

Ordinary Council Meeting

Minutes

Monday 17 June 2024

Commenced at 7:00 PM

**Council Chambers
20 Siding Avenue, Officer
Victoria**

Members: Cr Jack Kowarzik Mayor
Cr Graeme Moore Deputy Mayor
Cr Carol Ryan
Cr Kaye Cameron
Cr Stephanie Davies
Cr Jeff Springfield
Cr Collin Ross
Cr Brett Owen

Officers: Carol Jeffs Chief Executive Officer
Misty Johannsen Acting General Manager Infrastructure and Environment
Lili Rosic General Manager Liveable Communities
Debbie Tyson General Manager Governance, Facilities and Economy
Allison Southwell Acting General Manager Customer, People and Performance
Peter Harris Manager Governance, Safety & Property

Meeting opened at {7:00pm}.

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1 Opening And Reflection/Prayer

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.

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

Cr Tammy Radford

Peter Benazic General Manager Infrastructure and Environment

Wayne Mack General Manager Customer, People and Performance

4 Adoption And Confirmation Of Minutes

Moved Cr Graeme Moore, seconded Cr Carol Ryan

That minutes of the following meetings be confirmed:

- General Council meeting 20 May 2024
- Town Planning Committee 3 June 2024

Carried

5 Declaration Of Interests

6 Ordinary Business

6.1 Town Planning Reports

6.1.2 Proposed Cardinia Planning Scheme Amendment C278card - New Environmentally Sustainable Development (ESD) Local Policy (Clause 22.11) and associated changes to the Municipal Strategic Statement (MSS)

Responsible GM: Lili Rosic
Author: Lorna Lablache

Recommendation(s)

That Council:

1. Receive and consider all submissions (including late submissions) made to proposed Planning Scheme Amendment C278card.
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 submitters of Council's decision.

Attachments

1. C 278 card Frequently Asked Questions Exhibition CM Attachment 1 17 June 2024 [6.1.2.1 - 3 pages]
2. C 278 card Explanatory Report Exhibition Gazetted CM Attachment 2 17 June 2024 [6.1.2.2 - 11 pages]
3. C 278 card summary of submissions and officer response CM Attachment 3 17 June 2024 [6.1.2.3 - 19 pages]
4. C 278 card Explanatory Report Panel tracked changes CM Attachment 4 17 June 2024 [6.1.2.4 - 11 pages]

Executive Summary

Amendment C278card proposes to introduce an Environmentally Sustainable Development (ESD) Local Planning Policy into the Cardinia Planning Scheme. The policy will ensure specified developments achieve best practice in environmental sustainability from the design stage through to construction and operation. It is also proposed to make changes to the Municipal Strategic Statement (MSS) to support the new local policy.

The proposed Local ESD Policy will apply to new residential and non-residential developments within predetermined thresholds and will strengthen Council's position to consider principles of environmentally sustainable development through the statutory planning process. It is important to note that incorporating an ESD policy into the planning scheme does not trigger any additional planning permits and only applies to planning applications already required under other parts of the scheme. The policy does not apply to single dwellings, outbuildings or subdivision.

The Amendment brings Cardinia Shire Council into alignment with 27 other councils who have an equivalent ESD local policy.

At the Council meeting on 20 March 2023, Council resolved to seek authorisation to prepare Amendment C278card. Council received authorisation from the Minister for Planning to prepare Amendment C278card on 23 October 2023.

Amendment C278card was formally exhibited from the 29 February to 8 April 2024 in accordance with the requirements of the *Planning and Environment Act 1987*. At the conclusion of the exhibition of the Amendment, five submissions were 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 has a duty of care in exercising its functions to manage foreseeable risks and this is embedded in legislation such as the *Planning and Environment Act (1987)*, the *Climate Change Act (2017)* and Section 9(2) of the *Local Government Act (2020)*.

On 16 September 2019, Council supported a Declaration of a climate emergency. Council has committed to prioritising policy and actions that will provide for both mitigation and adaptation in response to accelerating global warming and climate change.

In addition to this, 'tackling climate change and its impact on our environment, economy and people' is identified as one of our most significant challenges and opportunities in the *Council Plan 2021-25 and Community Vision 2040 (June 2021)*. The Council Plan also identifies that the development of an Environmentally Sustainable Design (ESD) Policy is a Council priority (Year 1 - 2021-22) and it requires that the ESD Policy be incorporated in the Cardinia Planning Scheme (Year 2 - 2022-23).

A series of Council adopted documents, all of which have been informed by community consultation envision a sustainable built environment in Cardinia. This also includes specific local policy clauses, incorporated documents and reference documents within the Cardinia Planning Scheme that also direct planning applications to consider and address ESD principles.

In 2021 Cardinia Shire Council became a member of the Council Alliance for a Sustainable Built Environment (CASBE). CASBE is an alliance of councils committed to enabling change to bring about healthy, resilient and liveable urban places. The South East Council's Climate Change Alliance (SECCCA) also supports CASBE's advocacy for environmentally sustainable design. As a member of CASBE, Council proposes to follow the lead of 27 other Councils by implementing an ESD local policy utilising the CASBE Sustainable Design Assessment in the Planning Process (SDAPP) Framework.

The SDAPP framework provides a streamlined and consistent methodology for requesting, receiving and assessing built environment sustainability outcomes through the planning process. The ESD philosophy is 'meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

At the Council meeting on 20 March 2023, Council resolved to seek authorisation to prepare Amendment C278card. Council received authorisation from the Minister for Planning to prepare Amendment C278card on 23 October 2023.

Proposed Planning Scheme Amendment C278card

What the amendment does

The amendment introduces a new Environmentally Sustainable Development (ESD) Local Planning Policy, for development to achieve best practice in environmental sustainability from its design stage through to construction and operation. This change is supported by refinements to the Municipal Strategic Statement (MSS).

The ESD policy provides statutory weight to what is currently a voluntary approach in the planning process, by requiring those developments which require a planning permit to achieve best practice environmental objectives. The amendment brings Cardinia Shire Council into alignment with 27 other councils who have an equivalent local policy.

The amendment proposes to:

1. Amend the following clauses in the Municipal Strategic Statement (MSS) of the Cardinia Planning Scheme to reflect the introduction of Clause 22.11 Environmentally Sustainable Development:
 - Clause 21.01 Cardinia Shire Key Issues and Strategic Vision (21.01-3 - Key issues - Environment, Settlement and housing and Particular use and development 21.01-4 Strategic vision)
 - Clause 21.02 Environment (21.02-1 Catchment and coastal management - Key issues & Objective 2 Strategies 21.02-2 Landscape – Strategies (Landscape values & Design and built form) 21.02-8 Resource conservation – Key issues, Strategies (Reduction of greenhouse gas emissions & Design and construction) and Implementation – Further strategic work)
 - Clause 21.03 Settlement and Housing (21.03-1 Housing – Key issues, Objective 1 Strategies)
 - Clause 21.04 Economic Development (21.04-2 Agriculture – Key issues 21.04-3 Activity centres – Key issues, Strategies (Design and location) 21.04-4 Industry – Key issues, Strategies (Design) 21.04-5 Tourism – Key issues, Strategies (Assets))
 - Clause 21.06 Particular Uses and Development (21.06-1 Urban Design – Key issues & Objective 1 Strategies)
2. Introduces a new Clause 22.11 Environmentally Sustainable Development (ESD) into the Local Planning Policy Framework of the Cardinia Planning Scheme.
 - The proposed local policy provides objectives and strategies relating to energy performance, integrated water management, indoor environment quality, transport, waste management and urban ecology.
 - The local policy also sets out application requirements.
 - Based on the project's development size, the applicant must illustrate how they will achieve the relevant policy goals by either completing a Sustainable Design Assessment (SDA) or a Sustainability Management Plan (SMP).

Amendment C278card applies to all land in the municipality of Cardinia Shire, where a planning permit is required for development. Incorporating an ESD policy into Cardinia's planning scheme does not trigger any additional planning permits and only applies to planning applications already required under other parts of the scheme.

The proposed ESD policy does not apply to single dwellings, outbuildings or subdivision applications.

What are the planning application requirements of Cardinia's proposed ESD policy?

Amendment C278card proposes the following planning permit application requirements for residential and non-residential developments:

1. Residential developments:
 - a. Comprising 2 - 9 dwellings or a building used for accommodation other than dwellings with a gross floor area between 100 sqm and 999 sqm will require a Sustainable Design Assessment (SDA).

- b. Comprising of 10 or more dwellings or a building used for accommodation other than dwellings with a gross floor area equal to or more than 1000 sqm with require a Sustainability Management Plan (SMP) and a Green Travel Plan.
2. Non-residential development with:
 - a. A gross floor area of 300 sqm to 999 sqm or an extension to an existing non-residential building creating between 300 sqm to 999 sqm of additional gross floor area (excluding outbuildings) will require a Sustainable Design Assessment (SDA).
 - b. A gross floor area equal to or more than 1000 sqm or an extension to an existing non-residential building equal to or creating more than 1000 sqm of additional gross floor area (excluding outbuildings) will require a Sustainability Management Plan (SMP) and a Green Travel Plan.

What is the difference between ESD Assessments?

The prescribed ESD assessment is proportional to the scale of development to ensure that the proposed thresholds are reasonable whilst maximising environmental benefits.

1. A Sustainable Design Assessment (SDA) provides a simple assessment of how the development addresses the ESD principles and identifies sustainability measures. A SDA can be prepared by the applicant and commonly does not need to be prepared by an expert in the ESD field.
2. A Sustainability Management Plan (SMP) is more detailed than an SDA. A SMP provides a detailed assessment of the proposal and must identify performance standards and sustainability targets. A SMP will require expert advice from a suitably qualified person such as an environmental engineer or specialist ESD consultant.

A Frequently Asked Questions (FAQ) Sheet for this Amendment is contained in Attachment 1.

Policy Implications

Strategic Assessment

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

The strategic assessment demonstrates that the proposed Amendment aligns with the outcomes and policy directions outlined in *Plan Melbourne: Metropolitan Planning Strategy 2017 – 2050*, is consistent with and supports the Planning Policy Framework (PPF) and Municipal Strategic Statement (MSS) of the Cardinia Planning Scheme.

The proposed Amendment is also consistent with a series of Council adopted documents, all of which have been informed by community consultation and the vision to create a sustainable built environment in Cardinia.

Relevance to Council Plan

2.1 We support the creation of liveable spaces and places

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

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.
- 3.1.2 Actively move towards zero waste through increasing waste recovery and reuse.
- 3.1.3 Work with community to improve and manage our natural assets, biodiversity and cultural heritage.
- 3.1.4 Plan and advocate for better water cycle planning and management to reduce environmental impacts.

4.1 We support our productive land and employment land to grow local industries

- 4.1.1 Facilitate better planning for our agricultural land to support industry, innovation, local food economy and local job growth.
- 4.1.2 Plan for sustainable employment precincts to entice new industries to the region and support new business.

5.1 We practise responsible leadership

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

Climate Emergency Consideration

The development of a local ESD Policy and the incorporation of the ESD Policy into the Cardinia Planning Scheme will assist Council in responding to and addressing its legislative, state policy and local policy responsibility regarding climate change.

The ESD policy is a planning tool that will help strengthen the resilience and safety of communities by adopting a best practice environmentally sustainable development to help prepare for and respond to the impacts of climate change.

Consultation/Communication

Notification (formal exhibition)

Amendment C278card was formally exhibited for five weeks from 29 February to 8 April 2024 in accordance with the requirements of the *Planning and Environment Act 1987*.

Notice of the exhibited Amendment was sent to:

- 153 applicants (which was a targeted list of applicants that have applied for 3 or more planning permits (from April 2021 to January 2024)).
- Council Alliance for a Sustainable Built Environment (CASBE)
- Neighbouring Councils
- Relevant State Government and public authorities
- Prescribed Ministers

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

- Circulated to the CASBE Network via the MS Teams CASBE Members Hub
- Public Notice in the Pakenham Gazette – 6 March 2024
- Public Notice in the Government Gazette – 29 February 2024
- An article in the Pakenham Gazette – 6 March 2024
- Display on the Department of Transport and Planning (DTP) website.
- Display on Cardinia Shire Council website.
- A post on the Cardinia Environment Coalition Facebook Page 27 February 2024

- A hard copy of the proposed Amendment documents made available for viewing at Cardinia Shire Council Civic Centre Customer Service.

Submissions and responses

At the conclusion of the public exhibition of the Amendment, five (5) submissions were received.

A summary of the submission and comments in relation to the matters raised are provided in Table 1

Table 1: Summary of Submissions

Submitter	Summary of submission	Comments on submission and proposed changes (if possible)
Submitter 1 Council Alliance for a Sustainable Built Environment (CASBE)	Welcomes and strongly supports the proposed introduction of a Local Planning Policy into the Cardinia Planning Scheme to provide policy guidance for Environmentally Sustainable Development (ESD).	Noted – no changes requested Refer to Attachment 3
Submitter 2 Landowner/Applicant of factory developments in Pakenham	Does not support the inclusion of mandatory ESD provisions in the Cardinia Planning Scheme.	Noted – some matters have not been resolved Refer to Attachment 3
Submitter 3 Puffing Bully Railway	Support the general principles and intent of the amendment but raised concerns with a number of aspects of the proposed amendment	Noted – some matters have not been resolved Refer to Attachment 3
Submitter 4 Country Fire Authority	Seeking further clarification on urban ecology principles and how the heat island effect will be managed regarding bushfire and risk. <i>(late submission)</i>	Noted – matter has been resolved through additional text in Explanatory Report Refer to Attachment 3 and 4
Submitter 5 South East Water	Has no objection.	Noted – no changes requested

Concerns raised by the submissions can be summarised as follows:

1. Seeking clarification about the Sustainable Design Assessment in the Planning Process (SDAPP) Framework regarding a range of elements such as (but not limited to):
 - a. best practice and mandatory requirements
 - b. the impact on the planning application assessment process
 - c. opportunity for negotiations, options and flexibility
2. Increase cost burden of ESD requirements and impact on affordability.
3. Increase in delays in the approval process.

4. Seeking further clarification on how the principles of urban ecology apply, as well as how the heat island effect impacts bushfire risk.

A full summary of issues raised by submissions and officer responses are included in Attachment 3.

Having considered the submissions, Council staff consider that Planning Scheme Amendment C278card:

1. Is supported by both State and local planning policy including *Council Plan 2021-25 and Community Vision 2040 (June 2021)* which identifies that the development of an Environmentally Sustainable Design (ESD) Policy is a Council priority (Year 1 for 2021 -22) and it requires that the ESD Policy be incorporated in the Cardinia Planning Scheme (Year 2 for 2022 - 23).
2. Is based on the Sustainable Design Assessment in the Planning Process (SDAPP) Framework. The SDAPP Framework was developed by Victorian councils to provide a streamlined and consistent methodology for requesting, receiving and assessing built environment sustainability outcomes through the planning process.
3. Brings Cardinia Shire Council into alignment with 27 other councils who have an equivalent ESD local policy and
4. Provides a net community benefit.

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 Directions hearing is pre-set to commence in the week of Monday 22 July 2024, with a Panel hearing pre-set to commence in the week of Monday 26 August 2024.

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

Incorporating an ESD policy into the planning scheme does not trigger any additional planning permits and only applies to planning applications already required under other parts of the scheme.

The proposed ESD policy will place additional workload regarding the assessment of planning permit applications within Council. Council staff understand resourcing for an ESD Officer has been allocated in the 2023-2024 Council budget and will be an ongoing position.

Resourcing and any additional costs associated with the proposed Planning Scheme Amendment process are provided for by the current and proposed Planning Strategy and Urban Design teams budget.

Conclusion

Subject to Council reviewing and having considered the submissions to the proposed Planning Scheme Amendment C278card, it is recommended that Council refers all submissions for consideration to a Planning Panel to be appointed by the Minister for Planning. All submitters will be advised of Council's decision.

Resolution

Moved Cr Stephanie Davies, seconded Cr Jeff Springfield.

That Council:

1. Receive and consider all submissions (including late submissions) made to proposed Planning Scheme Amendment C278card.
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 submitters of Council's decision.

Carried

6.2 General Reports

6.2.1 Appointment of Community Asset Committees for Recreation Reserves

Responsible GM: Lili Rosic
Author: Rachael Chinnock

Recommendation(s)

That Council:

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.

Chandler Recreation Reserve

President	Mark Pedder/Rod Smith
Secretary	Rod Smith/Mark Pedder
Treasurer	Judy Strong
Committee Member	Clinton Marsh
Committee Member	Patrick Virtue
Committee Member	Brad Bishop

Lang Lang Community Recreation Reserve

President	Sam Loughridge
Vice President	Andrew Wilson
Secretary	Laura Healy
Treasurer	Rebecca Turner
Committee Member	Joe Giacco
Committee Member	Lee Thom
Committee Member	Keith Halden
Committee Member	Glenn Barwick
Committee Member	Ray Patullo

Worrell Recreation Reserve

President	Kris Strong
Secretary	Howard Winter
Treasurer	Ethan Crosher
Committee Member	Matt Byron
Committee Member	Gary Campbell
Committee Member	George Trojan

2. Thanks Committee Asset Committee Members for their valuable contribution to the management of community recreation reserves.

Attachments

Nil

Executive Summary

This report advises Council of the memberships elected for three Community Asset Committees and seeks formal Council appointment of these members. Community Asset Committee members make a significant contribution to community liveability and wellbeing through the management of fifteen recreation reserves.

Background

There are fifteen (15) recreation reserves within Cardinia Shire managed by Community Asset Committees:

- Twelve (12) of the reserves managed by Council appointed Community Asset Committees,
- Three (3) are Department of Energy, Environment and Climate Action (DEECA) owned with Council appointed as Committee of Management under the Crown Land Reserves Act and managed by Council appointed Community Asset Committees,

Members of Reserve Community Asset Committees are elected annually, and upon election require appointment by Council resolution pursuant to Local Government Act 2020. Community Asset Committees can only be approved by Council.

This report recommends Council appoints new members for the following reserve committees following public meetings that have been conducted by Councillors or Council Officers:

- Chandler Recreation Reserve
- Lang Lang Community Recreation Reserve
- Worrell Recreation Reserve

Cardinia Shire Council has a large network of volunteers who selflessly give their time, expertise, and energy to provide and develop community resources. This network manages many of our community recreation reserves across our shire. Council values the important role that community asset committees have in improvement and ongoing management of Council's facilities. Council is committed to ensuring that these assets are maintained to a high standard by working in partnership with Community Asset Committees.

Council conducts routine maintenance and provides Recreation Reserve Community Asset Committees with maintenance allocations, workshops to up skill volunteers and access to leadership courses. To further support committees with their work, Council has a Community Asset Committee portal, as a place for committee members to access important resources, information, and dates. Council employs a full-time Liaison Officer to support the Recreation Community Asset Committees including providing training for volunteers and assisting committees in compliance with risk requirements.

Policy Implications

The appointments to these three reserve committees are consistent with both Council policy and requirements for Community Asset Committees.

Relevance to Council Plan

1.1 We empower our communities to be healthy, connected and resilient

1.1.3 Lead by example in creating an inclusive and welcoming community for all by facilitating community education, capacity building, connection and celebration of our diversity.

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

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

Climate Emergency Consideration

N/A

Consultation/Communication

Notifications of Annual General Meetings for Community Asset Committees for Recreation Reserves are advertised through local media and internally to all user groups of that reserve.

Financial and Resource Implications

N/A

Conclusion

Community Asset Committees voluntarily assist Council in the ongoing management and improvement of Council's recreation facilities. This enables the community to participate in sport and recreation activities that provide health and social benefits to the broader community. This report presents the committee members for three recreation reserve Community Asset Committees for Council to consider their appointment.

Resolution

Moved Cr Jeff Springfield, seconded Cr Brett Owen.

That Council:

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.

Chandler Recreation Reserve

President	Mark Pedder/Rod Smith
Secretary	Rod Smith/Mark Pedder
Treasurer	Judy Strong
Committee Member	Clinton Marsh
Committee Member	Patrick Virtue
Committee Member	Brad Bishop

Lang Lang Community Recreation Reserve

President	Sam Loughridge
Vice President	Andrew Wilson
Secretary	Laura Healy
Treasurer	Rebecca Turner
Committee Member	Joe Giacco
Committee Member	Lee Thom
Committee Member	Keith Halden
Committee Member	Glenn Barwick
Committee Member	Ray Patullo

Worrell Recreation Reserve

President	Kris Strong
Secretary	Howard Winter
Treasurer	Ethan Crosher

Committee Member	Matt Byron
Committee Member	Gary Campbell
Committee Member	George Trojan

2. Thanks Committee Asset Committee Members for their valuable contribution to the management of community recreation reserves.

Carried

6.2.2 Pakenham Revitalisation Main Street Design

Responsible GM: Peter Benazic
Author: {Kylie Traeger}

Recommendation(s)

That Council :

- Endorse the design for Stage 1 of the Pakenham Revitalisation Project.
- Delegate authority to the CEO to finalise such details as placement of bins, bike racks, seating and road and footpath pavement composition, and infrastructure location catering for flexibility of placement managing competing complexities with services as the project progresses.
- Note the commitment to support local businesses throughout this project through planned engagement activities, as well as requirements of the successful tenderer to develop a disruption mitigation plan that addresses key concerns for local businesses, including:
 - access to the businesses for customers and deliveries
 - staged construction with time frames
 - utilise alternative methods to mitigate business disruptions like night works where practical
 - minimal disruptive works from September - December
 - noise and dust suppression
- Note that Council will continue to be updated as this project progresses through to final design, tender, and construction

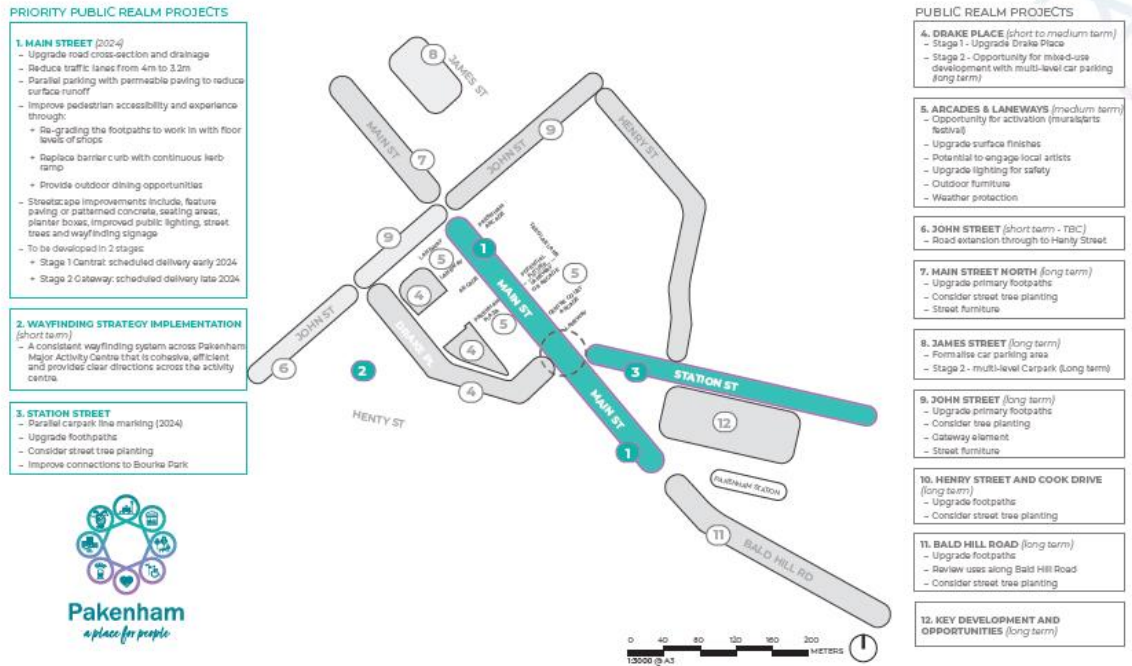
Attachments

1. 240064 - PRP Civil Design 75% - Rev B [6.2.2.1 - 36 pages]
2. 240522 PRP Landscape 75% Issue [6.2.2.2 - 43 pages]
3. PRP Lighting Design 75% [6.2.2.3 - 1 page]
4. PRP - Impact Assessment Summary 04-04-24 [6.2.2.4 - 8 pages]
5. 231005 Pakenham PRS Report 1 [6.2.2.5 - 30 pages]
6. PRP Council Endorsement Public Realm Strategy 20 11 24 [6.2.2.6 - 5 pages]
7. PRP Council Briefing NOM Feb 2024 [6.2.2.7 - 3 pages]
8. 230523 Main Street Pakenham TIA 240202 [6.2.2.8 - 24 pages]

Executive Summary

The Pakenham Revitalisation Project is a Council priority project – a long term plan to deliver a vibrant and active Pakenham that is safe and accessible for everyone. The overarching strategy to achieve Council’s long term plan - the Public Realm Strategy, was endorsed by Council on the 20th of November 2023. This report seeks approval for the design of the first stage of the twelve stage plan to revitalise Pakenham, as outlined in figure 1.

07 PRS IMPLEMENTATION



Cardinia Shire Council Public Realm Strategy

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Figure 1 – 12 stage plan for the Pakenham Revitalisation Project

The design for stage one, focuses on improving Main Street Central and Mainstreet Gateway (by prioritising people, to create a vibrant and active town centre that is safe and accessible for everyone.

Stage 1 improvements support the key themes of the consultation process with the community and project key stakeholders, active, vibrant, safe and accessible for everyone – outlined in the following table. The detailed design is attached. As the project progresses through the tender phase, some refinements and adaption will continue to occur to this design; including considerations such as placement of bins, bike racks and seating, road and footpath pavement composition, and changes that may arise due to competing complexities with services.

Council has collaboratively worked across all aligning teams and their respective specialised areas to ensure the design of the first stage is set up for success and future proofed.

Stage 1 Project Improvement Deliverables	
Civil Improvements	<ul style="list-style-type: none"> Upgrade of road surface and drainage. Upgrade of pedestrian crossings to improve safety. Provision of accessible parking spaces. Design that supports flexible spaces for multiple uses (i.e. festivals and events). Parallel parking spaces on Main Street to create improved footpaths for pedestrians and a shared space for street trees, seating and street furniture.

Landscape Improvements	<ul style="list-style-type: none"> • Improved footpath connections for pedestrians to encourage activation. • Orientating and incorporating seating and landscaping areas to increase passive surveillance to improve the safety and security of the area. • Positioning street furniture to encourage social interactions and activation to improve safety in the area. • Provision of appropriate landscaping to increase the amenity and safety of the space. • Planting of street trees using stratavault to ensure trees reach maturity quicker
Lighting Improvements	<ul style="list-style-type: none"> • Provision of appropriate lighting to increase the amenity and safety of the space. • Lighting to support foot traffic, create more inviting open and well-maintained spaces. • To encourage more businesses to be open at night increasing passive surveillance. • Improved pedestrian crossing safety. • Feature lighting to support a developing night time economy.
Community Benefits	<ul style="list-style-type: none"> • Reduced flooding. • Increased car and pedestrian network functionality in and around the Pakenham Activity Centre. • Improved walkability in and around the Pakenham Activity Centre. • An increased feeling of safety during visitation. • Reduced crime as Pakenham transitions into a vibrant and active street. • Increased social interactions and community connectedness. • Increased visitation and repeat visitation to the Activity Centre unlocking the opportunities for increased local spend and investment in Pakenham. • Increased opportunities for events and festivals to encourage community gatherings, pride and connectedness.

Upon approval of the stage 1 design, next steps involve

- Plans to be shared with the community and Main Street businesses – May and June 2024.
- Commencement of the formal tender process – June/July 2024.
- Council endorsement of the tender – August 2024.
- Construction commencement in September 2024.
 - low disruptive works from September to January 2025.
 - full construction commencement in January 2025.

Council acknowledges that projects such as this has the capacity to cause disruptions. Council has committed to minimising these impacts by implementing, along with the successful tenderer, a disruption mitigation plan prior to works commencing.

Background

Refer to Pakenham Revitalisation – Council Meeting Report 20 November 2023

Refer to Pakenham Revitalisation – Council Briefing February 2024 – for action resulting from the four-part Notice of Motion

Trader impact Assessment Summary

Policy Implications

This work sits within Cardinia Shire key documents of:

- Local Government Act in undertaking community engagement
- Council Plan – commitment to our community
- Liveability Plan
- Pakenham Major Activity Centre Structure Plan
- Pakenham Major Activity Centre Urban Design Framework
- Pakenham Parking Precinct Plan
- Procurement Policy
- Engagement Policy
- Community Safety Policy
- Access and Inclusion Plan
- Ageing Well Strategy

Relevance to Council Plan

The Pakenham Revitalisation Project is a Council initiative within the 2021-25 Council Plan, listed below and aligns to the community vision and priorities.

- Design Pakenham town centre streetscape
- Commence Pakenham town centre streetscape upgrades
- Progress Pakenham town centre streetscape upgrades
- Complete Pakenham town centre streetscape upgrades
-

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.

Climate Emergency Consideration

N/A

Consultation/Communication

A successful community engagement process was run in August 2023 where 500 people shared their feedback on the Public Realm Strategy. The key themes have informed the design to develop Pakenham to become:

- A safe place with better lighting
- Accessible footpaths and entrances to shops
- Active with more restaurants and entertainment during the day and night
- An attractive place, featuring greening to attract people to visit and spend time

Council engaged Struber, an expert in stakeholder management to support the project and consultation with the businesses that will be impacted by the development of Main Street. An impact assessment was undertaken by Struber in February 2024 and a summary report shared with the businesses so it was clear business concerns would be addressed leading into and during construction. Key concerns from the summary report:

- Construction timeframes
- Access to businesses
- All day carparking for business staff

- Loading
- Waste
- Day/night works
- Ensuring communication is aligned to CALD business owners

Council committed to share the design of Main Street with the businesses at the earliest opportunity – design was shared on 31st May and will be shared again when the plans are completed. Once a tender process is completed, the awarded contractor will provide a methodology and staged plan of construction to help the businesses understand key timeframes for disruptions. A key focus of the tender process will involve mitigation of impact to businesses during construction.

Financial and Resource Implications

Stage 1 involves the design and development of the streetscape in Main Street Central in the 24/25 financial year – scheduled to commence in September 2024. \$1.532,400M has been granted under a Growing Suburbs Funding Agreement with the Victorian Government, combined with Council's contribution.

Main Street Gateway has been tendered and designed at the same time for project and financial efficiency, however the area is not accessible until after the Level Crossing Removal Project has completed their works to the roundabout at Main, Baldhill and Henty Streets, anticipated in late 2024, in the 24/25 financial year. A separate budget exists for this stage and incorporates funding from the Level Crossing Removal Project from an asset maintenance Agreement. The total budget for both sections of Main Street is \$5.5M.

The long-term project has 12 stages in total, stages 4, 6, 9 have recently received additional grant funding from the Growth Area Infrastructure Contribution Program (GAIC) – the balance of the public realm stages are currently unfunded at this stage.

Advocacy is actively sought at every opportunity across all levels of government to achieve additional funding for the future stages of Pakenham Revitalisation.

Conclusion

The first stage and subsequent funded stages of the Pakenham Revitalisation Project are set to make a significant difference in transitioning Pakenham as it moves from a suburb on the fringe of metropolitan Melbourne servicing residents and commuters, to a Major Activity Centre that will be a destination for thousands of new residents and workers travelling to, or from the area. Pakenham Activity Centre is projected to service 24,756 additional people by 2041, this does not include people who will travel to Pakenham in the future to visit and spend time.

The Public Realm Strategy Implementation Plan will continue to guide the growth and development alongside the community to ensure Pakenham becomes an attractive and safe destination, accessible for all people that features entertainment and community events.

Resolution

Moved Cr Carol Ryan, seconded Cr Collin Ross.

That Council :

- Endorse the design for Stage 1 of the Pakenham Revitalisation Project.
- Delegate authority to the CEO to finalise such details as placement of bins, bike racks, seating and road and footpath pavement composition, and infrastructure location catering

for flexibility of placement managing competing complexities with services as the project progresses.

- Note the commitment to support local businesses throughout this project through planned engagement activities, as well as requirements of the successful tenderer to develop a disruption mitigation plan that addresses key concerns for local businesses, including:
 - access to the businesses for customers and deliveries
 - staged construction with time frames
 - utilise alternative methods to mitigate business disruptions like night works where practical
 - minimal disruptive works from September - December
 - noise and dust suppression
- Note that Council will continue to be updated as this project progresses through to final design, tender, and construction

Carried

6.2.3 Renaming of Officer Recreation Reserve to 'Rob Porter Recreation Reserve'

Responsible GM: Debbie Tyson
Author: Doug Evans

Recommendation(s)

That Council:

1. Note that no objections were received to the proposed renaming of the Officer Recreation Reserve,
2. Formally resolve to rename the Reserve the 'Rob Porter Recreation Reserve' and
3. Forward the resolution to Geographic Names Victoria for formal approval and publication in the Government Gazette

Attachments

Nil

Executive Summary

Council resolved at the 15 April Council Meeting to undertake a community consultation exercise seeking community input into the suggested renaming of the Officer Recreation Reserve to 'Rob Porter Recreation Reserve' in acknowledgement and appreciation of the extraordinary services provided by Mr Porter to the community of Officer and the wider Cardinia Shire.

This report provides the feedback received to the community consultation and as no objections to the proposal have been received proposes to have the Council resolve on the proposed renaming.

Background

Mr Robert Porter passed away on Christmas Day in 2023 after providing a lifetime of service to the Officer community.

Councillor Ross lodged Notice of Motion #1088 for consideration at the February Council Meeting proposing that the Officer Recreation Reserve be renamed in honour of Mr Porter. Subsequently the Council resolved at its April Council Meeting to undertake a process of community consultation regarding the proposed renaming.

The process for naming or renaming places and features are set out in the *'Naming rules for places in Victoria'* the statutory requirements for naming roads, features and localities are established under the provisions of the Geographic Place Names Act 1998.

These rules require any naming proposals to first be submitted for approval in-principle by the Registrar of Geographic Names, when naming proposals involve the use of the names of individuals that are deceased the rules state that these names should only be applied no less than two years posthumously.

In this regard Geographic Names Victoria (GNV) have been approached regarding the renaming proposal detailing the extraordinary and exemplary service that Mr Porter had provided to the reserve and the Officer Community. GNV have responded to advise that the exemption request has been approved and, subject to complying with the remaining naming principles, Council is clear to proceed with the use of Mr Porter's name.

Mrs Carol Porter OAM has been contacted regarding the suggested renaming. Mrs Porter has consulted with her two sons and has advised that the family is pleased and honoured to consent to the renaming of the reserve and have requested that the reserve name be '**Rob Porter Recreation Reserve**'. Mrs Porter has been advised that as this suggested name is the family's preference it will be the name suggested as part of the renaming processes.

This community consultation exercise has been completed and no objections to the renaming have been received. Council is therefore now able to resolve on this matter and forward the renaming proposal to the Office of Geographic Names for formal approval and gazettal.

Policy Implications

This consultation exercise was undertaken in accordance with the Council's Place Naming Policy and the *Naming Rules for Places in Victoria*.

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 issues associated with this matter.

Consultation/Communication

Following Council resolving to commence a community consultation exercise on the proposed renaming an advertisement was placed in the Pakenham Gazette on 24 April advising of the proposed renaming, in addition the Officer Community Affairs Association, the Officer Recreation Reserve Community Asset Committee and the 'One School Global' Berwick campus as a property neighbouring the reserve have been advised of the proposed renaming seeking their feedback.

One response has been received from the Officer Recreation Reserve Community Asset Committee reaffirming their support for the renaming.

Financial and Resource Implications

Other than the provision of new reserve signage, which can be funded through the operating budget, there are no financial or resource implications associated with this matter.

Conclusion

As no objections to the proposed renaming of the Officer Recreation Reserve to 'Rob Porter Recreation Reserve' the Council is now able to formally resolve on the renaming.

Resolution

Moved Cr Brett Owen, seconded Cr Jeff Springfield.

That Council:

1. Note that no objections were received to the proposed renaming of the Officer Recreation Reserve,
2. Formally resolve to rename the Reserve the 'Rob Porter Recreation Reserve' and
3. Forward the resolution to Geographic Names Victoria for formal approval and publication in the Government Gazette

Carried

6.2.4 Youth Hub Options Paper

Responsible GM:	Debbie Tyson
Author:	Annmarie Saffin Stephen Thorpe (Nova Ratio Consultant)
Report Purpose:	Presentation
Time:	45 minutes

Recommendation(s)

That Councillors endorse the following options to be further assessed as part of the Youth Hub redevelopment.

- Build the Youth Hub in James St as planned.
- Expand/redevelop My Place.
- Build a new facility at PB Ronald or redevelop an existing building.
- Build a new facility at The Point or redevelop an existing building.
- Explore opportunities within the vicinity of the Pakenham Major Activity Centre

Attachments

Nil

Executive Summary

The Youth Hub project was initiated in 2019 and aimed to relocate and expand youth services through investment from the Victorian Government's Growing Suburbs Fund and the Australian Government's Department of Health and Ageing. Partnering with multiple agencies, including major partners Headspace and Oakwood School, the project sought to provide place based holistic support to young people. Construction began in 2022 but was halted in 2023 due to structural issues and the builder going into liquidation. In line with good governance, Council officers are now exploring options to complete the project.

Cardinia Shire's population growth, service access and higher-than-average rates of socio-economic complexity underscore the need for expanded youth services. The integrated service model at the Youth Hub includes mental health, education, drug and alcohol counselling, multicultural support, employment, and housing services in partnership with multiple agencies.

Officers have considered several options, including maintaining current facilities, remediating, or rebuilding at the current site, or constructing a new facility elsewhere. This process left five viable options requiring further assessment.

Councillors were briefed on the options and endorsement is sought to enable further assessment of these options using criteria, identifying a preferred option, detailing the implications, cost estimates, implementation risks and timeline.

Background

The Youth Hub project commenced in 2019 after Council secured funding from the Australian and State Governments. This financial support, along with a Council contribution, facilitated the design and commencement of construction of the Youth Hub on Council-owned land at 43 James Street, Pakenham.

The Victorian Government allocated \$3 million from the Growing Suburbs Fund to relocate the existing 'My Place' Youth facility to the new site and expand services in a multi-use facility. The Australian Government contributed \$1.5 million through the Department of Health and Ageing's Community

Health and Hospitals Program to support youth mental health services. A partnership with Headspace was established as the lead mental health service in the facility.

The vision for the Youth Hub was to provide integrated holistic support to young people and their families under one roof. This aimed to address the current and anticipated growth in the youth population in Cardinia and improve service access. The facility intended to offer more youth services to bridge existing service gaps in the area.

Construction on the Youth Hub was stalled after the builder Allmore Contructions Pty Ltd went into liquidation in October 2023. Following the liquidation Council engaged relevant technical experts to undertake independent investigations of the site. While the structural investigation was expected to clear the way for a new tender process to appoint a replacement builder to finish the construction, it identified several serious structural issues. The outcome of the investigation was that the structural defects cannot be rectified and may need to be demolished.

Options are being assessed to provide a Youth Hub that will meet community and partner needs, and that can be completed as quickly as possible with available funds. Council is continuing to seek legal advice on any warranted actions for those responsible for design and construction including recovering the loss and damage incurred due to problems experienced with construction and delays in delivering the Youth Hub. This applies whether the current building is remediated and completed; or if it is demolished and re-built at 43 James Street; or if another building is constructed elsewhere for the Youth Hub.

1. Community needs and future demand for youth services

The data paints a complex picture for young people in Cardinia. Sustained population growth over the last 10 years and the prediction for growth to continue into the next decade is placing pressure on social infrastructure.

The largest growth demographic by age is parents and homebuilders in the 35-49 age group, and the children of these families make up close to 20% of the shire's total population. The Aboriginal and Torres Strait Islander population represents around 0.8% of total population, just over the average for Victoria. Approximately 16.6% of residents report living with a disability. Almost one fifth of Cardinia's residents were born overseas, from 130 different nationalities.

Table 1: Estimated 2023 population and projected 2033 and 2041 population by service age group

Age group (years)	2023		2033		2041		Change: 2023 to 2041
	Number	%	Number	%	Number	%	Number (% change)
Babies and preschoolers (0 to 4)	10,476	8.1%	13,841	8.0%	13,354	7.3%	2,878 (+27.5%)
Primary schoolers (5 to 11)	15,928	12.3%	21,263	12.3%	21,289	11.6%	5,362 (+33.7%)
Secondary schoolers (12 to 17)	10,330	8.0%	13,038	7.6%	14,234	7.8%	3,904 (+37.8%)
Tertiary education and independence (18 to 24)	11,054	8.5%	14,394	8.4%	15,031	8.2%	3,977 (+36.0%)
Young workforce (25 to 34)	20,656	15.9%	25,760	15.0%	25,454	13.9%	4,798 (+23.2%)
Parents and homebuilders (35 to 49)	27,299	21.0%	35,912	20.8%	36,635	20.0%	9,337 (+34.2%)
Older workers and pre-retirees (50 to 59)	13,959	10.7%	17,624	10.2%	20,268	11.1%	6,309 (+45.2%)
Empty nesters and retirees (60 to 69)	10,837	8.3%	14,795	8.6%	16,391	9.0%	5,555 (+51.3%)
Seniors (70 to 84)	9,652	7.4%	15,409	8.9%	18,962	10.4%	9,310 (+96.5%)
Elderly aged (85 and over)	1,743	1.3%	3,038	1.8%	3,923	2.1%	2,180 (+25.0%)
Total people	129,896	100.0	172,257	100.0	182,833	100.0	52,937 (+40.8%)

Percentage figures and totals may not equate exactly due to rounding. Current forecasts extend to 2041.

Economically, Cardinia has a higher-than-average proportion of residents experiencing mortgage or rental stress, with Pakenham one of the top 10 most mortgage stressed postcodes nationally. In terms of health and social outcomes, Cardinia statistics show almost double the incidence of Drug and Alcohol (AOD) clients than the Victorian state average, and 5.2% of families report AOD problems within the family compared to the state average of 3.6%. In addition, the shire sees higher than average rates of episodes of care sought for alcohol use and AOD related assaults and family violence. Youth alcohol use data varies, but points to average or above average incidence in comparison to state rate with the 3rd highest of interface Councils for alcohol related presentations to hospital for young people.

Cardinia experiences higher than average health care sought for illicit drug use, with young people aged 15-24 representing just over 50% of all presentations. Mental health statistics for youth in the area vary depending on the source, but a recent study by Deakin University found that young people in the area report significantly higher levels of depressive symptoms than the nation average, 51% in Cardinia compared with 41% across Australia.

The area has higher than average rates of suicide deaths, attempts and/or ideation as identified by the Primary Health Network. One of the key challenges facing young people and families is the lack of accessible services, particularly in the areas of mental health, substance use, and housing. In addition to difficulties accessing services, many young people in the shire are also facing challenges related to family breakdown, social isolation, and financial difficulties.

Family Violence is a key concern for our community. In 2022 Cardinia's rate per population was ranked 43rd highest out of 79 Councils and 4th highest out of the 10 LGA's in the Southern region. Although there are a range of Family Violence Services available to adults experiencing or using violence, there is a lack of services addressing the issue for young people and their families. Youth Family Violence is an increasing concern for families and the wider community, with early intervention viewed as the most appropriate approach.

From an education and employment perspective High school completion is considerably lower for year 12 completion at 45%, compared to Greater Melbourne 59%. Further compounding these challenges is access to public transport due to lacking infrastructure and geographic disparity within the shire. Services are seeking opportunities to partner with Council on a regular basis to meet these needs. This project's delivery would take positive steps to bridge the current and future services gaps and improve outcomes for young people.

2. Cardinia Shire Service Model

Integrated youth service models focus on providing comprehensive support by co-locating services and programs. Key elements include access, early intervention, youth participation, a holistic approach, flexible service delivery, and continuous improvement. Services aim to support young people aged 12-24 by building resilience, preventing issues from escalating, re-engaging them in education or work, improving relationships with peers and family, and providing timely access to specialised services.

In line with this service model and to address the social need, Council embarked on partnership agreements with a variety of stakeholders to provide place-based support in the new facility. The services heavily invested time and consideration and developed a co-designed model that would achieve the objectives for services delivered at the site. Each partner's need was considered against their operational requirements, some greater than others. An example of this includes design specifications and approval through the Victorian School Building Authority to facilitate an onsite operational school, Oakwood.

The current service model has integrated services wrapping around a core education service provided by Oakwood. The presence of the school enhances the operations of My Place and places young people in contact with support services in a familiar and safe environment. Opportunistic engagement

with and co-ordination between agencies lead to improved outcomes for the young people engaged. This is a best practice model for youth services.

The following table outlines each service committed to co-location, their focus, and context.

Table 1.

Service	Focus & Context
<ul style="list-style-type: none"> Headspace 	<p>Mental Health and Early intervention support for young people, educators, and families. Headspace/EACH (Eastern Access Community Health) with the support of SEPHN (Primary Health Network) established a satellite site in Pakenham in 2020. Co-designed Youth Hub in consultation with EACH, Southeast Primary Health Network, Headspace National and Headspace Youth Advisory Group. A GP clinic on site at the Youth Hub will assist young people to get mental health plans as well as general and sexual health information/treatment by a Youth friendly GP in a Youth friendly space.</p>
<ul style="list-style-type: none"> Oakwood School 	<p>Alternate education model based at My Place since 2013. 100% of students have experienced significant trauma which has had a significant impact on their mental health and education. A key pillar of success in engaging the most vulnerable young people into wrap around services due to the place-based operation within My Place. Currently experiencing a large waitlist requiring more space to facilitate classroom operations.</p>
<ul style="list-style-type: none"> Youth Support and Advocacy Service (YSAS) 	<p>Offer drug and alcohol counselling for young people. YSAS will expand their services further in Cardinia once the Youth Hub opens.</p>
<ul style="list-style-type: none"> Centre for Multi-cultural Youth (CMY) 	<p>Based at My Place since 2021. Increase in multicultural young people accessing support services and programs at being based at the facility. Headspace report that young people from CALD backgrounds are not accessing or being referred to mental health services. Benefit of Youth Hub will be to co-locate Headspace with CMY and SECL to strengthen referral process, support connection with CALD young people and community and reduce stigma of mental illness and help seeking.</p>
<ul style="list-style-type: none"> Taskforce 	<p>Based in Cardinia for over 20yrs and provide employment, education and AOD support. Continue to outreach from My Place and seek opportunities to advocate for additional resourcing to meet the needs of young people in the Shire. Will expand offerings in Cardinia at the new site.</p>
<ul style="list-style-type: none"> South East Community Links (SECL) 	<p>Youth Links program seeking to expand in Cardinia. Offer employment, education, housing, and generalist wellbeing services. Will expand offerings in Cardinia at the new site.</p>
<ul style="list-style-type: none"> Berry Street 	<p>Provide programs including housing, preventing youth homelessness, and support and mentoring. Currently contracted to deliver Complex Outreach Family Support in Cardinia Shire. Opportunity to expand offerings in Cardinia at the new site.</p>

Council's intentions with youth services are clear in the service model, and this is reflected in the commitment to working with partners in designing and building the Youth Hub in James Street. Nothing has happened since 2019 to change that commitment and the forecast growth in population and young people in Cardinia reinforces the need for a Youth Hub to be provided as soon as possible to support service provision and expansion.

3. Identification of options

There is overlaying complexity within planning Councils next steps with this project and the options going forward. In developing a decision framework and criteria to assess options, the following aspects have been considered.

- Sites that are available now and either council owned or owned by another public authority.
- Funding partner advice (State and Federal Governments) including alignment with the grant's intent.
- Legal advice.
- Service partner's (tenants) current and future needs.
- Cost and time implications.
- Planning (Past & Future strategic plans since 2019) within the Officer and Pakenham town centres.

Consultation has occurred with the following areas of Council to help identify options:

- | | |
|--------------------------------|-------------------------|
| ○ Buildings & Facilities. | ○ Youth Services Staff. |
| ○ Risk, Governance & Safety. | ○ SLT. |
| ○ Properties. | ○ Councillors. |
| ○ Major Projects. | |
| ○ Communications & Engagement. | |

4. Option assessment

Each option is assessed using a 2-stage process. Stage 1 assessment uses primary criteria, which are critical factors that directly impact the option's viability. These criteria are essential for determining if an option achieves the project's core objectives. A failure to meet any of these primary criteria means the option is not viable.

Further analysis will be completed using the secondary criteria to priorities options for a decision on how best to proceed with viable options.

Primary criteria

- Community outcomes.
- Major partner requirements.
- Time.
- Cost.

Secondary criteria

- Grant funding implications.
- Legal implications.
- Design/planning approvals.
- Building and construction.
- Political and reputational impacts.
- Alignment with major plans.

The viable options after stage 1 assessment are:

Table 2

Option 2: Build the Youth Hub in James St as planned.
Option 4: Expand/redevelop My Place.
Option 5: Build a new facility at PB Ronald or redevelop an existing building.
Option 6: Build a new facility at The Point or redevelop an existing building.
Option 10: Explore opportunities within the vicinity of the Pakenham Major Activity Centre

Policy Implications

There are no policy implications as part of this report.

Relevance to Council Plan

Priority 1. Strong Communities: We empower our communities to be healthy, connected, and resilient.

Priority 2. Liveable Places: We support the creation of liveable spaces and places.

Climate Emergency Consideration

There are no climate emergency considerations as part of this report.

Consultation/Communication

A comprehensive engagement and communication plan has been developed and implemented throughout the life of this project. Recent engagement updates have been provided in Councillor briefings and outlined stakeholder support for Council having been left impacted by the actions of others.

Following the recent forensic engineering report all stakeholders including state and federal funding representatives, young people, tenants, services, and wider residents have been kept informed. Signage has been installed at the existing construction site to ensure the wider public remains updated via a QR code link to Council project web page. Engagement of all stakeholders throughout this process remains a high priority.

Financial and Resource Implications

The relative cost of Youth Services in the Cardinia Annual Report for 2022/23 shows that for every \$100 of rates expenditure, \$1.78 is spent on Youth Services. It is the 5th lowest cost service out of the 17 services listed. The Youth Services expenditure in 2022/23 was \$1,031,000 (net cost of \$928,000) and there were approximately 15,000 service contacts made in services available to the 21,384 young people in the Cardinia community.

Councillors endorsed a combined total of \$7.5 million in the 24/25 Draft Budget and 25/26 budget forecast to complete the project as originally intended utilising costings available as of June 2023. Further recommendations to Council will include revised costing estimates to support further decision making.

Conclusion

Council Officers have undertaken preliminary assessment of twelve options against a key set of criteria. Of these, seven have been excluded due to not meeting the primary criteria outlined in the report.

Officers seek endorsement to further assess the five viable options as outlined in the report. These options include consideration of maintaining current facilities, remediating, or rebuilding at the current site, or constructing a new facility elsewhere in central Pakenham.

Next steps involve assessing these options using criteria, identifying a preferred option, detailing implications, cost estimates, implementation risks and timeline to support informed decision making. Officers intend to provide a further update to Councillors at a July briefing.

Resolution

Moved Cr Carol Ryan, seconded Cr Collin Ross.

That Councillors endorse the following options to be further assessed as part of the Youth Hub redevelopment.

- Build the Youth Hub in James St as planned.
- Expand/redevelop My Place.
- Build a new facility at PB Ronald or redevelop an existing building.
- Build a new facility at The Point or redevelop an existing building.
- Explore opportunities within the vicinity of the Pakenham Major Activity Centre

Carried

6.2.5 Appointment of Authorised Officer

Responsible GM: Debbie Tyson
Author: Samantha McMahon

Recommendation(s)

That Council resolve to appoint the following staff member 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:

- Mr Pete Courtney

Attachments

Nil

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 planning scheme occur. Council routinely appoints staff members to undertake enforcement, and it is recommended that the named staff member should be so appointed. They will exercise their powers in accordance with the Cardinia Shire Compliance and Enforcement Policy.

Background

Section 147 (4) of the *Planning and Environment Act 1997* allows Council to appoint staff members to conduct enforcement when breaches of the planning scheme occur. When breaches of the 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 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 this staff member for this purpose.

The staff member is an officer in the Compliance Services team, it is recommended that the authorisation be made.

Staff will exercise their powers in accordance with the Cardinia Shire Compliance and Enforcement Policy.

Policy Implications

There are no 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.

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 the named staff member be appointed as authorised officers for the purpose of conducting enforcement powers under the *Planning and Environment Act 1997*.

- Mr Pete Courtney

Resolution

Moved Cr Jeff Springfield, seconded Cr Kaye Cameron.

That Council resolve to appoint the following staff member 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:

- Mr Pete Courtney

Carried

6.2.6 2024 2025 Festival and Events Grant Program

Responsible GM: Debbie Tyson
Author: Bec Whiting

Recommendation(s)

That Council approve 58 applications under the Festival and Events Grant Program to the value of \$254,971.00.

Attachments

1. CONFIDENTIAL REDACTED - 2024 2025 Festival and event grants summary of applications for Council [6.2.6.1 - 8 pages]

Executive Summary

The Festival and Event Grant Program seeks to support Cardinia's Liveability Plan outcomes through a range of financial grants for community initiatives. All grant applications have been reviewed by an officer assessment panel.

Each application was assessed against the programs guidelines which outlines what can be funded and what is not eligible. Funding amounts were determined based off these guidelines, which groups have been previously funded by council and if they have become sustainable over time.

Council officers recommend supporting 58 applications to the value of \$254,971.00, declining three applications due to ineligibility and noting that one application was better suited under the Community Wellbeing grants.

Background

Council's Festival and Event Program seek to support a diverse mix of events that bring the community together and improve health and wellbeing outcomes.

Sixty two applications were received under the Festival and Event Grant program requesting \$339,459.87. Three ineligible application items were removed, one application was withdrawn during the assessment period by the applicant and application discrepancies identified which left \$254,971.00 applied for.

A multidisciplinary group of staff (refer consultation section for details) assessed each application indicating their support or otherwise and Officer recommendations were summarised. Due to the overwhelming response for funding, not all amounts could be met.

Policy Implications

Grant program aligns with Cardinia Shire's Liveability Plan

Relevance to Council Plan

1.1 We empower our communities to be healthy, connected and resilient

1.1.2 Enrich local identity and opportunities for the community to connect through art, history and cultural expression.

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.

5.1.3 Strive to be a customer focused organisation and be a great place to work.

Climate Emergency Consideration

There are no Climate Emergency Considerations as part of this process.

Consultation/Communication

A comprehensive communications plan was undertaken and widely promoted through various newsletters and distribution channels including community leaders, Council's Website and Facebook pages, Connect and through the Councillor Bulletin.

The grant round opened online via Smartygrants on the 15 January 2024 and closed 29 March 2024.

The staff who assessed the applications came from a variety of areas across Council including Actives Reserves, Arts and Culture, Passive Reserves, Traffic Management, Community Development, Cultural Diversity and Risk, Health and Safety.

Following final endorsement at the July 2024 Council meeting, applicants will be advised of the outcome via a letter of offer through Smartygrants.

Financial and Resource Implications

The proposed budget for 2024-2025 Festival and Events Grant is \$255,000. The total amount required to fully support the 58 grant applications is \$254,971.00

Conclusion

The grant program aligns to and add value to Cardinia Shire's Liveability Plan and support community reconnection in a post-COVID environment. It is recommended to fully support funding of 58 Festival and Event grant applications to the value of \$254,971.00 The approved grants fall within the current proposed program budget.

Resolution

Moved Cr Jeff Springfield, seconded Cr Collin Ross.

That Council approve 58 applications under the Festival and Events Grant Program to the value of \$254,971.00.

Carried

6.2.7 Environmental Health contract extension

Responsible GM: Debbie Tyson
Author: Linda Ross

Recommendation(s)

That Council approves the 2-year extension to Environmental Health Services Contract for Councils current contractor Kernow Environmental Services Pty Ltd.

Attachments

1. EH Contract signed documents - 2021 07 09 [1.2.1 - 53 pages] [6.2.7.1 - 53 pages]
2. 6.4.1 Variation of contract 21 032 Environmental 2023 [1.2.2 - 3 pages] [6.2.7.2 - 3 pages]
3. EH Memorandum of Understanding Docu Sign [1.2.3 - 12 pages] [6.2.7.3 - 12 pages]

Executive Summary

Kernow Environmental Services Pty Ltd is currently contracted to manage the daily operations of Environmental Health Services on behalf of Cardinia Shire Council. This is a Shared Service with City of Casey, Bass Coast Council and Cardinia Shire Council. The Contract was awarded for an initial 3-year period with an option for extension of 2 years. This report seeks Council approval to extend the term of the Contract for a further 2 years from 1 July 2024 to 30 June 2026. (The first extension of the 2-year extension)

Background

This contract is for the provision of Environmental Health Services, which includes food safety and Registration of food premises, infectious diseases control and investigation, compliance with the Tobacco Act, rooming house inspections, septic tanks permits and nuisance complaints.

On 13 December 2021, Council awarded the tender for the above-mentioned contract to Kernow Environmental Services Pty Ltd for an initial 3-year period with the contract period commencing on 1 July 2021 and the completion date confirmed as 30 June 2024, and there is a provision for two optional extensions. The proposed extension will extend the term of the Contract for a further 2 years from 1 July 2024 to 30 June 2026. The original tender specification is attached to this report.

The options for extension have yet been exercised, however the Year 3 price (23-24 FY) was subsequently varied from the price originally specified in the tender due to the adoption of a shared IT system. Please see previous contract variation table below and the original tender variation is attached to this report.

Table 1: Contract Variation History

A. Original Contract Value (23/24 FY)	\$1,358,357 (excl GST)
B. Value of Variation/s to Date (if any)	\$0
C. Value of any Extension/s to Date (if any)	\$0
D. Value of this Proposed Variation	\$83,147
E. Proposed Revised Total Contract Value	\$1,441,504

The previous increase was considered relatively modest as the cost increase was spread across three Councils.

The Environmental Health Services Contract is a Shared Service with City of Casey, Bass Coast Council and Cardinia Shire Council ran by a Shared service steering Committee with a Memo of Understand (MOU) between Councils. The signed MOU is attached to this report. The City of Casey and Bass Coast Council intend to utilise the extension in the contract for the service, similar to the recommendation above.

Please see table below outlining the lump sum price for Cardinia Shire Council for Year 3 (current) and Year 4 (Proposed)

Item	Description	Lump Sum Price*	Lump Sum Price*
		Year 3 From 1/7/2023 to 30/6/2024	Year 4 From 1/7/2024 to 30/06/2025
1	Management of Environmental Health Shared Services, as specified	\$1,441,503.94	\$1,562,984.67
	TOTAL*	\$1,441,503.94	\$1,562,984.67

**All prices are ex GST*

The proposed variation and cost increase of **\$121,460.73** from year 3 to year 4 has been deemed necessary by Kernow Environmental Services Pty Ltd due to the result of workload challenges and the impact of the current economic climate on its operations, including a +7.9% minimal growth and:

- **CPI increase**
The pricing includes a CPI increase of 4.9% based current annualised CPI
- **Superannuation increase**
The Federal Government has legislated employer superannuation contributions for employees to increase from 9.5% to 12% by 2025. The increase to 12% will be scaled over the next 4 years with the first two increases coming into effect over the past 2 years (from 9.5% to 10% on 1 July 2021, 10% to 10.5% on 1 July 2022 and 11% on 1 July 2023). Kernow Environmental Services Pty Ltd has factored in Superannuation contributions at 10.5% on employee salaries in the lump sum contract amount for Year 2. As the contract price remains at the Year 2 price, they adjusted their pricing to reflect the legislated superannuation contribution percentage (11.5%)
- **Fleet cost**
Fleet costs have increased at the highest rate in over 40 years during the past 12 months, due to supply chain constraints, commodity price increases and inflationary pressures. Fuel prices have increased by 10% over the past 12 months according to the Australian Bureau of Statistics
- **Insurance cost**
Insurance premiums over the past 3 years, in particular Public Liability and Professional Indemnity cover, have escalated dramatically with growth in premium costs in Australia.
- **Workcover**
As the Victorian State Government announced increases to Workcover levies for businesses last year, Workcover levies increased by 42% (1.27% to 1.8%). The increase in their liability for staff remuneration has been incorporated into the Year Four price.

No additional resourcing is being sought.

Policy Implications

The position outlined is a continuation of Council's existing policy position

Relevance to Council Plan

1.1 We empower our communities to be healthy, connected and resilient

1.1.1 Plan for, and support the delivery of, accessible health and social services that address critical gaps in provision.

5.1 We practise responsible leadership

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

Climate Emergency Consideration

It is noted that that climate change will increase the frequency and severity of natural disasters, but otherwise there is limited impact on Climate Emergency considerations.

Consultation/Communication

As part of contract renewal negotiations between Shared service steering committee and Kernow Environmental Services Pty Ltd the current contract and services were reviewed and discussed and Kernow Environmental Services Pty Ltd provided their end of year actuals for 2022 and 2023 for each Council.

Financial and Resource Implications

The proposed year 4 lump sum price for Cardinia Shire Council has been included in the 2024/2025 budget.

Conclusion

As a Contractor, Kernow Environmental Services Pty Ltd has proven to be reliable and to date, has fulfilled its obligations under the Contract. The quality of service has met the required standard, and a constructive working relationship has been maintained to achieve Council outcomes.

It is respectfully requested that that Council approve the 2-year extension to Environmental Health Services Contract.

Resolution

Moved Cr Stephanie Davies, seconded Cr Collin Ross.

That Council approves the 2-year extension to Environmental Health Services Contract for Councils current contractor Kernow Environmental Services Pty Ltd.

Carried

6.3 Policy Reports

6.3.1 Amendments to Governance Rules

Responsible GM: Debbie Tyson
Author: Doug Evans

Recommendation(s)

That Council

1. Approve the recommended amendments to the Governance Rules and adopt the attached amended Governance Rules document and
2. Thanks Mr Tony O'Hara for his submission and responds to the questions and suggestions contained in his submission as detailed in the attached document.

Attachments

1. Submission from Tony O Hara with comments and suggested responses [6.3.1.1 - 8 pages]
2. Working draft amendments to Governance Rules [6.3.1.2 - 32 pages]

Executive Summary

Council considered recommended amendments to the Governance Rules at the April Council Meeting and resolved to receive and note the recommended amendments and release the document for a Community Consultation exercise and consider any feedback received at the June Council Meeting.

Background

The Governance Rules were initially adopted by the Council in August 2020 as a requirement of the 2020 Local Government Act, (the Act). The Rules were last reviewed and amended in August 2022 to make provision for the conduct of Council Meetings via electronic means as required by amendments to the Act.

The suggested Governance Rules contain amendments required by changes to the Act, improved Public Transparency, a Gender Impact Assessment, a Human Rights Charter Impact Assessment, improved Governance procedures, Operation Sandon recommendations and reference to the 2024 Council election and can be summarised as follows:

Summary table of recommended amendments to Governanec Rules

Clause	Recommended amendment	Reason
3.1.6	Delete Clause relating to Mayor not Charing Meeting if attending remotely.	In breach of Local Government Act
3.4	Council meeting Agendas to be delivered to Councillors 10 days before meeting – currently 2 days, and placed on Council's website 6 days prior to the meeting	Improved Public Transparency
3.6	Order of Business amended to bring Community Question time forward	Benefit to members of the Community asking questions

3.9	Amend requirement regarding Agendas for Special Meetings to be in line with Clause 3.4	Improved Public Transparency
3.18.1	Notices of Motion to be lodged at least 14 days before meeting to allow inclusion in Agenda papers, currently 2 days.	Improved Public Transparency
3.18.2	Allow CEO in consultation with Mayor to reject motion in certain circumstances	Improved Governance process
3.19	Remove reference to his/her and replaced with their to remove gender reference	Gender Impact Assessment
3.23	Rescission Motions to be lodged at least 14 days before meeting to allow inclusion in Agenda papers, currently 2 days. Also clarify that motion contrary to previously adopted motion and acted on cannot be rescinded	Improved Public Transparency
3.27	Remove reference to his/her and replaced with their to remove gender reference	Gender Impact Assessment
3.31	Remove requirement to stand for count of a division and allow clear show of hands	Charter of Human rights issue if Councillor has disability or is in remote attendance
3.36	Councillor questions to be lodged by 12 noon on day of meeting, currently 4pm, to align with Community Question lodgement	Improved Governance process
3.48	Provide greater control over public gallery attending meetings if disruption occurs	Improved Governance process
3.49	Make it clear that Community Questions will be read and answered by CEO or relevant General Manager	Improved Governance process
3.51	Provide greater clarity around what community questions can be accepted in whole or in part	Improved Governance process
3.52	Delete clause that refers to Councillor being assisted in answering Community Question	In keeping with amendment to previous clause
Renumbered Clause 3.52	Add details regarding content of questions not to contain commentary on question or preamble	Improved Governance process
3.67	Delete reference to drawing a lot for Election of Mayor if vote is tied.	In breach of Local Government Act
3.68	Clarify that if Mayor is absent from a meeting Deputy Mayor assumes the Chair	Legislative requirement
Part 3 Clauses 3.70 - 3.73	Delete reference to Common Seal	No longer required following repeal of 1989 Local Government Act

Chapter 4 Conflict of Interest Clauses 4.2 & 4.3	Require additional details to be provided in writing when conflict of interest is declared. Standard declaration form included as Attachment 1.	Operation Sandon recommendation
Chapter 6 Council records Clause 6.1.2	Include names of Councillors that voted for and against a motion in the minutes without need to call for a division	Operation Sandon recommendation
Chapter 8 Election Period Policy Clause 8.1.2	Include reference to 2024 Election	Update to current election
8.4	Clarify public consultation during election period	Improved Governance process
8.6.1, 8.7.3	Correct reference to Manager Governance to Manager Governance, Safety & Property	Administrative update
8.7.4	Allow holding of meetings during election period to receive Annual Report or required due to emergency or exceptional circumstance.	Improved Governance process & Legislative requirement
8.9.1	Clarify the publishing of Council publications during election period following repeal of 1989 Local Government Act	Legislative requirement
8.1.2	Add new clause allowing CEO to correct any misinformation distributed during election period	Improved Governance process

These amendments are included in the attached Governance Rules document.

As required by Section 60(4) of the Local Government Act 2020 a process of community engagement is required when a Council is amending its Governance Rules.

Policy Implications

Amending the Governance Rules keeps this document contemporary and in line with Best Practice recommendations.

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 change considerations associated with amending the Governance Rules

Consultation/Communication

A Community Consultation exercise has been conducted regarding the proposed amendments to the Governance Rules and one submission was received from Mr Tony O'Hara.

A copy of the submission received and proposed responses to the questions and suggestions contained in the submission is attached

The submission and proposed responses to the comments received are attached, it is not recommended that further amendments to the Governance Rules are made as a result of this submission.

Financial and Resource Implications

There are no financial or resource implication associated with amending the Governance Rules

Conclusion

As required by Section 60(4) of the Local Government Act 2020 a process of community engagement has been undertaken regarding proposed amendments to the Governance Rules, council is now in a position to adopt the amended document with or without further amendments.

Resolution

Moved Cr Stephanie Davies, seconded Cr Brett Owen.

That Council

1. Approve the recommended amendments to the Governance Rules and adopt the attached amended Governance Rules document and
2. Thanks Mr Tony O'Hara for his submission and responds to the questions and suggestions contained in his submission as detailed in the attached document.

Carried

6.3.2 Proposed Community Local Law 2024

Responsible GM: Debbie Tyson
Author: Owen Hardidge

Recommendation(s)

It is recommended that Council:

- A) Acknowledge the submissions received in respect of Proposed Community Local Law 2024 from the engagement conducted during March 2024 (version 1.0 Proposed Community Local Law)
- B) In accordance with Section 73(6) of the Local Government Act 2020, resolve to alter the Proposed Community Local Law 2024 (in the form of version 1.3 attached to this report), namely:
 - a. Alter the hours specified in Clause 23.7 (pointer board hours), and
 - b. Alter the definition of 'building site work hours' in in Clause 11 (to correct a drafting error), and
 - c. Correct grammatical and punctuation errors that do not alter the meaning of the text (various clauses)
- C) Resolve to conduct a further community engagement process in respect of the proposed alterations, and
- D) Further consider the Proposed Community Local Law at a future Ordinary Council meeting.

Attachments

1. PROPOSED Cardinia Shire Council Community Local Law 2024 version 1 3 no mark [6.3.2.1 - 72 pages]
2. Local Law Review 2024 Community Engagement Submission April 2024 [6.3.2.2 - 3 pages]
3. Community Local Law 2024 Clause comparison table - table of changes ver 1.3.1 [6.3.2.3 - 12 pages]
4. Cardinia Shire Council Community Local Law 2024 Community Impact Statement v [6.3.2.4 - 15 pages]

Executive Summary

On 19 February 2024, the Council resolved to propose to make a Local Law, known as the Cardinia Shire Council Community Local Law 2024. The Proposed Local Law has been released for public consultation, and 12 submissions were received from members of the public.

The majority of the Proposed Community Local Law 2024 did not receive any comment during the public consultation.

As a result of the consultation submissions, and further internal review, officers recommend minor alterations to the text of the proposed Local Law. In two instances, the recommended alterations will require "further consultation" to comply with Section 73 (6) Local Government Act 2020. Should Council resolve to propose these changes, the consultation will be open strictly for 14 days only, and would be primarily targeted at the businesses affected by the changes (real estate agents and builders).

Background

Cardinia Shires Local Law 17 was introduced in 2015 and will expire in June 2025. On 19 February 2024, Council resolved to propose Community Local Law 2024, in accordance with the requirement of Section 73 of the LGA. The proposed Community Local Law 2024 would re-enact the majority of the current Local Law 17 in its current form.

The proposed Community Local Law included changes that were summarised in a table of changes that was also exhibited with the text of the Proposed Local Law. This included a column specifically highlighting whether proposed changes had “minor”, “moderate” or “significant impact” on the community. The table of changes is attached to this report for reference (note, this table has been updated to include further alterations, as recommended in this report).

In accordance with the Community Engagement Policy, an extensive community engagement process was conducted between 4 March and 31 March 2024 primarily using the Creating Cardinia platform, and other communication methods. The Community was invited to provide feedback, and were provided with;

- a) Survey Forms
- b) Frequently asked questions
- c) Table of proposed changes
- d) Community Impact Statement
- e) Current Local Law
- f) Proposed Local Law (with proposed changes)
- g)

The public consultation program included targeted engagement of business cohorts that are particularly impacted by the proposed changes, including dedicated consultation streams for Victoria Police, Builders and Real Estate Agents which were developed and implemented in parallel to the community consultation.

An overview of the proposed changes to Community Local Law 2024 for community consultation included:

- i) Increase in the infringement penalties for building site amenity and asset protection offences.*
- ii) Stricter Asset protection permit requirements.*
- iii) Proposed reduction in the use of real estate pointer boards, and removal of requirement for agents to obtain permits*
- iv) Changes to requirements around dilapidated buildings*
- v) Introduction of offences relating to the use of waste services*
- vi) Offence to conduct a hoon event or congregate in close proximity to a hoon event.*
- vii) Increasing and indexing of penalty unit values*
- viii) Clauses proposed to be removed from the Local Law and remade as Domestic Animals Act orders*
- ix) Other miscellaneous amendments*

Summary of submissions and officer responses

A table outlining all submissions is attached to this report.

The feedback obtained from the community on proposed changes was minimal, though consistent with similar Local Law-related engagement exercises. The Creating Cardinia page received 281 unique visits during the consultation phase.

Of particular note, are:

- 6 submissions from Real Estate Agents (4 supportive, 2 opposed), Council officers have proposed a change that the 2 opposed submissions requested.
- No submissions were received in respect of changes affecting builders (asset protection changes and building site infringement changes).
- 1 Submission was received that was opposed to the introduction of an infringement offence for putting the wrong material in the wrong bin.
- 1 submission was received expressing support for the abolition of gender-defined offences
- 4 submissions which are noted, but from which officers do not recommend changes to the proposed Local Law (comments below).

Theme	Summary of engagement comment	Response
<p>Real estate pointer boards</p> <p>The proposed Local Law sought to</p> <p>A) significantly reduce the use of pointer boards,</p> <p>B) reduce the period of time that they may be displayed, and</p> <p>C) remove the requirement for agents to obtain annual permits</p>	<p>2 submissions (both from agents in Emerald) submitted that the “60 minute prior/after” rule was too restrictive, and requested that this be eased to allow placement and removal on the same day as the event.</p> <p>3 submissions emphasised the need for consistent enforcement of the real estate signage rules.</p>	<p>As a result of the 2 submissions who believe that the “60 minute rule” was too restrictive, Council officers propose to relax the time requirement, to allow signs to be placed and remain from 8.30am to 5pm on the same day.</p> <p>We note that no submissions opposed any other aspects of the changes (for example, only allowing 2 boards per event, limited to closest intersection), and we infer that the proposed laws are broadly supported by agents.</p> <p>We note and acknowledge that several agents believe that more consistent enforcement activities are required to make such laws fair and effective, and Regulatory Services will develop an enforcement approach to support the introduction of the Local Law.</p> <p>This proposed alteration will require further engagement, though this engagement will be brief.</p>
<p>Availability of agapanthus for sale in municipality</p>	<p>2 submissions requested a Local Law response to the sale of agapanthus in the local area, noting that agapanthus are identified as an invasive weed.</p>	<p>Officers have discussed this issue with the Environment and Heritage team. While acknowledging that agapanthus are freely available for purchase, we believe this matter is best suited to resident education in the first instance. We therefore do not recommend a specific local law control at this time.</p>

<p>Waste service clauses</p>	<p>1 submission indicated that the resident was unhappy with the potential infringement offence of placing the wrong waste in the incorrect bins.</p>	<p>The waste services team is primarily educational in their focus and recognise that the vast majority of service users wish to support an effective waste service. However, in some circumstances, Council officers observe residents <i>persistently and repeatedly</i> contaminating waste streams, and/or placing prohibited or dangerous items into bins.</p> <p>The infringement offence will be used in the most serious and persistent cases of service mis-use and is very unlikely to be applied in cases of accidental error.</p> <p>Infringement offences for mis-use of the waste service is common across metropolitan Melbourne.</p>
<p>Prohibit feeding of wild birds</p>	<p>1 submission indicated a request to feed uncaged (wild) birds.</p>	<p>This issue has not previously been identified as an issue of particular concern in the municipality.</p> <p>We propose to follow up with this specific concern to evaluate the nature of the problem, and this proposal may be considered for inclusion in the future.</p>
<p>Building site hours</p>	<p>During the consultation, we detected an error in the drafting of the clause.</p>	<p>An amendment is proposed to align the operating hours to the EPA Civil Construction guidelines.</p> <p>This proposed alteration will require further engagement, though this engagement will be brief.</p>

Where changes have been proposed, in most cases they are modelled on clause currently operating in Victorian municipalities and represent a consistent approach to common problems experienced across municipalities.

Council will be provided with a certificate from a legal practitioner who will certify that the Local Law complies with the requirements of the Local Government Act.

The Local Law may be reviewed or amended at any time, by following the process in the Local Government Act. At a minimum, Council commits (in the Compliance and Enforcement Policy) to review Local Laws every 5 years.

Summary of options for Council following the engagement

Council officers recommend that the majority of the Proposed Local Law should be made (subject to minor corrections to drafting).

The two exceptions for consideration are:

- Clause 23 – regarding pointer boards. Council Officers recommend that the “time limit” for the placement of pointer boards should be amended to 8.30-5.00pm on the same day, in

recognition of the impacts raised outside of the growth areas. All other changes are recommended to proceed unchanged.

- Clause 79 – a relevant drafting error was identified during the engagement period, and as such it is recommended to correct this. The Building Site work hours were intended to be aligned to the EPA Civil Construction guidelines.

Other related resolutions

As previously noted, the existing Local Law includes clauses that relate to domestic animals (cat desexing and dog-leashing requirements). With the adoption of this Local Law, these ‘laws’ will be remade as Orders under the Domestic Animals Act, rather than in the Local Law. These orders will be presented for resolution at the same meeting and incorporate these changes as a “suite” of integrated resolutions.

Policy Implications

There are no policy implications as part of 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 as part of the report.

Consultation/Communication

The proposed Local Law has been drafted following:

- feedback from the community
- feedback from real estate agents
- the feedback of enforcing officers since Local Law 17 was adopted, and
- feedback from other relevant Council business units

The proposal has been subject to an extensive public consultation program, primarily using the Creating Cardinia platform, and other communication methods. Dedicated consultation streams for Builders and Real Estate Agents were developed and implemented in parallel to the community consultation.

If Council proposes the alteration (as recommended) a further, discreet engagement consultation will be carried out.

Financial and Resource Implications

The development of the proposed Local Law, and the engagement activities that support it, are met within existing operational budget.

Conclusion

It is necessary for Council to remake the Local Law, and the proposed Local Law broadly represents a continuation of the current Local Law, with proposed amendments to improve the effectiveness and efficiency of the Local Law.

After extensive, public consultation we recommend that the Proposed Community Local Law 2024 be altered (as set out in Version 1.3) attached to this report. The proposed alterations are minor in nature, and will require only minimal further engagement prior to returning to Council meeting.

Resolution

Moved Cr Jeff Springfield, seconded Cr Carol Ryan.

It is recommended that Council:

- A) Acknowledge the submissions received in respect of Proposed Community Local Law 2024 from the engagement conducted during March 2024 (version 1.0 Proposed Community Local Law)
- B) In accordance with Section 73(6) of the Local Government Act 2020, resolve to alter the Proposed Community Local Law 2024 (in the form of version 1.3 attached to this report), namely:
 - a. Alter the hours specified in Clause 23.7 (pointer board hours), and
 - b. Alter the definition of 'building site work hours' in in Clause 11 (to correct a drafting error), and
 - c. Correct grammatical and punctuation errors that do not alter the meaning of the text (various clauses)
- C) Resolve to conduct a further community engagement process in respect of the proposed alterations, and
- D) Further consider the Proposed Community Local Law at a future Ordinary Council meeting.

Carried

6.4 Financial Reports

6.4.1 2024-25 Budget for Adoption

Responsible GM: Wayne Mack
Author: Allison Southwell

Recommendation(s)

That Council resolves as follows:

1. The 2024/25 Budget, including the Capital Works Program, be adopted for the purposes of section 94 of the *Local Government Act 2020*.
2. The declaration and levy of rates and charges for the 2024/25 financial year contained with the Budget be adopted for the purposes of section 94 of the *Local Government Act 2020*.

Attachments

1. Budget 2024-25 [6.4.1.1 - 121 pages]
2. 24-25 Detailed Capital Plan [6.4.1.2 - 2 pages]
3. Submissions summary [6.4.1.3 - 7 pages]
4. Budget submissions [6.4.1.4 - 34 pages]

Executive Summary

This report presents the 2024/25 Budget and supporting Capital Works Program (the documents) for adoption.

Council has complied with the statutory requirements contained in the *Local Government Act 2020* to enable it to adopt the documents.

The documents outline key activities that will be undertaken by Council and how the activities will be funded.

Background

Council must prepare and adopt a rolling four-year budget that contains financial statements and other matters. This must be approved and adopted by Council by 30 June each year. The purpose of this report is to present Cardinia Shire Council's budget and capital works program for adoption for the financial year commencing 1 July 2024 and the three subsequent financial years.

The budget is a financial plan that specifies the resources required to fund Council's services and initiatives for the relevant period. The budget includes both strategic and operational information, and details how the services and initiatives to be funded will contribute to the achievement of the strategic objectives in the Council Plan as well as the indicators and measures to monitor service performance outcomes. The documents capture how Council will fund the initiatives in the 2021-2025 Council Plan to achieve its strategic objectives and initiatives.

Cardinia Shire Council's 2024/25 Budget seeks to deliver high quality services as well as deliver projects and infrastructure that are valued by the community, while ensuring Council remains financially sustainable in the long term to continue to invest in future generations of our people and communities. The Budget has been shaped through a lens of significant, targeted and continuing community support, services and investment.

The Budget includes an allocation of \$82.3 million towards a number of significant capital works projects (including \$21.0 million worth of projects carried forward from 2023/24). Of this, \$64.7 million is allocated for asset renewals and upgrades.

To enable Council to provide this support and investment, Council will be adopting a 2.75% general rates revenue increase, in line with the Victorian Government rate cap.

This report also proposes the adoption of the Schedule of Fees and Charges for the 2024/25 financial year as contained in the attached document.

The documents were made available for community exhibition from 16 April to 17 May 2024. A summary of community comments and submissions was provided for Councillors' consideration. Officers recommended the following changes in response to the community feedback:

1. \$240k will be separately identified in the 2024/25 Capital Works Program for the purpose of continuing access upgrade projects, which includes the installation of the Koo Wee Rup pool pod. This will also be reflected in the subsequent three years of the program.
2. In acknowledgement of the work undertaken to date and priority of the resurfacing of the Koo Wee Rup netball courts, it is recommended that up to \$300k will be brought forward from the 2025/26 capital plan by way of a community capital grant (as these courts are not on Council owned land), subject to the Koo Wee Rup Netball Club securing additional funding to cover the remaining project costs. It is noted that the \$300k may be split and allocated to various aspects of project to ensure that grant funding opportunities can be maximised by the club.
3. During the community exhibition period, there was a change in approach from the State Government regarding the clean-up of remaining debris from the February 13 storm event. Officers recommended that in response to this change, a \$500k transfer from Council's strategic reserves is required to enable the completion of this clean-up work.

The adoption of these documents is the culmination of extensive consultation with Councillors, Council officers, and the Cardinia Shire community in relation to strategic priorities for the coming financial year and how they will be funded.

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

The Budget includes several key environmental initiatives that enable the delivery of Council's Sustainable Environment Policy to improve the health and biodiversity of our natural environment.

Consultation/Communication

The 2024/25 Budget, including the Capital Works Program, have been prepared through rigorous consultation with Councillors and Council officers. These documents have been developed to

respond to the current and future needs of the community considering the significant impact of the current volatile economic environment.

The draft budget documents were published for community exhibition and comment between 16 April and 17 May 2024. During the budget consultation period, the following engagement activities occurred:

Social media

Information on the budget consultation was posted on both Facebook and Instagram. Facebook reached a total of 1,122 people, with 45 people reacting, commenting, sharing to clicking through to the Budget page. An Instagram post reached 273 people, with 23 people liking and/or engaging with the post.

In person

8 pop up activities occurred across the municipality in Pakenham, Officer, Garfield and Emerald, touching base with over 50 people, although none of whom specifically raised the subject of the draft Budget. The team did receive some general comments around spending money on fixing roads and infrastructure, such as playgrounds and maintenance around the Shire.

Additionally, the opportunity for community members to have their say on current engagement projects, including the draft Budget, was presented at the following:

- Access and Inclusion Advisory Group – 17 April 2024
- Multicultural Advisory Group – 18 April 2024
- Cardinia Interfaith Network – 2 May 2024

Online engagement

The Budget page was live on Creating Cardinia from 16 May to 17 June 2024 (4 weeks). A total of 652 people visited the page resulting in most of the submissions.

Financial and Resource Implications

This Budget outlines:

- Council's management of financial resources for a four-year period; and
- The proposed resources allocated to key delivery of proposed capital works, delivery of services and funding of key community priorities.

Conclusion

Having complied with the relevant sections within the *Local Government Act 2020* and having considered the community feedback and submissions received, Council is able to resolve to formally adopt its 2024/25 Budget, including the Capital Works Program, as well as the declaration and levy of rates and charges contained within the Budget.

Resolution

Moved Cr Jeff Springfield, seconded Cr Stephanie Davies.

That Council resolves as follows:

1. The 2024/25 Budget, including the Capital Works Program, be adopted for the purposes of section 94 of the *Local Government Act 2020*.
2. The declaration and levy of rates and charges for the 2024/25 financial year contained with the Budget be adopted for the purposes of section 94 of the *Local Government Act 2020*.

Carried

6.5 Activity Reports

6.5.1 Community Engagement Update

Responsible GM: Debbie Tyson
Author: Emma Wilkinson

Recommendation(s)

That Council notes the community engagement activities being undertaken in June/July 2024.

Attachments

Nil

Executive Summary

This report provides a monthly update on Council's 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 advise and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
EXAMPLE TOOLS	<ul style="list-style-type: none"> • Fact sheets • Websites • Open houses 	<ul style="list-style-type: none"> • Public comment • Focus groups • Surveys • Public meetings 	<ul style="list-style-type: none"> • Workshops • Deliberate polling 	<ul style="list-style-type: none"> • Citizen Advisory committees • Consensus building • Participatory • Decision-making 	<ul style="list-style-type: none"> • 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

There are no climate emergency considerations as part of this report.

Consultation/Communication

This month, the following Engagement Plans are being implemented: /July

Community engagement activity June-July 2024			
Project	Project description	Proposed date/s and details of the community engagement	Responsible Business Unit
Naming of Thewlis Integrated Child and Family Centre.	The project invites the community to vote on a new name for The Thewlis Integrated Child and Family Centre.	<p>Period of engagement: 3 June until 30 June.</p> <p>Targeted engagement with:</p> <ul style="list-style-type: none"> families enrolled in the kindergarten service at the Thewlis Child and Family Centre. <p>Engagement with the broader community will include the following methods:</p> <ul style="list-style-type: none"> QR code posters at the centre and council facilities immunisation sessions directing people to the Creating Cardinia site voting on the Creating Cardinia Engagement platform. 	Active and Connected Communities.
Upper Beaconsfield Masterplan.	Obtain feedback to inform the strategic 10-year Masterplan to support future sport, leisure and environmental needs of the community.	<p>Period of engagement 11 June until 2 July.</p> <p>Engagement with the broader community will include the following methods:</p> <ul style="list-style-type: none"> survey on the Creating Cardinia website QR code posters in local areas directing people to the Creating Cardinia site. 	Active and Connected Communities.

		<p>Targeted engagement with:</p> <ul style="list-style-type: none"> the Community Asset Committee for Recreation Reserve and all associated clubs/ user groups Local Kindergarten and schools, DEECA. 	
Draft Fair Access Policy.	Request feedback on the draft policy to identify ways to remove barriers to increase participation in active recreation across the shire.	<p>Period of engagement from 13 June until 10 July.</p> <p>Engagement with the broader community will include the following methods:</p> <ul style="list-style-type: none"> a survey on the Creating Cardinia website QR code posters at community sports clubs and council facilities directing people to the Creating Cardinia site. <p>Targeted engagement with:</p> <ul style="list-style-type: none"> community sport clubs recreation reserve committees Cardinia Shire’s Women and Girls Sports Participation Network advisory committees. 	Active and Connected Communities.
Playground Renewal, Greenland Court, Garfield.	To obtain community feedback on the play space renewal.	Period of engagement from early July TBC*.	Active and Connected Communities.

		<p>Engagement with the broader community will include the following methods:</p> <ul style="list-style-type: none"> • survey on the Creating Cardinia engagement platform • QR code posters on-site directing people to the Creating Cardinia website. <p>Targeted engagement via letter with:</p> <ul style="list-style-type: none"> • residents in surrounding streets • township group • local schools and playgroups • local community association. <p>* Confirmed dates will be published on the Creating Cardinia website.</p>	
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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

The activities undertaken fall within Councils existing budget and resourcing.

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.

Resolution

Moved Cr Stephanie Davies, seconded Cr Brett Owen.

That Council notes the community engagement activities being undertaken in June/July 2024.

Carried

6.5.2 Major Projects Report June

Responsible GM: Peter Benazic
Author: Dan Hammond, Jarrad Unsworth, Michael Casey

Recommendation(s)

That Council note Major Projects report for the month of June 2024.

Attachments

1. Major projects report – June 2024

Executive Summary

As part of the reporting process to Council, this monthly report provides an update of the status of major projects in progress, as at the end of April 2024, when the report was collated.

Background

Projects and updates are included in the attached report.

Relevance to Council Plan

Not applicable.

Conclusion

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

Resolution

Moved Cr Stephanie Davies, seconded Cr Collin Ross.

That Council note Major Projects report for the month of June 2024.

Carried

7 Reports Or Minutes Of Committees

Nil

8 Reports By Delegates

Cr Davies acknowledged Lili Rosic who is finishing with Council and noted some of the significant projects that had been undertaken in her time with Council wishing Lili all the best recounting a presentation they worked on together at the National Growth Areas Alliance Meeting in Canberra.

Council has reached out to the Multi-cultural advisory committee noting the work being undertaken by the committee and Council in this area seeking to achieve better outcomes for the wider community and encouraging people to attend online training.

Cr Ryan noted the new Pakenham station is open. Attended a meeting with the SE Mental Health Board which meets quarterly and is actively advocating for services. Attended the Mayors Volunteer Reception. Attended an Equestrian Psychologist competition testing horses. Noted in the budget the ongoing Pakenham Outdoor Pool funding.

Cr Springfield mentioned the recent passing of Betty Marsden who lived in Yarra Ranges Shire and was a very strong environmental advocate for many years from as far back as the 1970's. Cr Springfield made particular note of two reserves that Betty was instrumental in seeing created.

Cr Owen reported on his attendance at the Mt Shamrock Environmental Review Committee and that Holcim were investigating whether it was worth extending their quarry operations noting the application will be commenced and noted the long history in the Toomuc Valley and there are some concerns regarding the potential expansion in the Committee. Acknowledged the Mayor Volunteer Reception and the winner of the Stan Henwood Award. Landcare group with aspirations and finally in the last week attended a meeting with Local MP Michael Galea, who held a Beaconsfield Reference Group meeting relating to the LXR project, Cr Owen endorsed this meeting as a good way of engaging residents and being led by their local MP.

Cr Moore attended the launch of the Cardinia Leadership Program and noted there had been at least two people stand and elected as Councillors from this program. Cr Moore noted attending the Stan Henwood award at the Volunteer Reception. Noted Bridgewood Primary School attending Council and the excellent questions from the Grade 6 Students and these being great visits and opportunities to discuss the role of local government.

Cr Ross advised that IYU is now open 24/7 and it was great to see people using this facility. Toomuc Creek Walkway is extremely well used and noting the improvements in the open space maintenance and the benefits this is bringing for the public use. Cr Ross acknowledged the residents in attendance from Heritage Springs relating to the issues in relation to heritage lights and this would be spoken to further in the Notice of Motion section.

9 Presentation Of Petitions

Nil

10 Notices Of Motion

Notice of Motion #1095 – Cr Davies

That Council Officers will prepare and table a report for Council at the September 2024 Council Meeting, regarding the ‘Vaughn Court Christmas Lights display’.

Vaughan Court is a much loved, and now huge community attraction, and a report is needed to ensure Council has oversight of the risk management practices Council Officers, in collaboration with the Victoria Police provide, to protect the safety of our community as they enjoy this event.

Resolution

Moved Cr Stephanie Davies, seconded Cr Collin Ross.

That Council Officers will prepare and table a report for Council at the September 2024 Council Meeting, regarding the ‘Vaughn Court Christmas Lights display’.

The Voting on this matter was a tie.

The Mayor used a casting vote to vote in favour of the Notice of Motion

Carried

Notice of Motion #1096 – Cr Ross

That council stops the removal of the Heritage Streetlights in the Heritage Springs estate. That council retains the unique and heritage streetlight fittings and finds a solution to fitting these old street lamps with the new LED light globes or other appropriate lighting globe options and provides Council with a report that includes solutions.

Resolution

Moved Cr Collin Ross, seconded Cr Kaye Cameron.

That council stops the removal of the Heritage Streetlights in the Heritage Springs estate. That council retains the unique and heritage streetlight fittings and finds a solution to fitting these old street lamps with the new LED light globes or other appropriate lighting globe options and provides Council with a report that includes solutions.

Carried

Notice of Motion #1097 – Cr Davies

That a report is presented to Council regarding all aspects of Community Engagement following Council's April 2022 resolution to item 6.4.1

Resolution

Moved Cr Stephanie Davies, seconded Cr Graeme Moore

That a report is presented to Council regarding all aspects of Community Engagement following Council's April 2022 resolution to item 6.4.1

Carried

Notice of Motion #1098 – Cr Moore

That the Officers engage with the Koo wee Rup Bowls Club and the local Community to explore ways in which the name “RAY BROWN” can be honoured through a naming proposal at the Bowls Club in the near future.

Resolution

Moved Cr Greme Moore, seconded Cr Jeff Springfield.

That the Officers engage with the Koo wee Rup Bowls Club and the local Community to explore ways in which the name “RAY BROWN” can be honoured through a naming proposal at the Bowls Club in the near future.

Carried

Notice of Motion #1099 – Cr Springfield

That Council amends the temporary community advertising signage policy to allow consideration of events that may fall outside of Cardinia Shire. This consideration will only be applicable for events or community organisations that have a strong and established connection with residents and communities within Cardinia Shire.

Resolution

Moved Cr Jeff Springfield, seconded Cr Stephanie Davies

That Council amends the temporary community advertising signage policy to allow consideration of events that may fall outside of Cardinia Shire. This consideration will only be applicable for events or community organisations that have a strong and established connection with residents and communities within Cardinia Shire.

Carried

11 Community Questions

The Mayor advised that Council had received 5 questions for the meeting from Bill Ronald, Jillian Ronald, Rebecca Paszkowski, Allison Haddock and Hank Heeremans. All were in attendance and the below responses were read out.

1. Bill Ronald

INCOME RAISED BY CARDINIA SHIRE COUNCIL, FROM THE DECORATIVE LIGHT POLE FEE, IS TO BE MAINTAINED IN A RESERVE FUND AND USED TO OFFSET FUTURE COST'S OF REPLACING DECORATIVE STREET LIGHT POLES.

IN DOLLAR TERMS, WHAT WAS THE TOTAL CONTRIBUTION FROM PARKLEA DEVELOPMENTS FROM THE ENTIRE HERITAGE SPRINGS RESIDENTIAL ESTATE.

WHEN (EXACTLY) DID CARDINIA SHIRE COUNCIL, CHANGE THE DESCRIPTION GUIDELINES OF THE DECORATIVE LIGHT POLE FUND, TO INCLUDE

AND RETROFITTING ENERGY EFFICIENT LAMPS ON EXISTING DECORATIVE LIGHT POLES.

AND THE \$256,000 WITHDRAWN FROM THIS RESERVE ACCOUNT IN 2022, AND

TRANSFERRED TO ACCUMULATED SURPLUS, WAS USED FOR WHAT SPECIFIC PURPOSE.

Answer by Deb Tyson, General Manager Governance Facilities & Economy

The Heritage Springs subdivision was developed more than 14 years ago with approximately 28 stages, each requiring a non-standard lighting agreement and associated fee. Since receiving the question today we have not had time to identify the full contribution made by the

Developer of this Subdivision. It is noted that a preliminary review has found that For Stage 24 this was \$7800, for Stage 28, this payment was \$9250. However, we will take this question on notice and provide the relevant details in writing.

In 2015, Council introduced a \$3000 per decorative pole fee. At this time, through an internal document, it was identified that "income raised from the \$3,000 pole fee be maintained in a Reserve fund and used to offset future costs of replacing decorative poles and retrofitting energy efficient lamps on existing decorative poles.

In 2021-22, the identified \$256,000 was used for contractor costs related to replacement of decorative poles/lanterns and other non-standard lighting, and an audit of the Mercury lighting program.

2. Jillian Ronald

THE MERCURY VAPOUR STREET LIGHTING REPLACEMENT TENDER.
TENDERS. Net REF # 1282721
CLOSING DATE; TUESDAY 31/05/2022 - 02:00pm
TENDER DETAILS; 22-015

WHEN (date) WAS THE DRAFTING OF THIS DOCUMENT FIRST COMMENCED.
HOW LONG WAS THE TENDER ADVERTISED AND OPEN FOR.
EXACTLY HOW MANY TENDERS WERE RECEIVED BY THE CARDINIA SHIRE COUNCIL
AND EXACTLY HOW DID THE TENDER DOCUMENT, SPECIFY HOW THE HERITAGE SPRINGS OR
OTHER ESTATES DECORATIVE STREET LIGHTS THAT REQUIRED REMOVAL FROM THEIR POLES,
WOULD BE DISPOSED OF

Answer by Deb Tyson, General Manager Governance Facilities & Economy

Documentation for tender Contract 22-015 commenced in April 2022. The tender was open from 7 May to 31 May 2022. 1 tender was received – noting there are a limited number of AusNet approved contractors who can tender for these works.

The current installer who was working in heritage springs has been engaged through a separate process via MAV panel contract SL3911-2022.

Recycling requirements include:

Lamp – Must be processed to separate the glass, aluminium, phosphor powder and argon gas
– glass and aluminium must be recycled, Mercury must be distilled and reused.

Plastic visor/bowl, Plastic backing, Luminaire body - Must be recycled.

PE Cells - need to be disposed of or recycled in line with EPA regulations

Cooper and steel components must be recycled

Control gear/ballast - Iron components must be recycled

Steel screws - must be recycled

3. Rebecca Paszkowski

The new lights that have been chosen strongly resemble jail watchtowers and have altered the ambience of our beautiful estate, especially noticeable in our autumn when we are paying particular attention to the changing colour of the leaves.

In an email received by myself from Cr Jack Kowarzik it was stated that "To gain approval from AusNet services for a light to be used on their network, there is a detailed and costly application process that needs to be followed, which includes detailed testing and review" Was the actual cost of the application process outlined and if so was this information available and how does that cost compare to the current process of full removal of the top of the posts

that has already been undertaken?

Was this information provided to the community in the previous community consultation that only some residents received?

Answer by Deb Tyson, General Manager Governance Facilities & Economy

Only one manufacture has achieved approval for these type of lights. The approval process for installing a product on the AusNet network is a matter handled by the product supplier or manufacturer and is not within the Council's remit. Consequently, this aspect was not communicated to residents, as Council is not involved in the application process for such approvals.

4. Allison Haddock

At the Ordinary Council meeting on 11 April 2022, item 6.4.1, regarding the Mercury Vapour Street Lighting Replacement Project, the consultation communication stated

Discussions have taken place with communications and engagement officers, and a communications plan is being developed. This will ensure the community is kept informed regarding the project, especially those residents that live in areas where lights will be upgraded.

Cr Owen spoke at length, emphasising, the importance of council community consultation on this project.

What were the steps in the communication plan (if any), and why was no in-person consultation conducted with the community, specifically with local groups such as the Heritage Springs Residents Group, regarding the removal of the decorative heritage lights?

Answer by Deb Tyson, General Manager Governance Facilities & Economy

Due to the absence of alternative LED products compatible with the AusNet network, the Sylvania Kensington was the sole option for the light upgrade. Under Councils Community engagement Policy, inform is a form of engagement which is used when there is no genuine opportunity for the community to influence the outcome. Consequently, the strategy adopted involved informing the community. The communication strategy encompassed a range of activities, including media announcements, features in council newsletters, social media updates, and direct mail notifications to residents in the vicinity of the lighting upgrades prior to the initiation of the project. This included 1611 residents in stage 1 and 1792 residents in stage 2

5. Hank Heeremans:

The Report to Council date 11/04/2022.

Mercury Vapour Street Lighting Replacement Project.

Paragraph Headed:

Financial and Resource Implications.

Identified internal and external funding sources have been identified to fund the estimated \$2.25 million project.

What were the internal funding sources identified and was one of the internal funding sources identified; The Cardinia Shire's Decorative Light Poles Reserve Fund?

Answer by Deb Tyson, General Manager Governance Facilities & Economy

External funding sources identified included AusNet Services funding, the Local Roads and Community Infrastructure program (federal government) and Victorian Energy Efficiency Certificates.

Internal funding identified included capital works allocation and a contribution from the Decorative Light Poles Reserve Fund

12 Urgent Business

Nil

13 Councillor Questions

There were no Councillor Questions