed is 53% lower than at the same time last year. There are three factors contributing to the reduction in sealed road and footpath construction. One is the cold and wet seasonal weather and fewer hours of sunlight, which make it difficult for concrete and asphalt to be laid in these conditions. The second issue is the significant increase in CRMS requests in the quarter. Lastly, staffing issues are a significant concern in the construction industry, due to pandemic related issues such as vaccine mandates and, more recently, significant amounts of unplanned leave.

Policy Implications

Nil

Relevance to Council Plan

5.1 We practise responsible leadership

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

5.1.4 Maximise value for our community through efficient service delivery, innovation, strategic partnerships, and advocacy.

Climate Emergency Consideration

Not Applicable

Consultation/Communication

Relevant managers and officers, from all divisions across the organisation, provide updates and comments that feed into the Performance and Growth reports.

Risk Assessment

Not Applicable

Financial and Resource Implications

Nil

Conclusion

The Performance and Growth Reports for Quarter 2 2022-23 show various results in performance across the organisation, and growth across the Shire. The organisation will continue to aim targeted improvement initiatives at areas and services that are not achieving desired targets.

Resolution

Moved Cr Stephanie Davies, seconded Cr Collin Ross.

The Performance and Growth Reports for Quarter 2 2022-23 be received and noted.

Carried

6.5.5 Major Projects Report

Responsible GM: Peter Benazic
Author: David Fice, Walter Carmignani, Kristen Jackson

Recommendation(s)

That Council note this report

Attachments

1. Major projects report - February 2023 [6.5.5.1 - 20 pages]

Executive Summary

As part of the reporting process to Council, this monthly report provides an update of the status of major projects in progress.

Background

Projects and updates are included in the attached report

Conclusion

This regular activity report (as attached) is provided for Councillor's information

Resolution

Moved Cr Brett Owen, seconded Cr Jack Kowarzik.

That Council note this report

Carried

7 Reports Or Minutes Of Committees

8 Reports By Delegates

Cr Springfield advised that he had attended the 40th Commemorative Anniversary of Ash Wednesday held at the Ash Wednesday Bushfire Education Centre in Cockatoo

Cr Ryan reported on the appearance of Ms Claus on Main St Pakenham prior to Christmas, and her attendance at the following events:

- Pakenham Pool Party
- Visit to the Forget Me Not Cafe
- Pakenham CBD Safety Committee Meeting
- Minister for Early Childhood, Ingrid Stitt, visit to the Pakenham Kindergarten
- Update on the Youth Hub
- Coffee with a Cop
- Mental Health Well Being Action Team Meeting

Cr Cameron advised of her attendance at the Official Opening of the new Cricket nets at Catani Recreation Reserve and her visit to the Koo Wee Rup Motorcycle Club

Cr Davies advised of her attendance at the Cardinia Australia Day event and thanked the Lakeside Residents Group for their efforts in arranging and conducting the event

Cr Owen advised of the 40th Anniversary of the Ash Wednesday bushfires and thanked the Cockatoo CFA for their efforts in conducting the anniversary event at the AWBEC Centre and the Upper Beaconsfield Association for the event held in Upper Beaconsfield on Thursday 16 February. and of his attendance at the Upper Beaconsfield Festival.

Cr Owen acknowledged the recent passing of prominent local residents Ian Herbert Thomas OAM and Gerald James Treasure

Cr Ross advised of his attendance at the following:

- Catani Cricket Club official opening of practice nets
- Pakenham Eels Rugby Club event at Comely Banks Reserve
- Australia Day Citizenship Ceremony

Cr Moore advised of the recent passing of local prominent residents being:

- Norm Henwood
- Max Mitchell
- Ian Thomas OAM, and
- John Wilson

9 Presentation Of Petitions

Nil.

10 Notices Of Motion

Nil.

11 Community Questions

The Mayor advised that Council had received 1 question from Jenny Robinson.

Question 1 read:

What is happening with Thewlis Rd why has it taken so long and when will it be finished?

The General Manager Infrastructure and Environment responded with:

In answer to your question, I advise that works on Thewlis Rd are to install South East Water sewerage and water connections for the new estate at 80 Thewlis Rd.

The depth and size of these connections on this steep road does not allow the construction to be safely carried out whilst traffic is still on the road, even in a shuttle flow capacity.

Unfortunately the continual wet weather caused significant delays both with the works themselves as well as the reparations to the road post the works.

The slope of the road, the underlying ground conditions, the existing trees on the western side that needed to be retained and the scale of the works on site combined with the adverse weather, has really been bigger than the contractors for the developers first considered it would be and it has blown out the timeframes on having this road open.

However, the road is now open from Havana Pde to Peck Rd under traffic control and shuttle flow.

The utility installation and road work construction have not been completed but are at a point where residents can safely use the road under traffic control.

There will be some further full shut down points from time to time to manage major works but it is anticipated that these will be less disruptive than the previous works.

We appreciate the disruption caused to the residents but this was the safest way to install these services given the challenging conditions particularly around the slope in this area.

12 Urgent Business

There was no urgent business.

13 Councillor Questions

Nil.

General Manager Customer People and Performance

The Mayor advised of the resignation of Jenny Scicluna, General Manager Customer people and Performance and thanked her for her 8 years of service to the Council and wished her well in her new position at the City of Yarra.

14 Confidential Business

Amendment to Minutes

Council resolved at Council Meeting 14 April 2025 to approve the recording of item **14.1 Purchase of Land** as an accurate record.

Item **Purchase of Land** was designated as confidential on the grounds that it relates to *Local Government Act 2020*, section 3(1)(e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;

(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;

(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

15 Meeting Closure

Meeting closed at 8:33pm.

Minutes confirmed
Chairman