

Council Meeting

Agenda

Monday 20 April 2026

Commencing 6:00 PM

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

Council Meeting

Monday 20 April 2026 at 6:00 PM.

Members: Cr Brett Owen Mayor
Cr Liz Roberts Deputy Mayor
Cr Alanna Pomeroy
Cr Samantha-Jane Potter
Cr Casey Thomsen
Cr David Nickell
Cr Collin Ross
Cr Jack Kowarzik
Cr Trudi Paton

Officers: James Collins Chief Executive Officer
Ana Caicedo Acting General Manager Infrastructure and Environment
Wayne Mack Acting General Manager Community & Planning Services
Allison Southwell Acting General Manager Corporate Services
Peter Harris Manager Governance, Safety & Property
Sharyn Tilley Coordinator Governance and Councillor Services

Dear Councillor,

You are advised that a meeting will be held in the **Council Chambers, Cardinia Shire Council Civic Centre, 20 Siding Avenue, Officer** on **Monday 20 April 2026** commencing at **6:00 PM**.

James Collins
CHIEF EXECUTIVE OFFICER

Order of Business

1	Opening And Reflection	6
2	Traditional Owners Acknowledgement	6
3	Apologies.....	6
4	Adoption And Confirmation Of Minutes	6
5	Declaration Of Interests.....	6
6	Community Questions.....	6
7	Ordinary Business	7
7.1	General Reports	7
7.1.1	Governance Rules Review	7
7.1.2	Options For Investment Advisory Committee.....	100
7.1.3	Notice Of Motion 1118 - Report Response - Transport And Movement In Officer	103
7.1.4	Local Street Sealing Initiative (LSSI) Program	107
7.1.5	Pakenham Regional Tennis Centre Lighting Upgrade Project.....	114
7.1.6	Instrument Of Appointment And Authorisation - Planning And Environment Act 1987	118
7.2	Town Planning Reports	126
7.2.1	Planning Scheme Amendment C282 Officer Kiln Consider Submissions	126
7.2.2	Endorsement Of Draft Planning Scheme Review (Part A) For Public Exhibition	172
7.3	Policy Reports	400
7.3.1	Kerbside Waste Collection Guidelines Endorsement.....	400
7.4	Financial Reports	417
7.4.1	Amended Draft 2025-29 Revenue And Rating Plan	417
7.4.2	Draft 2026-27 Budget, Including Capital Plan For Adoption In Principle	440

7.4.3 Contract Award CT000075 - Proactive Tree Maintenance	571
7.5 Activity Reports.....	576
8 Reports By Councillors	576
9 Presentation Of Petitions	576
10 Notices Of Motion	577
10.1 Notice Of Motion 1130 - Cr Nickell.....	577
10.2 Notice Of Motion 1131 - Cr Nickell.....	578
10.3 Notice Of Motion 1132 - Cr Nickell.....	579
10.4 Notice Of Motion 1133 - Cr Owen.....	580
11 Urgent Business.....	581
12 Councillor Questions	581
13 Mayoral Minute.....	581
14 Confidential Business.....	582
14.1 Land Acquisition.....	582
15 Meeting Closure.....	583

1 Opening And Reflection

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 Traditional Owners Acknowledgement

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

4 Adoption And Confirmation Of Minutes

Recommendation

That Council confirms the minutes of:

1. Council Meeting Monday 16 March 2026; and
2. Additional Council Meeting Tuesday 7 April 2026

5 Declaration Of Interests

6 Community Questions

7 Ordinary Business

7.1 General Reports

7.1.1 GOVERNANCE RULES REVIEW

Responsible GM:	Wayne Mack
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5. Responsible Leaders 5.7 Governance - We maintain a high level of transparent, accountable, unbiased and representative governance.

Recommendation

That Council:

1. Endorses the release of the draft Governance Rules 2026 for community engagement, in accordance with section 60(4) of the *Local Government Act 2020* and the Community Engagement Policy.
2. Receives a further report presenting the final Governance Rules for adoption following completion of the community engagement process.

Executive Summary

A comprehensive review of the Governance Rules has identified opportunities to modernise structure, improve clarity and align with emerging statewide Model Governance Rules. The draft Governance Rules 2026 incorporate contemporary governance practices and updated meeting procedures to support transparent and effective decision making. Officers now seek Council's endorsement to proceed to the required community engagement phase in accordance with section 60(4) of the *Local Government Act 2020*.

Both the draft Governance Rules 2026 and the current Governance Rules (adopted 2020) are attached to this report. The attachments provide a full comparison of the proposed updates, enabling Councillors to review the revised structure, updated procedures and contemporary governance provisions alongside the existing Rules, and a table summarising the changes is also included.

Background

The Governance Rules were originally adopted in 2020 under section 60 of the *Local Government Act 2020*. Since that time, governance practice across the sector has evolved in response to legislative reform, increased transparency expectations and insights from inquiries such as the IBAC Operation Sandon Special Report.

Local Government Victoria is progressing statewide Model Governance Rules to support greater consistency across councils, and preliminary benchmarking against the draft model highlights several areas where Cardinia's current Rules no longer reflect contemporary practice, including structural inconsistencies, unclear meeting procedures and limited guidance on community participation.

These findings informed the comprehensive review undertaken by officers in preparation of the draft Governance Rules 2026.

Discussion

The review of the Governance Rules was guided by the draft statewide Model Governance Rules, which indicate that most sections—other than Public Question Time, Petitions and Community Participation—are expected to become prescribed clauses requiring minimal variation by councils. Benchmarking and internal analysis highlighted opportunities to modernise the document, improve clarity and ensure consistency with contemporary governance practice.

Key updates in the draft Governance Rules 2026 include a modernised structure and updated terminology to improve usability and enhanced mechanisms for community participation, including clearer processes for questions, submissions and electronic petitions.

The review also strengthens expectations around meeting conduct and behaviour for both Councillors and the public, supporting respectful and orderly meetings. Decision-making procedures have been expanded to provide clearer guidance on amendments, foreshadowed motions, points of order and procedural processes.

In addition, the Rules introduce new provisions that support modern meeting operations such as emergency meetings and remote participation, while removing outdated practices including officer response processes and division based voting. Strengthened transparency requirements now also require declarations where a Councillor did not attend a meeting due to a conflict of interest.

Collectively, these updates ensure the Governance Rules are contemporary, consistent with sector expectations, and reflective of modern and accountable governance practice.

Policy Implications

The proposed updates to the Governance Rules ensure Council's governance framework remains contemporary, transparent and aligned with sector expectations by modernising structure, clarifying procedures and strengthening support for consistent decision making.

These changes improve usability for both Councillors and officers, enhance community participation processes and ensure alignment with emerging statewide Model Governance Rules, reinforcing Council's commitment to accountable and effective governance.

Financial and Resource Implications

There are no financial or resource implications associated with the review of the Governance Rules. The proposed updates have been prepared using existing staff resources, and implementation can be supported within current operational budgets.

Consultation/Communication

Under the *Local Government Act 2020*, section 60(4) the Governance Rules are required to go through a process of community engagement. This will be conducted in line with the Community Engagement Policy.

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the *Gender Equality Act 2020*. The Governance Rules have been reviewed with regard to gender equality considerations. As the Rules relate to internal governance and meeting procedures and do not alter community access to services or participation, a formal Gender Impact Assessment is not required. The Rules support transparent and inclusive decision-making consistent with the principles of the *Local Government Act 2020*.

Attachments

1. Attachment 1 - Draft Governance Rules 2026 [7.1.1.1 - 50 pages]
2. Attachment 2 - Governance Rules 2024 [7.1.1.2 - 36 pages]
3. Attachment 3 - Tables of Changes - Governance Rules 2026 [7.1.1.3 - 4 pages]

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Governance Rules

2026 Draft

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Table of Contents

Part 1 – Preliminary	6
1 Nature of rules	6
2 Definitions	6
Part 2 – Governance framework	8
3 Context	8
4 Decision-making	8
Part 3 – Office bearers	9
Division 1 – Election of the Mayor	9
5 Conducting the election	9
6 Accepting nominations	9
7 When there are three or more candidates	9
8 When there are two candidates	10
9 When there is one candidate	10
Division 2 – Election of a Deputy Mayor	10
10 Conducting the election	10
Division 3 – Appointing a committee chair	11
11 Appointing a Delegated Committee chair	11
12 Appointing a Community Asset Committee chair	11
Division 4 – Appointing an Acting Mayor	11
13 Appointment of an Acting Mayor	11
Division 5 - Miscellaneous	11
14 Election for other purposes	11
Part 4 – Meeting administration	12
Division 1 - The Council meeting schedule	12
15 Council Meetings fixed by the Council	12
16 Additional Council meetings	12
17 Notice of meeting	12
18 Emergency meeting changes	13
Division 2 – Business of meetings	13
19 Agenda and the order of business	13
20 Change to the order of business	13
21 Notices of motion	14
22 Notices of rescission	15
23 Urgent business	16
Division 3 - Physical and Remote attendance	17
24 Mode of attendance	17
25 Meetings conducted remotely	18

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Division 4 – Minutes of meetings	18
26 Form and availability of minutes	18
27 Confirmation of minutes	19
Part 5 – Public Participation in meetings	20
Division 1 - Entry into Council meetings	20
28 Terms of entry into Council meetings	20
Division 2 - Public Question Time	20
29 Receiving public question time submissions	20
30 Treatment of public questions in the Council meeting	21
Division 3 - Submissions	23
31 Receiving submissions	23
Division 4 – Petitions	23
32 Petitions	23
33 Meeting procedures for receiving petitions	24
Part 6 – Council meeting procedures	25
Division 1 - The role of the Chair	25
34 The role of the Chair	25
35 The Chair's duties and discretions	25
36 Reasonable adjustments	25
Division 2 - Expected meeting behaviour	25
37 Meeting conduct standards	25
38 Addressing the meeting	26
39 Priority of address	26
40 Removal from the meeting	27
41 Chair may adjourn disorderly meeting	27
Division 3 – Introduction of business	27
42 Motions and amendments	27
Division 4 - Debate	28
43 Moving a motion	28
44 Moving an amendment	28
45 Debating a motion or amendment	28
46 Right of reply	29
47 Altering motions	29
48 Amending motions	29
49 Foreshadowing motions	29
50 Withdrawing motions	30
51 Separating matters	30
52 Combining matters	30
Division 5 – Voting	30
53 Repeating a motion or amendment	30
54 How motion determined	30
55 Recount	31

OFFICIAL

Cardinia Shire Council | Governance Rules

56	Second vote.....	31
57	No discussion once declared.....	31
Division 6 – Procedural Motions		31
58	Procedural motions.....	31
Division 7 – Points of Order.....		33
59	Valid points of order.....	33
60	Procedure for point of order.....	33
61	Chair to decide	33
62	Dissent from Chair's ruling.....	33
Division 8 - Conduct during debate		34
63	Debate must be relevant to the motion	34
64	Right to ask questions	34
65	Speaking times	34
Division 9 – Miscellaneous		34
66	Meeting break.....	34
67	Adjournment	34
68	Time limits for meetings.....	35
69	Maintenance of a quorum.....	35
70	Suspension of standing orders	35
71	Statement by the Chief Executive Officer	35
Part 7 – Conflicts of interest.....		36
72	Conflict of interest declarations.....	36
73	Disclosure when not in attendance at a meeting	36
74	Disclosure when in attendance at a meeting	36
75	Disclosure by Council officers preparing reports for meetings.....	37
76	Prohibition on the exercise of a delegated power or statutory function.....	38
77	Retention of written notices	38
Part 8 – Delegated Committees.....		39
78	Delegated Committee meeting procedures	39
79	Delegated Committee conflicts of interest	39
80	Application of these Rules	39
Part 9 – Community Asset Committees		40
81	Community Asset Committee meeting procedures.....	40
82	Community Asset Committee conflicts of interest.....	40
83	Application of these Rules	40
Part 10 – Council elections		41
84	Prohibited decisions	41
85	Election period policy.....	41
Schedule 1 – Election Period Policy		42
1.	Purpose	42
2.	Scope	42
3.	Definitions.....	42

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Cardinia Shire Council | Governance Rules

4.	Roles and responsibilities	43
5.	Decision-making during election periods	44
6.	Meetings	45
7.	Media and media services	47
8.	Use of Council resources	47
9.	Access to information	48
10.	Election signage on Council land.....	49
11.	External elections	49
11.1	Notification of Candidacy.....	49

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Part 1 – Preliminary

1 Nature of rules

- 1.1 These are the Governance Rules of Cardinia Shire Council, made in accordance with section 60 of the Local Government Act 2020.

2 Definitions

- 2.1 In these Governance Rules, unless the context suggests otherwise:
- 2.1.1 'Act' means the Local Government Act 2020;
 - 2.1.2 'Additional Council meeting' means a *Council meeting* called under Rule 17;
 - 2.1.3 'affected person' has the same meaning as it has in section 128 of the *Act*;
 - 2.1.4 'agenda' means the notice of a meeting setting out the business to be transacted at the meeting;
 - 2.1.5 'business day' means a day other than a Saturday, Sunday, public holiday or public half-holiday at any place within the municipal district;
 - 2.1.6 'Chair' means the chair of a meeting and includes a *Councillor* who is appointed by resolution to chair a meeting under section 61(3) of the *Act*;
 - 2.1.7 'Chief Executive Officer' includes an acting Chief Executive Officer and a member of Council staff acting under delegation;
 - 2.1.8 'clear day' in respect of the *notice of motion deadline* means a day that does not include the day of the *Council meeting* or the day of the *notice of motion deadline*.
 - 2.1.9 'confidential information' has the same meaning as it has in the *Act*;
 - 2.1.10 'Council' means Cardinia Shire Council;
 - 2.1.11 'Council meeting' has the same meaning as it has in the *Act*;
 - 2.1.12 'Council officer' means a member of Council, staff or a contractor or consultant providing services or advice at the Council's direction, instruction or request.
 - 2.1.13 'Councillor' means a person who holds the office of member of the *Council*;
 - 2.1.14 'Delegated Committee' means a delegated committee established under section 63 of the *Act* or a joint delegated committee established under section 64 of the *Act*;
 - 2.1.15 'election period' has the same meaning as it has in the *Act*;
 - 2.1.16 'Mayor' means:
 - (a) a Mayor of the Council elected under section 25 of the *Act*;
 - (b) a Deputy Mayor performing the role of the Mayor under section 21 of the *Act*;
 - (c) an Acting Mayor appointed under section 20B of the *Act*;

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- 2.1.17 '*meeting conduct standards*' has the meaning given to it by Rule 37 of *these Rules*.
- 2.1.18 '*meeting to which conflict of interest provisions apply*' means:
- (a) a *Council meeting*;
 - (b) a meeting of a *Delegated Committee*;
 - (c) a meeting of a *Community Asset Committee*; or
 - (d) a meeting which is scheduled or planned for the purpose of discussing the business of *Council* or briefing *Councillors* and is attended by an absolute majority of *Councillors* and at least one *Council officer*.
- 2.1.19 '*notice of motion*' means a notice setting out the text of a motion, which it is proposed to move at the next relevant meeting;
- 2.1.20 '*notice of motion deadline*' means midday on the latest *business day* that is ten clear days before the day on which the meeting is to be held.
- 2.1.21 '*notice of rescission*' means a notice setting out the text of a motion to rescind a previous resolution of the Council;
- 2.1.22 '*substantive motion*' means a motion that has been moved and seconded and is under consideration by the meeting;
- 2.1.23 '*these Rules*' means these Governance Rules; and
- 2.1.24 '*written*' includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and writing has a corresponding meaning.

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Part 2 – Governance framework

The Governance Rules provide the foundation for Council's decision-making and operational conduct, ensuring alignment with the overarching governance principles set out in section 9(2) of the Local Government Act 2020. They establish clear procedures for Council meetings, ethical and impartial decision-making, and the management of conflicts of interest.

Through this framework, Council promotes transparency, fairness, and accountability in decision-making processes, while striving for continuous improvement, collaboration, and sustainability in service to the municipal community—now and into the future.

3 Context

3.1 These Rules should be read in the context of and in conjunction with:

- 3.1.1 the overarching governance principles specified in section 9(2) of the Act:
- (a) Council decisions are to be made and actions taken in accordance with the relevant law;
 - (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
 - (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
 - (d) innovation and continuous improvement is to be pursued;
 - (e) collaboration with other Councils and Governments and statutory bodies is to be sought;
 - (f) the ongoing financial viability of the Council is to be ensured;
 - (g) regional, state and national plans and policies are to be taken into account in strategic planning and decision-making;
 - (h) the transparency of Council decisions, actions and information is to be ensured; and
- 3.1.2 Council approved policies relating to good governance.

4 Decision-making

- 4.1 In any matter in which a decision must be made by Council (including persons acting with the delegated authority of Council), Council must consider the matter and make a decision:
- 4.1.1 fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and
 - 4.1.2 on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations.
- 4.2 Council must, when making any decision to which the principles of natural justice apply, ensure procedural fairness by adhering to those principles. This includes, without limitation, providing any person whose rights are directly affected by the decision with a reasonable opportunity to communicate their views and have their interests duly considered.

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Part 3 – Office bearers

Division 1 – Election of the Mayor

5 Conducting the election

- 5.1 The election of the *Mayor* must take place at a *Council meeting* which is open to members of the public.
- 5.2 Before the *Mayor* is elected, Council must determine by resolution whether the *Mayor* is to be elected for a 1 year or a 2 year term.
- 5.3 The *Chief Executive Officer* must facilitate the election of the *Mayor* in accordance with these Rules.

6 Accepting nominations

- 6.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected and invite nominations for the office of *Mayor*.
- 6.2 Any nominations for the office of *Mayor* must be:
 - 6.2.1 made by a *Councillor*; and
 - 6.2.2 accepted by the nominee, either in person at the meeting or in *writing*.
- 6.3 For the avoidance of doubt, a *Councillor* may nominate themselves and a nomination does not need to be seconded.
- 6.4 Once nominations for the office of *Mayor* have been received, the *Chief Executive Officer* must confirm that no further nominations can be accepted. At that point, nominees become candidates for election and their candidature cannot be withdrawn.
- 6.5 Each nominee must then be provided up to five minutes to address Council, in the order in which their nominations were received.

7 When there are three or more candidates

- 7.1 If there are three or more candidates (or three or more remaining candidates after the completion of the process in this Rule) for the office of *Mayor*, the following provisions will govern the election of the *Mayor*:
 - 7.1.1 The *Chief Executive Officer* must ask *Councillors* to vote for each of the candidates in order of nomination;
 - 7.1.2 The *Councillors* present at the meeting must vote for one of the candidates by a show of hands or by such other means as the *Chief Executive Officer* lawfully permits;
 - 7.1.3 If any of the candidates receive an absolute majority of votes, the *Chief Executive Officer* must declare them elected;

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- 7.1.4 If none of the candidates receive an absolute majority of votes, the *Chief Executive Officer* must declare the candidate with the fewest votes defeated; and
- 7.1.5 If two or more candidates have an equal fewest number of votes the defeated candidate is determined by lot in accordance with the following provisions:
 - (a) the name of each candidate with an equal fewest number of votes is placed in a receptacle; and
 - (b) the *Chief Executive Officer* draws one name from the receptacle and declares that candidate defeated.
- 7.2 Following the declaration of a candidate as a defeated candidate, all previous votes are declared void, and the remaining candidates progress to a further round of voting in accordance with Rule 8 or 9 (as applicable).

8 When there are two candidates

- 8.1 If there are two candidates (or two remaining candidates after the completion of the process in Rule 7) for the office of *Mayor*, the following provisions will govern the election of the *Mayor*:
 - 8.1.1 The *Chief Executive Officer* must ask *Councillors* to vote for each of the candidates in order of nomination;
 - 8.1.2 The *Councillors* present at the meeting must vote for one of the candidates by a show of hands or by such other means as the *Chief Executive Officer* lawfully permits;
 - 8.1.3 If either of the candidates receive an absolute majority of votes, the *Chief Executive Officer* must declare them elected;
 - 8.1.4 If neither of the candidates receive an absolute majority of votes, the votes in that round of voting are declared void and a further round of voting is conducted immediately; and
 - 8.1.5 If, after a second round of voting, neither candidate receives an absolute majority of votes, the election is declared void and the *Council* must resolve to:
 - (a) conduct a further election immediately; or
 - (b) conduct a further election at a later time and/or date as soon as practicable but no later than seven days after the current meeting and the meeting stands adjourned until that later time and/or date.

9 When there is one candidate

- 9.1 If there is only one candidate for the office of *Mayor*, the *Chief Executive Officer* must declare them elected.

Division 2 – Election of a Deputy Mayor**10 Conducting the election**

- 10.1 Any election for the office of Deputy Mayor will be regulated by Rules 5 to 9 (inclusive), as if the reference to the:

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- 10.1.1 *Chief Executive Officer* is a reference to the *Mayor* (or, in the absence of the *Mayor*, another *Councillor* appointed by the Council for this purpose); and
- 10.1.2 *Mayor* is a reference to the Deputy Mayor.

Division 3 – Appointing a committee chair**11 Appointing a Delegated Committee chair**

- 11.1 The chair of a *Delegated Committee* may be appointed by:
 - 11.1.1 the *Mayor*,
 - 11.1.2 the Council (by resolution or in accordance with Rule 14.1); or
 - 11.1.3 reference to the Instrument of Delegation to the *Delegated Committee* made by the Council under section 47(1)(b) of the *Act*.
- 11.2 An appointment of a *Councillor* to be the chair of a *Delegated Committee* made by the *Mayor* under section 19 of the *Act* prevails over a chair appointed by another means.

12 Appointing a Community Asset Committee chair

- 12.1 The chair of a Community Asset Committee may be appointed by:
 - 12.1.1 the Council (by resolution or in accordance with Rule 14.1); or
 - 12.1.2 reference to the Instrument of Delegation to the *Delegated Committee* made by the Council under section 47(1)(b) of the *Act*.
- 12.2 If a chair of a Community Asset Committee has not been appointed in accordance with this Rule, the Community Asset Committee may appoint a chair at its discretion.

Division 4 – Appointing an Acting Mayor**13 Appointment of an Acting Mayor**

- 13.1 If it becomes necessary to appoint an Acting Mayor, Council can do so by either:
 - 13.1.1 resolving that a specified *Councillor* be so appointed for a specified period; or
 - 13.1.2 resolving that a *Councillor* be elected for a specified period and then following the procedure set out in Rules 6 to 10 (inclusive).

Division 5 - Miscellaneous**14 Election for other purposes**

- 14.1 Council may resolve to apply the election process set out in this Part for other purposes, such as the selection of *Councillors* for a delegated committee, community asset committee, advisory committee or the appointment of a *Councillor* as a representative to another organisation, subject to any modifications deemed necessary.

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Part 4 – Meeting administration

Division 1 - The Council meeting schedule

15 Council Meetings fixed by the Council

- 15.1 Subject to Rule 16, Council must from time to time fix a *Council meeting* schedule.
- 15.2 The *Council meeting* schedule must include, in respect of each meeting:
 - 15.2.1 the scheduled date and time of commencement;
 - 15.2.2 whether the meeting is to be held in person or wholly be electronic means, and if it is to be held in person, its location; and
 - 15.2.3 the order of business for the meeting.
- 15.3 Council may alter the *Council meeting* schedule by resolution.

16 Additional Council meetings

- 16.1 An *Additional Council meeting* may be called by:
 - 16.1.1 the Council (by resolution);
 - 16.1.2 the *Mayor*, in consultation with the *Chief Executive Officer* (by *written* notice to the *Chief Executive Officer*);
 - 16.1.3 at least one third of the total number of the *Councillors* of the Council (by *written* notice to the *Chief Executive Officer*); or
 - 16.1.4 the *Chief Executive Officer* (by *written* notice).
- 16.2 The resolution or *written* notice must specify the date and time of the *Additional Council meeting* and the business to be transacted.
- 16.3 The *Chief Executive Officer* must convene the *Additional Council meeting* as specified in the *written* notice or resolution.
- 16.4 Unless all *Councillors* are in attendance and unanimously agree to deal with any other matter, only the business specified in the resolution or *written* notice can be transacted at the *Additional Council meeting*.
- 16.5 If the *Chief Executive Officer* is unable for any reason to fulfill their obligations under this Rule, those duties may be undertaken by a *Council officer* nominated by the *Mayor* for this purpose.

17 Notice of meeting

- 17.1 A draft *agenda* must be delivered or sent electronically to every *Councillor* for all *Council meetings* fixed under Rule 15, at least ten (10) clear days before the meeting, and for all *Additional Council meetings*, as soon as practicable before the meeting.
- 17.2 Notwithstanding sub-Rule 17.1, an *agenda* need not be delivered or sent electronically to any *Councillor* who has obtained leave from the Council to be absent from that meeting unless the *Councillor* has requested the delivery of the *agenda* by *written* notice to the *Chief Executive Officer*.
- 17.3 Reasonable notice of each *Council meeting* must be provided to the public. Council may do this by:

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- 17.3.1 publishing the *Council meeting* schedule fixed by the Council under Rule 15 on Council's website;
- 17.3.2 giving notice to the public of an alteration to the *Council meeting* schedule on Council's website or by another means determined by the *Chief Executive Officer*;
- 17.3.3 giving notice to the public of the scheduling of an *Additional Council meeting* on Council's website or by another means determined by the *Chief Executive Officer*; and
- 17.3.4 making the *agenda* available to the public 6 clear days before the meeting, and for all *Additional Council meetings* as soon as practicable before the meeting, on Council's website or by another means determined by the *Chief Executive Officer*.

18 Emergency meeting changes

- 18.1 The *Chief Executive Officer*, in consultation with the Mayor may, in the case of an emergency or unforeseen circumstance:
 - 18.1.1 change the time or date of a *Council meeting*;
 - 18.1.2 change the manner of delivery (primarily in person or wholly by electronic means) of a *Council meeting*;
 - 18.1.3 change the order of business for a *Council meeting*; and
 - 18.1.4 cancel or postpone a *Council meeting*.

Division 2 – Business of meetings

In accordance with section 46(2)(d) of the Local Government Act 2020, the Chief Executive Officer is responsible for setting the agenda for Council meetings following consultation with the Mayor. This ensures that meeting business is appropriately prioritised, aligned with strategic objectives, and conducted in a manner that supports informed and transparent decision-making.

19 Agenda and the order of business

- 19.1 Subject to sub-Rule 15.2, the *agenda* for a *Council meeting* is to be determined by the *Chief Executive Officer* in consultation with the *Mayor* so as to facilitate and maintain open, efficient and effective processes of the *Council meeting*.
- 19.2 When setting the *agenda* for a meeting, the *Chief Executive Officer* in consultation with the *Mayor*, must give due consideration to:
 - 19.2.1 the number and complexity of items listed for consideration;
 - 19.2.2 the level of public interest in the matters included; and
 - 19.2.3 whether the business listed is reasonably capable of being dealt with within the timeframe provided for the meeting in accordance with sub-Rule 68.

20 Change to the order of business

- 20.1 Once an *agenda* has been sent to *Councillors*, the order of business for that *Council meeting* may be altered by resolution of Council.

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Cardinia Shire Council | Governance Rules

21 Notices of motion

- 21.1 *Councillors* must ensure that a motion be included in an *agenda* by lodging a *notice of motion* 14 days prior to the meeting date.
- 21.2 A *notice of motion* must be:
 - 21.2.1 in *writing*, setting out the wording of the motion proposed to be moved and the date on which it is proposed to be moved;
 - 21.2.2 submitted to the *Chief Executive Officer* before the *notice of motion deadline*; and
 - 21.2.3 focused on an issue within Council's powers to act;
- 21.3 A *notice of motion* must not be:
 - 21.3.1 vague or unclear in intention;
 - 21.3.2 such that if passed would result in *Council* otherwise acting invalidly;
 - 21.3.3 identical or substantially similar to a motion that has been considered by Council in the preceding three months; or
 - 21.3.4 contrary to the *meeting conduct standards*.
- 21.4 A *notice of motion* must request a report from management if it seeks to:
 - 21.4.1 impact the levels of Council service;
 - 21.4.2 commit *Council* to expenditure greater than \$10,000 in the preceding financial year;
 - 21.4.3 establish, amend or extend Council policy;
 - 21.4.4 impact the rights of any person who has not had the opportunity to contribute their views;
 - 21.4.5 commit *Council* to any contractual arrangement; or
 - 21.4.6 impact any litigation in respect of which Council is a party.
- 21.5 A *Councillor* may be a signatory for up to two *notices of motion* for any meeting.
- 21.6 If a *notice of motion* is submitted and the *Chief Executive Officer* determines that it does not satisfy the requirements of this Rule, the *Chief Executive Officer* must notify in *writing* the *Councillors* who lodged it of its failure to satisfy this Rule prior to the *notice of motion deadline*.
- 21.7 The wording of a notice of motion may be altered at any time prior to the *notice of motion deadline* by *written* notice to the *Chief Executive Officer* from all of the signatories to it.
- 21.8 A *Councillor* who is a signatory to a *notice of motion* may withdraw their signature from it at any time prior to the *notice of motion deadline* by *written* notice to the *Chief Executive Officer*.
- 21.9 Upon the *notice of motion deadline*, the *Chief Executive Officer* must include all *notices of motion* that satisfy the requirements of this Rule in the *agenda* in the order in which they were received.
- 21.10 The *Chief Executive Officer* has the discretion to provide *written* advice to the *Council* regarding any *notice of motion* listed on the *agenda*.

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Cardinia Shire Council | Governance Rules

- 21.11 *Written* advice regarding a *notice of motion* may be included in the *agenda*, or tabled at the *Council meeting* at which the *notice of motion* is considered.
- 21.12 Any *written* advice regarding a *notice of motion* tabled at a *Council meeting* shall be published in the minutes of the meeting.
- 21.13 If a Councillor who has submitted a Notice of Motion is absent from the Council Meeting or fails to move the motion when called upon by the Chairperson, any other Councillor may move the Notice of Motion or may move a motion so that its consideration be deferred.
- 21.14 If a *notice of motion* is not moved at the *Council meeting* at which it is listed, it lapses.

22 Notices of rescission

- 22.1 *Councillors* may ensure that a motion to rescind a previous resolution of the Council be included in an *agenda* by lodging a *notice of rescission*.
- 22.2 A *notice of rescission* must be:
 - 22.2.1 in *writing*, setting out the resolution to be rescinded and the date when the resolution was carried;
 - 22.2.2 submitted to the *Chief Executive Officer* within 24 hours of the resolution having been made; and
 - 22.2.3 signed by at least one third of the total number of the *Councillors* of the *Council*.
- 22.3 A *notice of rescission* must not seek to rescind a resolution:
 - 22.3.1 which has been acted on; or
 - 22.3.2 which, if not acted on prior to the *notice of rescission* being considered, would deprive the resolution of efficacy.
- 22.4 A resolution will be deemed to have been acted on if:
 - 22.4.1 its contents have or substance has been communicated in *writing* to a person whose interests are materially affected by it; or
 - 22.4.2 a statutory process has been commenced so as to vest enforceable rights in or obligations on *Council* or any other person.
- 22.5 The *Chief Executive Officer* must include all notices of rescission that satisfy the requirements of this Rule on the *agenda* of a *Council meeting* no later than the next meeting fixed under Rule 15.
- 22.6 The *Chief Executive Officer* has the discretion to provide *written* advice to the Council regarding any *notice of rescission* listed on the *agenda*.
- 22.7 *Written* advice regarding a *notice of rescission* may be included in the *agenda*, or tabled at the *Council meeting* at which the *notice of rescission* is considered.
- 22.8 Any *written* advice regarding a *notice of rescission* tabled at a *Council meeting* shall be published in the minutes of the meeting.
- 22.9 If a *notice of rescission* is submitted and does not satisfy the requirements of this Rule, the *Chief Executive Officer* must notify in *writing* the *Councillors* who lodged it of its failure to satisfy this Rule, if practicable to do so.

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Cardinia Shire Council | Governance Rules

23 Urgent business

- 23.1 Where an agenda makes provision for urgent business, business can only be presented for admission to the meeting if it:
 - 23.1.1 is presented for admission by the Chief Executive Officer after the Chief Executive Officer has consulted the Mayor; or
 - 23.1.2 is presented by a Councillor.
- 23.2 If an item is presented for admission as urgent business, it can only be admitted by resolution of Council and only then if it:
 - 23.2.1 relates to or arises out of a matter which has arisen since distribution of the agenda; and
 - 23.2.2 cannot safely or conveniently be deferred until the next Council meeting.
- 23.3 A motion moved as an item of urgent business must not be:
 - 23.3.1 vague or unclear in intention;
 - 23.3.2 such that if passed would result in *Council* otherwise acting invalidly;
 - 23.3.3 identical or substantially similar to a motion that has been considered by Council in the preceding six months; or
 - 23.3.4 contrary to the *meeting conduct standards*.
- 23.4 An item of urgent business introduced by a *Councillor* must request a report from management if it seeks to:
 - 23.4.1 impact the levels of Council service;
 - 23.4.2 commit *Council* to expenditure greater than one ten-thousandth of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year;
 - 23.4.3 establish, amend or extend Council policy;
 - 23.4.4 impact the rights of any person who has not had the opportunity to contribute their views;
 - 23.4.5 commit *Council* to any contractual arrangement; or
 - 23.4.6 impact any litigation in respect of which Council is a party.

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Cardinia Shire Council | Governance Rules

Division 3 - Physical and Remote attendance

24 Mode of attendance

- 24.1 Each notice of meeting must indicate whether the relevant *Council meeting* is to be conducted:
 - 24.1.1 primarily in person; or
 - 24.1.2 wholly by electronic means.
- 24.2 The indication in the notice of meeting must be consistent with any schedule of meetings adopted by the Council under Rule 15.
- 24.3 If a *Council meeting* is to be conducted primarily in person, a *Councillor* may request to attend by electronic means.
- 24.4 Any request made under sub-Rule 24.3 must be given to the *Chief Executive Officer* in time to facilitate their participation by electronic means, having regard to Council's resource constraints and the technical capability of the meeting venue.
- 24.5 Where reasonably practicable, the *Chief Executive Officer* must ensure that any request received from a *Councillor* to attend by electronic means is accommodated.
- 24.6 Where it is not reasonably practicable to accommodate a *Councillor's* request to participate by electronic means, the *Chief Executive Officer* must notify the *Councillor* of that fact at the earliest opportunity.
- 24.7 A *Councillor* who is attending a *Council meeting* by electronic means is responsible for ensuring that they are able to access such equipment and are in such an environment that facilitates participation in the *Council meeting* and, in respect of any part of the meeting that is closed to members of the public, is appropriately secure.
- 24.8 Without detracting from anything said in sub-Rule 24.7, a *Councillor* who is attending a meeting by electronic means must be able to:
 - 24.8.1 hear the proceedings and be heard when they speak;
 - 24.8.2 see the proceedings and be seen by all *Councillors* who are participating in the *Council meeting*.

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Cardinia Shire Council | Governance Rules

- 24.9 If the conditions of sub-Rule 24.8 cannot be met by one or more *Councillors* attending a *Council meeting*, whether because of technical difficulties or otherwise:
- 24.9.1 the *Council meeting* will nonetheless proceed as long as a quorum is present; and
 - 24.9.2 the relevant *Councillor* (or *Councillors*) will be treated as being absent from the *Council meeting* or that part of the *Council meeting* unless the *Council meeting* has been adjourned in accordance with these Rules.
- 24.10 Nothing in this Rule 24 prevents a *Councillor* from joining (or re-joining) a *Council meeting* at the time that they achieve compliance with sub-Rule 24.8 even if the *Council meeting* has already commenced or has continued in their absence.

25 Meetings conducted remotely

- 25.1 If a *Council meeting* is conducted wholly or partially by electronic means, the *Chair* may, with the consent of the meeting, modify the application of any of these Rules to facilitate the more efficient and effective transaction of the business of the meeting.

Division 4 – Minutes of meetings**26 Form and availability of minutes**

- 26.1 The *Chief Executive Officer* must keep minutes of each *Council meeting*, and those minutes must record:
- 26.1.1 the date, place, time and type of the meeting;
 - 26.1.2 the names of the *Councillors*:
 - (a) in attendance;
 - (b) absent with leave of the Council;
 - (c) absent having submitted an apology to the *Mayor* in advance for their non-attendance; and
 - (d) absent without leave or apology.
 - 26.1.3 any disclosure of a conflict of interest made by a *Councillor*, including the type and nature of conflict of interest given by the *Councillor* under Part 7 of these Rules;
 - 26.1.4 arrivals and departures (including temporary departures) of *Councillors* during the course of the meeting;
 - 26.1.5 each motion and amendment moved (including motions and amendments that lapse for the want of a seconder);
 - 26.1.6 the names of the *Councillors* that moved or seconded each motion;
 - 26.1.7 the result of the vote on each motion, and where it is not unanimous, the name of each *Councillor* voting for the motion and the name of each *Councillor*, who by virtue of section 61(5)(f) of the *Act*, is taken to have voted against the motion.

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Cardinia Shire Council | Governance Rules

- 26.1.8 if a meeting is closed to the public to consider *confidential information*:
 - (a) the ground or grounds for determining to close the meeting to the public by reference to the grounds specified in the definition of *confidential information* in section 3(1) of the Act; and
 - (b) an explanation of why the specified ground or grounds applied.
- 26.1.9 the failure of a quorum;
- 26.1.10 any adjournment of the meeting and the reasons for that adjournment; and
- 26.1.11 the time at which standing orders were suspended and resumed;
- 26.1.12 the time at which the meeting concluded.
- 26.2 The *Chief Executive Officer* must ensure that the minutes of any *Council meeting* are:
 - 26.2.1 published on Council's website; and
 - 26.2.2 available for inspection on request at Council's office during normal business hours.
- 26.3 The *Chief Executive Officer* may include any additional matters in the meeting minutes in order to accurately record the proceedings and resolutions of the meeting.
- 26.4 Nothing in sub-Rule 26.1 requires Council or the *Chief Executive Officer* to make public any minutes relating to a *Council meeting* or part of a *Council meeting* closed to members of the public in accordance with section 66 of the Act.

27 Confirmation of minutes

- 27.1 At every *Council meeting* the minutes of the preceding meeting(s) must be dealt with as follows:
 - 27.1.1 a copy of the minutes must be delivered to each *Councillor* no later than 48 hours before the meeting;
 - 27.1.2 after a motion to confirm the minutes has been moved and seconded, the *Chair* must ask if any *Councillor* is opposed to the motion;
 - 27.1.3 if no *Councillor* indicates opposition, the motion must be put to the vote without discussion or debate;
 - 27.1.4 if a *Councillor* indicates opposition to the minutes on the grounds of inaccuracy, they must clearly identify the specific item(s) they believe to be incorrect.
 - 27.1.5 the *Mayor* must consult with the *Chief Executive Officer* to validate or otherwise respond to the grounds of inaccuracy raised.
 - a. If the *Chief Executive Officer* advises that the reported inaccuracies cannot be validated without further consideration of the actual proceedings of the meeting, the confirmation of the minutes must be deferred to the next *Council meeting*.
 - b. If the *Chief Executive Officer* confirms that an inaccuracy exists in the minutes of a *Council meeting*, the *Councillor* who indicated opposition must move a motion to amend the minutes to reflect the validated correction by specifying the nature of the amendment and the item(s) to which it relates.

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Cardinia Shire Council | Governance Rules

Part 5 – Public Participation in meetings

Division 1 - Entry into Council meetings

28 Terms of entry into Council meetings

- 28.1 The *Chief Executive Officer* shall establish terms and conditions of entry for members of the public to attend *Council meetings*.
- 28.2 Members of the public who do not comply with the terms and conditions of entry may be denied entry.

Division 2 - Public Question Time

29 Receiving public question time submissions

- 29.1 A public question time must be considered at a Council meetings open to the public to enable members of the public to submit questions to Council.
- 29.2 Public question time does not apply during 'Additional Council Meetings', during the election caretaker period and when a meeting is closed to members of the public in accordance with section 66(2) of the Act.
- 29.3 For questions to be considered at a Council meeting the following requirements are to be met. The submitted question(s) to Council must be:
 - 29.3.1 submitted by midnight on the Thursday prior to the Council meeting.
 - 29.3.2 in writing, stating their name, name of the community group or group (if applicable) that they represent, address, email and contact details of the person submitting the question, be lodged electronically via Council's website or delivered in hard copy to the Civic Centre, Siding Avenue, Officer;
 - 29.3.3 no questions will exceed 50 words;
 - 29.3.4 relevant to the business or functions of Council;
 - 29.3.5 clear and legible;
 - 29.3.6 directed to the Council and not directed to individual Councillors;
 - 29.3.7 focused on an issue within Council's powers to act;
 - 29.3.8 not name, allude to, embarrass, denigrate or focus on an individual;
- 29.4 Questions received after the closing date and time will not be accepted at the Council meeting and will be held over to the next scheduled Council meeting. Alternatively, the question(s) will be responded to by Officers as a general customer request.
- 29.5 No more than three questions may be submitted at any one Council meeting. If more than three questions are received, only the first three questions will be considered. Any additional questions, will not be accepted, responded to or read out at the Council meeting or recorded in the Minutes.

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Cardinia Shire Council | Governance Rules

- 29.6 If questions are received in parts they will be taken as individual questions and only the first three will be answered.
- 29.7 It is the discretion of the *Chair* to not allow any question. A question may be disallowed if the *Chair* determines that it:
- 29.7.1 is not a question but an opinion, statements, commentary or preamble.
 - 29.7.2 deals with a subject matter already answered;
 - 29.7.3 relates to a matter outside the duties, functions and powers of Council;
 - 29.7.4 is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - 29.7.5 deals with a subject matter already publicly answered; or is repetitious or vexatious;
 - 29.7.6 is aimed at embarrassing or denigrating a Councillor or a member of Council staff;
 - 29.7.7 relates to personnel matters,
 - 29.7.8 relates to the personal hardship of any resident or ratepayer;
 - 29.7.9 relates to industrial matters;
 - 29.7.10 relates to legal advice;
 - 29.7.11 relates to law enforcement matters;
 - 29.7.12 relates to confidential information as defined under section 3 of the Act,
 - 29.7.13 is illegible, vague, does not make sense or is not a question; and
 - 29.7.14 relates to any other matter which Council considers would prejudice Council or any person.
- 29.8 Any question(s) which have been disallowed by the Chair will not be read aloud at the *Council meeting* or recorded in the *minutes*.
- 29.9 Any questions that have been disallowed will be notified in writing.

30 Treatment of public questions in the Council meeting

- 30.1 Public question time in the *agenda* will not exceed 15 minutes in duration, unless extended by a further 15 minutes by discretion of the Chair.
- 30.2 Where the 15 minutes allotted for Public question time has expired, the remaining questions and responses will not be read out at the *Council meeting* and a response will be provided to the questioner in writing.
- 30.3 The questioner must be present in the gallery for the question to be read and answered aloud in the Council meeting and included in the Minutes. The questioner cannot nominate a proxy.
- 30.4 If the questioner is not present at the meeting, the question and response will

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Cardinia Shire Council | Governance Rules

not be included in the Minutes, a written response will be provided to the questioner.

- 30.5 The Mayor or another member of Council staff nominated by the CEO will read each question received unless the question has been disallowed by the *Chair*.
- 30.6 At the Mayor's discretion, the *Chief Executive Officer* or another member of Council staff nominated by the CEO will answer each question received unless the question has been disallowed by the *Chair*.
- 30.7 Question(s) and responses read aloud in the Council meeting must not be debated from the gallery.
- 30.8 If a person has submitted three questions to a meeting, the second and third questions may, at the discretion of the *Chair*, be deferred until all other persons who have submitted a question have had their questions read and answered;
- 30.9 All reasonable attempts will be made to answer any question(s) submitted. If no answer can be appropriately given within the timeframes, the question(s) will be taken on notice.
- 30.10 The responses to question(s) taken on notice will be:
 - 30.10.1 provided with a written response to the question(s) via email to the questioner within 10 days following the *Council meeting*.
- 30.11 Like questions may be grouped together and a single response provided.
- 30.12 The submitted question(s) and responses approved by the Chair and read aloud at the meeting, along with the name of the *questioner*, the group they represent (if applicable) and responses will be recorded in the *minutes* and thus made public when placed on Council's website. If the questioner is not present at the meeting, the question and response will not be included in the Minutes, a written response will be provided in writing.

OFFICIAL

Cardinia Shire Council | Governance Rules

Division 3 - Submissions

31 Receiving submissions

- 31.1 Submissions may be received and considered at a *Council meetings* in respect of section 223 of the *Local Government Act 1989*, to the public to enable members of the public to submit questions to Council

Division 4 – Petitions

32 Petitions

- 32.1 A petition is a document signed by a group of people requesting the Council take some action in relation to a particular issue.
- 32.2 Members of the community are able to submit a valid petition:
- 32.2.1 to a Councillor; or
 - 32.2.2 by mail, email or delivery in person to the Civic Centre, Siding Avenue, Officer and addressed to the *Chief Executive Officer*.
- 32.3 Every petition presented to *Council* must be in writing or typing and must:
- 32.3.1 nominate a lead petitioner to whom a reply may be sent, including a summary and contact details. If no person is nominated, Council may reply to the first person whose signature appears in the petition.
 - 32.3.2 be legible and in permanent writing (i.e. no pencil).
 - 32.3.3 be clear and state at the top of each page the matter and action sought from Council. Every page of a petition must be a single page of paper and not be posted, stapled, pinned or otherwise affixed or attached to any piece of paper other than another page of the petition.
 - 32.3.4 clearly state the names, addresses and signatures of at least 15 people who live, work, study or do business in the Municipal district.
 - 32.3.5 not relate to matters outside the powers of Council.
 - 32.3.6 not be indecent, abusive or objectionable in language or content.
- 32.4 A petition must be lodged by 5:00pm, 14 ordinary days prior to the day of a scheduled Council meeting to allow sufficient time to be included in the Council meeting agenda.
- 32.5 If a petition is received outside of the lodgment timeframe in 32.4, it will be presented at the next appropriate Council meeting, unless Council determines to consider it as an item of urgent business at the Council meeting.
- 32.6 Electronic or online format of petitions must contain the name and email address of each petitioner or signatory in addition to residential address, including street name, town and postcode.

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Cardinia Shire Council | Governance Rules

33 Meeting procedures for receiving petitions

- 33.1 Where a petition complies with all the above requirements, it will be either included in the *agenda* and/ or tabled at a *Council Meeting*.
- 33.2 The Minutes will capture the name of the Councillor presenting the petition.
- 33.3 It is incumbent on every Councillor presenting a petition to acquaint themselves with the contents of that petition, and to ascertain that it does not contain language disrespectful to Council.
- 33.4 A petition tabled by a *Councillor* at a *Council meeting* may be dealt with by a motion that the petition:
 - 33.4.1 be received and noted;
 - 33.4.2 be received and a report be submitted to a specific *Council meeting*, or future *Council meeting* of no more than 3 meetings for consideration;
 - 33.4.3 be dealt with in conjunction with another item on the agenda or any other *Council meeting* agenda;
- 33.5 Petitions relating to a formal submission process, including but not limited to the Budget process, Planning applications, Planning Scheme Amendments or other matters relating to formal objections and undertaken by Council, will be referred directly to the relevant Department and dealt with as a submission to that matter and will not be tabled at a *Council meeting* as a petition.

OFFICIAL

Cardinia Shire Council | Governance Rules

Part 6 – Council meeting procedures

Division 1 - The role of the Chair

34 The role of the Chair

- 34.1 The role of the *Chair* of a *Council meeting* is to:
- 34.1.1 chair the *Council meeting* in accordance with these Rules;
 - 34.1.2 ensure the conduct of the meeting complies with the *meeting conduct standards*; and
 - 34.1.3 promote behaviour among *Councillors* that is consistent with the Model Councillor Code of Conduct.

35 The Chair's duties and discretions

- 35.1 In addition to the duties and discretions provided in these Rules, the *Chair*:
- 35.1.1 must not accept any motion, amendment, question or statement which contravenes the *meeting conduct standards*;
 - 35.1.2 must call to order any person who behaves in contravention of the *meeting conduct standards*; and
 - 35.1.3 where these Rules do not provide a procedure for the meeting, the *Chair* may determine the procedure to be followed in consultation with the *Chief Executive Officer*.

36 Reasonable adjustments

- 36.1 To the extent practicable, the *Chair* must make reasonable adjustments to these Rules to accommodate the participation in meeting proceedings by persons with special needs or in exceptional circumstances. Such adjustments may include (but are not limited to):
- 36.1.1 increasing the time available to address the meeting to enable the use of a translator or other assistance; and
 - 36.1.2 facilitating a question or address to Council in an alternative manner by a person who could not otherwise participate at the meeting due to a disability.

Division 2 - Expected meeting behaviour

37 Meeting conduct standards

- 37.1 A motion, amendment, question, statement or behaviour during a *Council meeting* complies with the *meeting conduct standards* if it complies with all of the standards in the following table:

Meeting Conduct Standard	The motion, amendment, question, statement or behaviour ...
Meeting Conduct Standard 1	... relates to a matter within the duties, functions and powers of <i>Council</i> .

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Cardinia Shire Council | Governance Rules

Meeting Conduct Standard 2	... is not defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance.
Meeting Conduct Standard 3	... is not designed to embarrass a <i>Councillor</i> , <i>Council officer</i> or any other person.
Meeting Conduct Standard 4	... does not relate to a matter which the <i>Chair</i> considers would prejudice <i>Council</i> or any person.
Meeting Conduct Standard 5	... does not disrupt or threaten the stability of the meeting.
Meeting Conduct Standard 6	... respects the authority of the <i>Chair</i> in chairing the meeting.
Meeting Conduct Standard 7	... complies with a lawful direction given by the <i>Chair</i> .

- 37.2 The application of the *meeting conduct standards* is not intended to limit, restrict or detract from robust public debate of issues in a democracy.

38 Addressing the meeting

- 38.1 All statements, submissions, questions and other forms of address must be directed to the *Chair*. The *Chair* has the discretion to refer questions to others at their discretion.
- 38.2 All *Councillors* must be addressed and referred to by their title and, optionally, their preferred name. The titles that may be used are:
- 38.2.1 Mayor;
 - 38.2.2 Deputy Mayor;
 - 38.2.3 Acting Mayor;
 - 38.2.4 Chair; or
 - 38.2.5 Councillor.
- 38.3 All *Council officers* must be addressed and referred to by their preferred name or by their official title.

39 Priority of address

- 39.1 In the case of competition for the right to speak, the *Chair* must decide the order in which the *Councillors* concerned will be heard.

OFFICIAL

Cardinia Shire Council | Governance Rules

40 Removal from the meeting

- 40.1 The *Chair* may direct a person other than a *Councillor* to leave a *Council meeting* if they act in contravention of the *meeting conduct standards*.
- 40.2 The *Chair* may direct a *Councillor* to leave a *Council meeting* if the behaviour of the *Councillor* is preventing the Council from conducting its business.
- 40.3 The removal of a person under this Rule requires:
 - 40.3.1 the *Chair* first giving the person a warning of their intent to remove them from the meeting should they continue the behaviour; and
 - 40.3.2 the person continuing the behaviour.
- 40.4 The *Chair* may ask the *Chief Executive Officer*, any senior member of staff or a member of the Victoria Police to remove from the Chamber any person whom the *Chair* has directed to leave the meeting.

41 Chair may adjourn disorderly meeting

- 41.1 If the *Chair* is of the opinion that disorder at the Council table or in the gallery makes it desirable to adjourn the *Council meeting*, the *Chair* may adjourn the meeting.
- 41.2 Following the adjournment of a *Council meeting* under this Rule, the *Mayor* must determine the date, time and place to which the meeting stands adjourned and the *Chief Executive Officer* must give notice to the *Councillors* of the adjournment in accordance with sub-Rule 67.2.

Division 3 – Introduction of business**42 Motions and amendments**

- 42.1 Every motion and amendment considered at a meeting must be:
 - 42.1.1 unambiguous and clear in intention;
 - 42.1.2 lawful;
 - 42.1.3 relevant to the item of business on the *agenda*; and
 - 42.1.4 compliant with the *meeting conduct standards*.
- 42.2 A motion or amendment that does not satisfy this Rule must not be accepted by the *Chair*.

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Cardinia Shire Council | Governance Rules

Division 4 - Debate

43 Moving a motion

- 43.1 To move a motion, a *Councillor* must:
 - 43.1.1 state the motion in full;
 - 43.1.2 table the motion in *writing*; or
 - 43.1.3 make reference to the *agenda*.
- 43.2 Any motion which differs in wording from a recommendation or *notice of motion* in the *agenda* must, if required by the *Chair*, be provided in *writing* by the mover to all *Councillors* present before any further debate takes place on the matter.
- 43.3 The motion must be seconded by a *Councillor* other than the mover, at which point it becomes the *substantive motion*.
- 43.4 If a motion is not seconded, it lapses for want of a seconder.

44 Moving an amendment

- 44.1 A *substantive motion* may be amended, when no other *Councillor* is speaking and prior to a right of reply being exercised, by leaving out or adding words. Any added words must be relevant to the subject of the *substantive motion*.
- 44.2 An amendment must not be contrary to the *substantive motion*.
- 44.3 An amendment to a *substantive motion* (but not to an amendment) may be moved by any *Councillor*, other than:
 - 44.3.1 the mover of the *substantive motion*;
 - 44.3.2 the seconder of the *substantive motion*; and
 - 44.3.3 a mover of any two previous amendments to the *substantive motion*.
- 44.4 To move an amendment, a *Councillor* must:
 - 44.4.1 state the amendment in full; or
 - 44.4.2 table the amendment in *writing*.
- 44.5 The amendment must be seconded and the seconder must be a *Councillor* other than:
 - 44.5.1 the mover of the amendment;
 - 44.5.2 the mover of the *substantive motion*; or
 - 44.5.3 the seconder of the *substantive motion*.
- 44.6 If an amendment is not seconded, it lapses for want of a seconder.

45 Debating a motion or amendment

- 45.1 After a motion or amendment is moved and seconded, the *Chair* must:
 - 45.1.1 invite the mover to address the meeting;
 - 45.1.2 after the mover has addressed the meeting (or declined or reserved their right to address the meeting), invite the seconder to address the meeting;

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45.1.3 after the seconder has addressed the meeting (or declined or reserved their right to address the meeting) invite any *Councillor* who wishes to address the meeting to do so;

45.1.4 continue inviting *Councillors* to address the meeting until all *Councillors* have had the opportunity to do so.

45.2 Each *Councillor* may address the meeting once in relation to each motion or amendment.

46 Right of reply

46.1 A right of reply exists in relation to a motion where a *Councillor* other than the mover and seconder has addressed the meeting in relation to it.

46.2 Where a right of reply exists and after each *Councillor* has either addressed the meeting or declined the opportunity to address the meeting, the *Chair* must invite the mover to exercise their right of reply.

46.3 In exercising a right of reply, the mover must confine their statements to matters raised during debate.

46.4 After the right of reply has been taken or declined, the motion must immediately be put to the vote without any further discussion or debate.

47 Altering motions

47.1 The *Chair* may accept an alteration to the wording of a *substantive motion* with the agreement of the mover and seconder.

47.2 If the *Chair* accepts an alteration to the wording of a *substantive motion* in accordance with this rule, the minutes shall record the motion as having been moved with the altered wording.

48 Amending motions

48.1 Any number of amendments to a *substantive motion* may be proposed, but no amendment may be accepted by the *Chair* until the previous amendment has been dealt with.

48.2 If an amendment is carried, it becomes the *substantive motion* and debate resumes.

48.3 Upon resumption of the debate following amendment:

48.3.1 the mover and seconder of the amendment remain the mover and seconder (respectively) of the new *substantive motion*; and

48.3.2 any *Councillor* who has addressed the meeting during debate in relation to the *substantive motion* is deemed to have addressed the meeting in relation to the new *substantive motion*.

49 Foreshadowing motions

49.1 At any time during debate when no other *Councillor* is speaking and prior to a right of reply being exercised, a *Councillor* may foreshadow a motion so as to inform *Council* of their intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.

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- 49.2 A motion foreshadowed may be prefaced with a statement that in the event of a particular motion before the *Chair* being resolved in a certain way, a *Councillor* intends to move an alternative or additional motion.
- 49.3 The *Chief Executive Officer* or person taking the minutes of the meeting is not expected to record foreshadowed motions in the minutes.

50 Withdrawing motions

- 50.1 When no other *Councillor* is speaking and prior to a right of reply being exercised, a motion may be withdrawn by the mover or seconder.
- 50.2 If a motion is withdrawn, the *Chair* must invite another *Councillor* to move or second the motion, as the case requires.
- 50.3 If a *Councillor* moves or seconds the motion, then debate resumes, with any new mover having right of reply.
- 50.4 If no *Councillor* moves or seconds the motion, then it lapses.

51 Separating matters

- 51.1 Prior to a motion being accepted in relation to a matter, the *Chair* may decide, or the Council may resolve, to split consideration of the matter into 2 or more separate parts, with each part subject to a separate debate and vote.
- 51.2 Where a motion contains more than one part, the *Chair* may decide to put any motion to the vote in several parts.

52 Combining matters

- 52.1 A *Councillor* may not combine multiple *agenda* items into one consolidated motion, nor may a *Councillor* seek to move multiple motions with one vote (en bloc voting).

Division 5 – Voting**53 Repeating a motion or amendment**

- 53.1 The *Chair* may request the relevant Manager in attendance at the *Council meeting* to read the motion or amendment to the meeting before the vote is taken.

54 How motion determined

- 54.1 To determine a motion before a meeting, the *Chair* must invite those in favour of the motion to vote in favour of the motion by show of hands or such other visible or audible means as the *Chair* determines.
- 54.2 The result of the vote is determined by counting the number of votes in favour and comparing it to the number of Councillors present at the time the vote is taken, as follows:
 - 54.2.1 If a majority of votes are in favour, the motion is carried;
 - 54.2.2 If a minority of votes are in favour, the motion is lost; and
 - 54.2.3 If an equality of votes are in favour, the chair must exercise a second vote in accordance with Rule 56.

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- 54.3 Once the votes in favour of the motion have been counted, the *Chair* must declare the result to the meeting.
- 54.4 In declaring the result to the meeting, the *Chair* must:
- 54.4.1 declare that the vote is unanimous; or
 - 54.4.2 state the names of those *Councillors* voting in favour of the motion and declare whether the second vote (if used) has been exercised in favour or against the motion.
- 54.5 Subject to this Rule voting must take place in silence.

55 Recount

- 55.1 The *Chair* may direct that a vote be recounted to satisfy themselves of the result.

56 Second vote

- 56.1 Subject to subsection 61(6) of the *Act*, if the number of votes in favour of the motion is half the number of *Councillors* present at the meeting at the time the vote is taken, the *Chair* must exercise a second vote.

57 No discussion once declared

- 57.1 Once a vote on a *substantive motion* has been taken, no further discussion relating to the motion is allowed.

Division 6 – Procedural Motions**58 Procedural motions**

- 58.1 To enable the orderly conduct of the meeting, a procedural motion may be moved at any time when no other *Councillor* is speaking, including during a debate on a *substantive motion* or amendment, unless otherwise prohibited.
- 58.2 Once moved, a procedural motion must be dealt with immediately by the *Chair*.
- 58.3 The process for procedural motions is as follows:
- 58.3.1 A procedural motion must be moved and seconded.
 - 58.3.2 Aside from a brief statement by the mover explaining the reason for the procedural motion, no debate is permitted.
 - 58.3.3 The motion is immediately put to a vote without further discussion.
- 58.4 The accepted form of procedural motions, the conditions associated with their use, and the effect if they are carried is set out in the following table:

Form	Conditions	Effect if carried
That this matter be adjourned until after consideration of [item].	The motion must include a reference to an item listed on the <i>agenda</i> .	The meeting proceeds to the next item on the <i>agenda</i> . Once the specified item is dealt with, debate resumes.

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That this matter be adjourned until the meeting is closed to the public.	The <i>Chair</i> may not declare the meeting closed until it has been closed to the public to enable resumption of the item.	The meeting proceeds to the next item on the <i>agenda</i> . Once the meeting is closed to the public, debate resumes.
That the meeting be closed to the public to consider <i>confidential information</i> .	In addressing the motion, the mover must state the grounds for closing the meeting with reference to the definition of <i>confidential information</i> in the <i>Act</i> and explain why the specified grounds apply.	The meeting is closed to the public. Once the meeting is closed, debate resumes.
That the meeting be opened to the public.		The meeting is opened to the public. Once the meeting is opened, debate resumes.
That standing orders be suspended.	A Councillor may request as suspension of standing orders for the purpose of facilitating discussion or clarification, or to address any matter that is impeding the orderly progression of the meeting.	Standing orders are suspended. Once standing orders are resumed, debate resumes.
That the motion be put to the vote.	May be accepted by the <i>Chair</i> only after two <i>Councillors</i> other than the mover and seconder have addressed the meeting in relation to the motion. May not be moved by a <i>Councillor</i> who has addressed the meeting in relation to the motion or any amendments of it.	The <i>Chair</i> provides the right of reply and puts the matter to a vote.
That the meeting be extended by [number of minutes] minutes.	The motion must specify a time of up to 30 minutes. The meeting may only be extended once.	The time limit specified in Rule 72 is extended by the amount set out in the resolution.
That the <i>Chair's</i> ruling be dissented from.	Following the mover's statement of the reasons for the motion, the <i>Chair</i> may reply. In order to be carried, at least two thirds of the <i>Councillors</i> present must vote in the affirmative.	The ruling on the point of order is reversed and the meeting proceeds

- 58.5 For the avoidance of doubt, a motion to defer consideration of an item of business to a later meeting is not a procedural motion and may not be moved while a *substantive motion* or amendment is being considered.

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Division 7 – Points of Order

59 Valid points of order

- 59.1 A point of order may be raised in relation to a statement or behaviour which is:
- 59.1.1 irrelevant, meaning it does not relate to the matter under consideration or is outside the powers of *Council*;
 - 59.1.2 misleading, meaning it is an untrue or false assertion or statement;
 - 59.1.3 improper, meaning it constitutes improper behaviour or is offensive;
 - 59.1.4 contrary to the *meeting conduct standards*, meaning it is contrary to the *meeting conduct standards* at Rule 37; or
 - 59.1.5 contrary to *these Rules*, meaning it is contrary to the provisions set out in this Chapter.

60 Procedure for point of order

- 60.1 A *Councillor* raising a point of order must state:
- 60.1.1 “Point of order, the statement is irrelevant”;
 - 60.1.2 “Point of order, the statement is misleading”;
 - 60.1.3 “Point of order, the behaviour is improper”;
 - 60.1.4 “Point of order, the [motion, amendment, question, statement or behaviour] is contrary to *meeting conduct standard* [number of the *meeting conduct standard* which is being contravened]; or
 - 60.1.5 “Point of order, the [statement or behaviour] is contrary to Rule [the number of the Rule which is being contravened].
- 60.2 A *Councillor* raising a point of order under this clause is not deemed to be speaking to the motion or amendment before the meeting.

61 Chair to decide

- 61.1 The *Chair* must decide all points of order without entering into any discussion or comment.
- 61.2 The *Chair* may adjourn the meeting in accordance with Rule 67 but otherwise must rule on it as soon as it is raised.
- 61.3 All other motions before the meeting are suspended until the point of order is decided.

62 Dissent from Chair’s ruling

- 62.1 A two-thirds majority of *Councillors* may dissent from the *Chair’s* ruling by means of the procedural motion at Rule 58.4.
- 62.2 The dissent from the *Chair’s* ruling is in no way a motion of censure or non-confidence in the *Chair*, and should not be so regarded by the meeting.

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Division 8 - Conduct during debate

63 Debate must be relevant to the motion

- 63.1 Debate must always be relevant to the motion before the *Chair*, and, if not, the *Chair* must request the speaker to confine debate to the motion.
- 63.2 If after being requested to confine debate to the motion before the *Chair*, the speaker continues to debate irrelevant matters, the *Chair* may direct the speaker not speak further in respect of the motion then before the *Chair*.
- 63.3 A speaker to whom a direction has been given under this Rule must comply with that direction.

64 Right to ask questions

- 64.1 At any time before the debate has commenced, a *Councillor* may, when no other *Councillor* is speaking, ask any question concerning or arising out of the motion or amendment before the *Chair*.
- 64.2 The debate has commenced when a *Councillor* addresses the meeting under Rule 45.1 in relation to a motion or an amendment (as the case may be).
- 64.3 The *Chair* has the right to limit questions and direct that debate be commenced or resumed.

65 Speaking times

- 65.1 A *Councillor* must not speak longer than the time set out below, unless the *Chair* at their discretion allows one extension of a further 2 minutes.

Speaker	Time limit
The mover of a motion or an amendment	5 minutes
Any other <i>Councillor</i> addressing a motion or amendment	3 minutes
The mover exercising a right of reply	2 minutes
A <i>Councillor</i> asking a question	1 minute
A <i>Councillor</i> raising a point of order	1 minute
A <i>Chair</i> responding to a motion to dissent from a ruling	1 minute

Division 9 – Miscellaneous

66 Meeting break

- 66.1 The *Chair* may, at their sole discretion and without a Council resolution, adjourn a meeting for a period of up to 15 minutes to enable a break in proceedings.

67 Adjournment

- 67.1 Council may adjourn any meeting to another date, time or place.

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- 67.2 The Chief Executive Officer must notify each *Councillor* in person or by *written* notice of the date, time and place to which a meeting stands adjourned and of the business remaining to be considered.

68 Time limits for meetings

- 68.1 To support the safety and wellbeing of *Councillors* and *Council officers*, and to maintain the quality of decision-making, a *Council meeting* must not continue beyond 4 hours in length or later than 10.00pm unless Council resolves to continue the meeting.
- 68.2 Council may resolve to continue the meeting only once, and the continuation may be no longer than 30 minutes. No subsequent continuances are permitted.
- 68.3 In the absence of such continuance, the meeting must stand adjourned to a time, date and place announced by the *Chair* immediately prior to the meeting standing adjourned.
- 68.4 Following the adjournment of a *Council meeting* under this Rule, the Chief Executive Officer must give notice to the *Councillors* of the adjournment in accordance with sub-Rule 67.2.

69 Maintenance of a quorum

- 69.1 A quorum of a *Council meeting* is an absolute majority of *Councillors*.
- 69.2 A *Council meeting* will be deemed to have been adjourned if:
- 69.2.1 after 30 minutes from the scheduled starting time, a quorum cannot be obtained; or
- 69.2.2 at any time during the meeting, a quorum cannot be maintained.
- 69.3 Following the adjournment of a *Council meeting* under this Rule, the Chief Executive Officer, in consultation with the *Mayor*, must determine the date, time and place to which the meeting stands adjourned and give notice to the *Councillors* of the adjournment in accordance with sub-Rule 67.2.

70 Suspension of standing orders

- 70.1 The standing orders may be temporarily suspended by the Council in order to expedite the business of a meeting by way of the procedural motion at Rule 58.4.
- 70.2 The suspension of standing orders should not be used purely to dispense with the processes and protocol of the Council.
- 70.3 The suspension of standing orders is to be used solely for the purpose of facilitating discussion or clarification, or to address any matter that is impeding the orderly progression of the meeting.
- 70.4 No motion can be accepted by the *Chair* or lawfully be dealt with during any suspension of standing orders.
- 70.5 Once the discussion has taken place and before any motions can be put, the *Chair* must declare that standing orders be resumed.

71 Statement by the Chief Executive Officer

- 71.1 The *Chief Executive Officer* may make a brief statement at a *Council meeting* to:
- 71.1.1 clarify a misrepresentation or misunderstanding;
- 71.1.2 respond to a statement criticising them or any *Council officer*.

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- 71.2 The Chair must allow the *Chief Executive Officer* to make a statement in accordance with this Rule.

Part 7 – Conflicts of interest

Whilst advice and support may be available from the *Chief Executive Officer*, their delegate or another party regarding the identification and management of a conflict of interest, Councillors, non-Councillor members of a Delegated or Community Asset Committee and Council officers with a conflict of interest remain solely responsible for ensuring their conflict of interest is disclosed, recorded and appropriately managed.

72 Conflict of interest declarations

- 72.1 A conflict of interest declaration made under this Rule must:
- 72.1.1 advise the type of conflict of interest (general or material);
 - 72.1.2 explain the nature of the conflict of interest;
 - 72.1.3 detail, if the conflict of interest is a material conflict of interest involving an *affected person* other than the *Councillor*:
 - (a) the name of the *affected person*;
 - (b) the relationship between the *Councillor* and the *affected person*, with reference to section 128(3) of the *Act*; and
 - (c) the nature of the *affected person's* interest in the matter.

73 Disclosure when not in attendance at a meeting

- 73.1 A *Councillor* who has a conflict of interest in a matter listed for consideration at a *meeting to which conflict of interest provisions apply* at which they are entitled to attend but were not in attendance must make a conflict of interest declaration by *written notice* to the *Chief Executive Officer* before the meeting or as soon as practicable after the meeting.

74 Disclosure when in attendance at a meeting

- 74.1 At or near the commencement of a *meeting to which conflict of interest provisions apply*, the *Chair* must ask each *Councillor* to declare that they have familiarised themselves with the matters listed on the *agenda* and to indicate whether or not they have a conflict of interest in relation to any of those matters.
- 74.2 If a *Councillor* is not present when the conflict of interest declarations are made, the *Chair* must ask the *Councillor* to make a conflict of interest declaration upon their arrival to the meeting.
- 74.3 A *Councillor* must declare that they have familiarised themselves with the matters listed on the *agenda* and whether or not they have a conflict of interest when requested by the *Chair* to do so.
- 74.4 A *Councillor* who has a conflict of interest in a matter being considered at a *meeting to which conflict of interest provisions apply* at which they are present must make a public conflict of interest declaration.
- 74.5 A conflict of interest declaration requires a *Councillor* to:
- 74.5.1 make an oral conflict of interest declaration to those present at the meeting before the matter is considered; and

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- 74.5.2 submit a written conflict of interest declaration to the Chief Executive Officer before, during or as soon as practicable after, the meeting.
- 74.6 A *Councillor* who has made a conflict of interest declaration under this Rule must leave the meeting prior to any discussion or consideration of the matter to which the conflict of interest relates and not return to the meeting until after the matter has been disposed of.
- 74.7 If the departure of a *Councillor* due to a conflict of interest would trigger a loss of quorum, the Council may, before the departure of the *Councillor*:
 - 74.7.1 defer consideration of the matter to a future time and date; or
 - 74.7.2 determine to deal with the matter in accordance with section 67 of the Act.

75 Disclosure by Council officers preparing reports for meetings

- 75.1 A *Council officer* who, in their capacity as a *Council officer*, has a conflict of interest in a matter in respect of which they are preparing or contributing to the preparation of a report for presentation to a *meeting to which conflict of interest provisions apply* must, immediately upon becoming aware of the conflict of interest, provide a written conflict of interest declaration to the Chief Executive Officer.
- 75.2 A *Council officer* may, subject to the approval of the Chief Executive Officer, be permitted to prepare or contribute to the preparation of a report for presentation to a *meeting to which conflict of interest provisions apply* despite a conflict of interest, subject to the disclosure provisions in sub-Rule 75.1 and subject to consideration of:
 - 75.2.1 the availability of suitable alternative sources of advice; and
 - 75.2.2 providing balance to other suitable but differing alternative sources of advice.
- 75.3 The Chief Executive Officer must ensure that the report referred to in sub-Rule 75.2 records the fact that a *Council officer* disclosed a conflict of interest in the subject-matter of the report.
- 75.4 If the *Council officer* referred to in sub-Rule 75.1 is the Chief Executive Officer:
 - 75.4.1 the written notice referred to in sub-Rule 75.1 must be given to the *Mayor*; and
 - 75.4.2 the obligation imposed by sub-Rule 75.3 may be discharged by any other *Council officer* responsible for the preparation of the report.

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76 Prohibition on the exercise of a delegated power or statutory function

76.1 A person must exclude themselves from the decision-making process, including any discussion and any action in relation to any matter in which they have a conflict of interest that arises in the course of:

76.1.1 the exercise of a power of delegation by a *Council officer*; or

76.1.2 the exercise of a statutory function under the *Act* or any other Act.

77 Retention of written notices

77.1. The Chief Executive Officer must retain all written notices received under this Part for a period of four years.

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Part 8 – Delegated Committees

78 Delegated Committee meeting procedures

- 78.1 If Council establishes a *Delegated Committee*, it may determine which of the provisions of Parts 4, 5 and 6 of *these Rules* apply to meetings of the *Delegated Committee*.
- 78.2 In the absence of a resolution under sub-Rule 78.1, all of the provisions of Parts 4, 5 and 6 of *these Rules* apply to meetings of the *Delegated Committee*.

79 Delegated Committee conflicts of interest

- 79.1 Part 7 of *these Rules* applies to members of *Delegated Committees*.

80 Application of these Rules

- 80.1 In applying *these Rules* to a *Delegated Committee*, any reference to:
- 80.1.1 the Council is to be read as a reference to the *Delegated Committee*;
 - 80.1.2 a *Council meeting* is to be read as a reference to a *Delegated Committee* meeting;
 - 80.1.3 a *Councillor* is to be read as a reference to a member of the *Delegated Committee*; and
 - 80.1.4 the *Mayor* is to be read as a reference to the Chair of the *Delegated Committee*.

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Part 9 – Community Asset Committees

81 Community Asset Committee meeting procedures

- 81.1 Unless anything in the Instrument of Delegation to the Community Asset Committee made by the Chief Executive Officer under section 47(1)(b) of the *Act* provides otherwise, the conduct of a meeting of a Community Asset Committee should be in line with the Governance Rules.

82 Community Asset Committee conflicts of interest

- 82.1 Part 7 of *these Rules* applies to members of Community Asset Committees.

83 Application of these Rules

- 83.1 In applying *these Rules* to a Community Asset Committee, any reference to:
- 83.1.1 the Council is to be read as a reference to the Community Asset Committee;
 - 83.1.2 a *Council meeting* is to be read as a reference to a Community Asset Committee meeting;
 - 83.1.3 a *Councillor* is to be read as a reference to a member of the Community Asset Committee; and
 - 83.1.4 the *Mayor* is to be read as a reference to the chair of the Community Asset Committee.

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Cardinia Shire Council | Governance Rules

Part 10 – Council elections

84 Prohibited decisions

- 84.1 During the *election period* for a general election, Council is prohibited from making any decision that:
- 84.1.1 relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer;
 - 84.1.2 commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year;
 - 84.1.3 the Council considers could be reasonably deferred until the next Council is in place; or
 - 84.1.4 the Council considers should not be made during an *election period*.
- 84.2 During the *election period* for a general election or a by-election, Council is prohibited from making any decision that:
- 84.2.1 would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

85 Election period policy

- 85.1 For the purposes of section 69(1) of the *Act*, Council's election period policy is set out in Schedule 1.

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Cardinia Shire Council | Governance Rules

Schedule 1 – Election Period Policy

1. Purpose

The purpose of this Election Period Policy (Policy) is to ensure that Council conducts its business during the election period in a lawful, fair, and transparent manner, consistent with section 69 of the Local Government Act 2020 (the Act).

The Policy protects the integrity of the electoral process by:

- preventing decisions, actions or communications that could be perceived as influencing voters or conferring an advantage to election candidates, including sitting Councillors; and
- providing clear guidance to Councillors, Council staff and the community on how Council will manage its operations during this time, including the use of resources, communications, decision-making and public engagement.

The Policy supports good governance, promotes public confidence and reinforces Council's commitment to ethical and accountable conduct throughout the election period.

This policy applies during:

- local government general elections;
- local government by-elections; and
- state, federal and other elections where Council resources, facilities or communications may be used inappropriately.

2. Scope

This Policy applies to:

- All Councillors (whether or not they are candidates);
- Council staff; and
- Contractors and volunteers.

3. Definitions

In this policy, unless the context suggests otherwise:

- 'Act' means the Local Government Act 2020;
- 'election' means a general election or a by-election.
- 'election period' means the period prior to an election that starts at the time that nominations close on nomination day and ends at 6:00pm on election day.
- 'electoral material' means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper that is only announcing the holding of a meeting.
- 'electoral matter' means matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the election manager for the purposes of conducting an election.

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Without limiting the generality of the definition of electoral matter, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on:

- the election; or
- a candidate in the election; or
- an issue submitted to, or otherwise before, the voters in connection with the election.
- '*prohibited decision*' has the same meaning as it has in section 69 of the *Act*.
- '*significant decision*' means a decision that:
 - may unreasonably bind an incoming council and could reasonably be made after the election; or
 - significantly affects the municipal community.

4. Roles and responsibilities

4.1 Role of Councillors

At all times, including during an election period, Councillors perform their civic duties and engage with the community in their official capacity. Councillors must always comply with the Act, the Model Councillor Code of Conduct, and this Policy.

Councillors must be mindful of their obligations under sections 123 and 124 of the Act, which prohibit the misuse of position or information. A breach of section 123, which includes using Council resources or influence for electoral advantage, is a serious offence and may attract significant penalties, including imprisonment. Councillors must not use their position to improperly influence staff, access Council information or utilise Council resources in support of any election campaign or candidacy.

4.2 Role of the Chief Executive Officer

The Chief Executive Officer will ensure, as far as possible, that:

- all Councillors and officers are informed of the application of this Policy at least 30 days prior to the commencement of an election period;
- all Councillors and officers are supported in the application of this Policy during an election period; and
- matters of Council business requiring prohibited decisions or significant decisions are scheduled outside election periods in accordance with the Act and this Policy.

4.3 Role of Staff

Council staff are expected to maintain impartiality by avoiding making any comment or expressing an opinion, in any context which is public or may become public, in relation to candidates, potential candidates or matters that may influence an election.

This obligation applies in any context where the staff member may be reasonably identified as a Council employee or representative. Staff must exercise caution when using personal social media accounts and are strongly discouraged from engaging with candidate hosted online media platforms.

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4.4 Staff as candidates

Council officers who are candidates for election must:

- take leave from their duties for the duration of the election period (if not enough paid leave is accrued, unpaid leave will be available for this purpose);
- return any Council equipment (including, but not limited to, motor vehicles, telephones, computers, swipe cards and keys), documents or information which is not available to the public for the duration of the election period; and
- immediately resign upon election.

5. Decision-making during election periods**5.1 Prohibited Decisions**

During an election period for a general election or by-election, Council must not make a decision that:

- would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

During an election period for a general election, Council must not make a decision that:

- relates to the appointment or remuneration of a CEO but not to the appointment or remuneration of an Acting CEO;
- commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year;
- the Council considers could be reasonably deferred until the next Council is in place; or
- the Council considers should not be made during an election period.

5.2 Significant decisions or decisions to be avoided

Significant decisions should be avoided during an election period.

Without limiting the generality of the definition of a significant decision, a decision is to be taken to be a significant decision if it:

- approves or amends the Council Plan;
- adopts or amends any policy that the Council is required to adopt under the Act;
- adopts or amends the Governance Rules;
- makes or amends a local law;
- approves a budget or revised budget; or
- approves the borrowing of money;
- declares general rates, municipal charges, service rates and charges or special rates and charges;
- exercises a power, duty or function prescribed for the purposes of section 11(2) of the Act;
- allocates community grants or other direct funding to community organisations;

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Cardinia Shire Council | Governance Rules

- is a major planning scheme amendment; or
- is the sale or discontinuance of a road;

5.3 Considerations for officers with delegated authority

Most Council decisions are not made at meetings of the Council. Significant decision-making power is formally delegated to staff and the decision of a delegate is a decision of the Council.

Because a delegate's decision is the same as a Council decision, the same constraints that apply to decisions made in Council and Delegated Committee meetings apply when delegates make decisions. Delegates should therefore carefully consider when exercising their powers during an election period.

Should a delegate be required to make a decision under delegation in the ordinary course of Council business during an election period, the delegate must consider the following:

- Whether the decision is prohibited, significant or should be avoided.
- The urgency of the issue (that is, can it wait until after the election period?).
- Any financial repercussions if it is deferred.
- Whether the decision is likely to be controversial or influence voters.
- Whether it is in the best interests of Council.

The restriction on the making of decisions is not intended to delay the routine making of administrative and operational decisions by members of Council staff under delegation.

Officers must consult with the Chief Executive Officer where there is any uncertainty about the appropriateness of a decision or action, prior to proceeding. The Chief Executive Officer is responsible for managing and monitoring potential breaches.

6. Meetings**6.1 Council meetings**

During an election period for a general election or by-election, the following modifications will be made to the conduct of Council meetings:

- Councillors will limit their discussion during debate to the topic under consideration and must not raise issues that contain or relate to electoral matter.
- No officer report will be presented to Council during the election period unless it contains an express statement by the Chief Executive Officer that a decision on that matter would not be contrary to this policy.

During an election period for a general election:

- Items of general business, notices of motion and any comparable agenda items will be suspended.
- Councillor delegate reports, or equivalent reporting mechanisms, will be suspended.

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6.2 Annual report

It is a requirement of the Act that Council's annual report be presented by the Mayor at an open Council meeting held, in the year of a general election, on a day not later than the day before election day.

While every endeavour should be made to present the annual report beforehand, it is recognised that it may be necessary to present the Annual Report at a Council meeting held during the election period.

6.3 Council advisory committees

Except for the Audit and Risk Committee, the operation of Council advisory committees, working groups and similar committees shall be suspended upon the commencement of an election period ahead of a general Council election.

6.4 Councillor representation on external committees

Where a Councillor has been appointed to an external committee or board it is expected that they will attend meetings of the committee or board during an election period.

A Councillor must not attend an external committee or board meeting, where they are a Councillor representative, in their capacity as a candidate. A Councillor must be mindful of their obligations under this Policy, and not conduct any electoral campaigning activities at the meeting.

6.5 Councillor briefings

The Chief Executive Officer, following consultation with the Mayor, will determine whether Councillor briefing sessions and similar meetings conducted under the auspices of Council will be held during an election period.

6.6 Council publications during an election period

In accordance with section 304 of the Act, Council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, any electoral material during an election period unless it only contains information about the election process or is otherwise required in accordance with, or under, any Act or regulation.

During the election period for a general election, Council will restrict Councillor details on the Council website to Councillor names, the ward they represent (where applicable) and their contact details.

For the avoidance of doubt, this Policy does not prevent candidates from publishing their own campaign material from their own funds outside Council, and not bearing any reference or inference that such material is from Council or supported or endorsed by Council and nor bearing any Council identification (such as logos or similar). Candidates must ensure that such publications comply with the requirements of the Act.

Council may choose to implement an internal certification process as a risk-mitigation measure, to help ensure that material is not inadvertently published during the election period that may be perceived as electoral matter. The design and operation of such a process is at the discretion of the Chief Executive Officer.

During a by-election, Council may make necessary adjustments to the publication and distribution of materials which, while not containing electoral matter, may still be

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undesirable. For example, Council may determine not to distribute a community newsletter to properties located in a ward where a by-election is underway.

6.7 Public consultation and engagement

Community engagement is an integral part of Council's policy development process and operations, however, there are concerns that consultation undertaken close to a general election may become an issue in itself and influence voting.

Council events in the lead up to an election can also raise concerns over the potential use of sitting Councillors using them for electioneering purposes.

If consultation must be undertaken or an event held during this time, the Council must explain to the community the special circumstances making it necessary and how the risks influencing the election will be mitigated or prevented.

Therefore, during an election period no public consultation under section 223 of the *Local Government Act 1989* will be conducted.

- Only consultation for the purpose of planning permit applications and operational issues such as canvassing residents' views on small-scale traffic treatments, installation of single trees and the like will be allowed as they are operational in nature and are unlikely to impact the conduct of the election.
- Civic events will cease during an election period for a general election.
- No election material or active campaigning is to be conducted at Council sponsored events.

7. Media and media services

The Chief Executive Officer (or their delegate) is the official spokesperson during the election period for a general election.

Councillors must not use their role to make media comments or representations that could be seen as electioneering.

Councillors may continue to engage with the media as candidates but not on behalf of Council or using Council resources.

Councillors who are candidates in an election must not use their official Council-affiliated social media accounts for electioneering or campaign purposes during the election period. Councillor candidates may establish separate, clearly identified campaign social media accounts for election-related communications.

The only new material published on Council's websites or social media sites during an election period for a general election will be:

- the agenda and minutes for any Council meeting, meeting of a delegated committee or meeting of a community asset committee;
- the annual report; and
- key service disruption information.

Information already published on the website will be reviewed to ensure it does not include anything that might be seen as likely to influence the election.

8. Use of Council resources

The use of Council resources by a Councillor in a way that is intended to or is likely to affect the result of an election is prohibited and constitutes a breach of section 304 of

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the Act. These restrictions apply at all times, not just during an election period, regardless of whether such use comes at no cost to Council.

The following are not permitted:

- use by a candidate of a Council-provided computer for the preparation of campaign material other than publicly available computers in libraries or community facilities;
- use of a Council-provided mobile telephone for campaign-related calls, messages, emails, photographs or social media. While receipt of communications cannot be controlled, candidates must not encourage campaign-related communication by this means;
- use of photographs in campaign material taken by Council staff or by photographers engaged by Council; and
- use of Council administrative facilities such as offices, meeting rooms, support staff, hospitality services, equipment and stationery in connection with any election campaign.

Reimbursements of Councillors' out-of-pocket expenses will only apply to costs incurred in the performance of normal Council duties, and not to expenses that could be perceived as supporting or being connected with a candidate's election campaign.

No Council livery, including logos, publications, letterheads or other Council branding may be used for or linked in any way to a candidate's election campaign.

Council telephone numbers and email addresses are not to be used in candidate election material.

Members of Council staff must not assist in the preparation of candidate election material.

Members of Council staff must not provide candidates with access to databases, contact lists, property counts, email addresses or any other information that would assist in the distribution of election material. Any such Council information already in the possession of candidates is subject to the provisions of the Privacy and Data Protection Act 2014 and must not be used for electoral purposes.

9. Access to information

Councillors shall continue to receive information necessary to fulfil their existing role as a Councillor during the election period.

Neither Councillors nor candidates will receive information or advice from Council staff that might be perceived to support election campaigns and there shall be complete transparency in the provision of all information and advice during the election period. Information and briefing material prepared by staff/contractor conducting elections on behalf of Council during the election period will only relate to factual matters or to existing Council services. Such information will not relate to policy development, new projects or matters that are the subject of public or election debate or might be perceived to relate to a candidate's election campaign.

No other information other than what would normally be made available to any member of the general public upon request is to be provided to a Councillor.

No information other than what would normally be made available to any member of the general public upon request is to be provided to a candidate who is not a Councillor.

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9.1 Information Request Register

An Information Request Register will be maintained by the Chief Executive Officer during the election period. The Information Request Register will record all requests relating to electoral matters and non-routine information requests made by Councillors and candidates, along with the responses provided. To ensure transparency and equal access, where a request for information is granted, the response will be published on Council's website and made available to all candidates and the public.

10. Election signage on Council land

Election signage on Council land will be managed in accordance with Council's relevant Local Law.

11. External elections

This section of the election period policy applies to Councillors who have made the decision to seek election in another sphere of government. These provisions are applicable to any Councillor seeking election to the Parliament of Australia, the Parliament of Victoria, another Australian state or territory government, a local government in another state or territory of Australia or any level of government outside Australia. For ease of reading, these are collectively referred to in this section as an 'external election'.

Councillors must ensure there is a clear and demonstrable distinction between their obligations to Council and their personal interests as a candidate, or as a member of a political party, in the period prior to and during an external election.

A Councillor who is a prospective candidate or a nominated candidate for an external election must:

- maintain an appropriate separation between their dual roles;
- avoid potential and actual conflicts of interest;
- not misuse their position as a Councillor;
- not use Council resources to support their candidacy; and
- continue to observe the standards of conduct in the Model Councillor Code of Conduct.

11.1 Notification of Candidacy

As soon as practicable after becoming a prospective or nominated candidate for an external election, a Councillor must notify the Chief Executive Officer in writing.

Upon receiving this notification, the Chief Executive Officer will advise all other Councillors.

The Councillor must also declare their intended or actual candidacy at the next Council meeting following notification to the Chief Executive Officer.

11.2 Leave

A Councillor must request leave from all Council meetings held during the period commencing on the date of their nomination with the relevant electoral commission (or equivalent) and concluding on the day of the close of voting for that election.

- The application must be made as soon as practicable after the Councillor nominates.

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An application for leave by a Councillor in these circumstances must not be unreasonably refused by the Council.

During the period commencing on the date of their nomination with the relevant electoral commission (or equivalent) and concluding on the day of the close of voting for that election, a nominated candidate must:

- not attend Council meetings, meetings of delegated committees or meetings of a community asset committee;
- not act in their capacity as a Councillor; and
- return all Council equipment and materials if requested to do so by the Chief Executive Officer.

Cardinia Shire Council



Governance Rules

Adopted 17 June 2024

Commitment	5
Chapter 1 – Introduction	6
Purpose	6
Principles	6
Chapter 2 – context	7
2.1 Affected persons rights and interests	7
2.2 Context	7
2.3 Definitions	7
Chapter 3 – Meeting procedure	10
PART 1 PROCEDURE	10
Division 1 – Quorums, Convening meetings and Structuring meetings	10
3.1 Virtual Council Meeting	10
3.2 Quorum for Ordinary, Annual or Special meetings	10
3.3 Quorum for Delegated Committees, Community Asset Committees or Advisory Committee	11
3.4 Notice of meetings and reports	11
3.5 Ordinary meeting business	11
3.6 Order of business	11
3.7 Declaration of Interest	12
3.8 Special meeting business	12
3.9 Special meetings	12
Division 2 – Motions and Amendments	12
3.10 Content of Motion or Amendment	12
3.11 Motion of same effect as negatived motion	12
3.12 Motion lapses and no discussion if not seconded	13
3.13 Limitation on speaking times	13
3.14 Right of reply	13
3.15 Proposal of and discussion on Amendment	13
3.16 Successive Amendments	13
3.17 Withdrawal of Motion or Amendment	13
3.18 Lodgement of Notice of Motion	13
3.19 Absence of Mover and Notice of Motion	14
3.20 Deliberations upon Notice of Motion	14
3.21 Urgent business	14
3.22 Rescission motion	14
3.23 A notice of motion to rescind or alter a previous resolution	14
3.24 Majority required for successful motion	15
Division 3 – Debate	15
3.25 Withdrawal of remark and apology	15

3.26	Refusal to apologise	15
3.27	Interruptions to Speaker	15
3.28	Suspensions and removal	15
3.29	Chairperson may address meeting	15
3.30	Voting	16
3.31	Divisions	16
Division 4 - Miscellaneous		16
3.32	Grounds for Points of Order	16
3.33	Chairperson to take Point of Order	16
3.34	Meeting adjournment to consider Point of Order	16
3.35	Disagreement with Chairperson's ruling	16
3.36	Lodgement of question upon notice from Councillors	17
3.37	Period available for questions	17
3.38	Disallowance of questions	17
3.39	Answer when the meeting is closed to members of the public	17
3.40	Confirmation of minutes	17
3.41	Copies of minutes to Councillors	18
3.42	Discussion only as to accuracy	18
Division 5 – Visitors and behaviour		18
3.43	Visitors admitted with exception	18
3.44	Visitor behaviour	18
3.45	Not to use recording equipment or take photographs	18
3.46	Eviction	18
3.47	Adjournment because of disorder	18
3.48	Public attending meeting	19
Division 6 – Community Question Time		19
3.49	Period for gallery questions	19
3.50	Time for consideration of questions	19
3.51	Chairperson may reject question	20
3.52	Procedure	20
3.53	Reply to subsequent meeting	20
3.54	Multiple questions	20
3.55	Supplementary questions	20
3.56	No debate	20
Division 7 – Consequential		21
3.57	Meeting closing time	21
3.58	Reports and correspondence not to be read in full	21
3.59	Personal explanations	21
3.60	Timing of personal explanation	21
3.61	No debate on personal explanation	21

3.62	Suspension of standing orders	21
3.63	Official Titles to be used	21
3.64	Resort to Parliamentary Procedure	21
3.65	Chairperson to determine if no procedures	21
Part 2	– Election of the Mayor	22
3.66	Purpose	22
3.67	Procedure for election of Mayor	22
3.68	Mayor to take Chair	22
3.69	Election of Deputy Mayor	23
Chapter 4	– Conflicts of interest	23
4.1	Obligations with regard to conflict of interest:	23
4.2	Councillors and Members of Delegated Committees	23
4.3	Procedure at a Council or Delegated Committee Meeting	23
4.4	Procedure at other meetings organised, hosted or supported by Cardinia Shire Council	24
4.5	Council staff	24
4.6	Procedure for disclosures of conflicts of interest by Council Staff	24
4.7	Contractors and Consultants	25
Chapter 5	– Joint Council meetings	26
Chapter 6	– Council records	27
6.1	Records of meetings held under the auspices of Council	27
6.2	Councillor attendance records	27
Chapter 7	– Community Asset Committees	28
7.1	Community Asset Committee	28
Chapter 8	– Election period policy	29
8.1	Election period policy	29
Appendix 1		35
Appendix 2		36

Commitment

Good governance, integrity and accountability are central to the Local Government Act 2020 (the Act), to underpin local government democracy, accountability, conduct and enable our community to hold the Council to account. Council is committed to embedding the principles of good governance throughout its decision making, corporate governance and democratic governance by establishing and adhering to the Governance Rules established. The principles of good governance incorporate the principles outlined in the Act, including the overarching governance principles as well as the public transparency, community engagement, strategic planning, service performance and financial management principles.

Council decision making will be founded on good governance and conducted with transparency. The process by which decisions will be made is transparent and clearly articulated in these Governance Rules for the scrutiny of our community and accountability of Councillors and Council officers. Council recognises that accountability, integrity and transparency are of fundamental importance to our community and are critical for enhancing good governance.

Council seeks to apply good governance in order to:

- Engage our community in decision making;
- Achieve the best outcomes for the Cardinia community, including future generations;
- Ensure the transparency of Council decisions, actions and information;
- Ensure the ongoing financial viability of Council;
- Increase our performance;
- Drive out inefficiencies; and
- Reassure residents that we are spending public monies wisely.

Chapter 1 – Introduction

Purpose

These Governance Rules determine the way in which Council will:

- Make decisions:
 - in the best interest of the Cardinia community
 - fairly and on the merits of the question
 - in a way that ensures any person whose rights will be directly affected by a decision will be entitled to communicate their views and have their interests considered.
- Elect its Mayor and Deputy Mayor;
- Conduct meetings of Council and Delegated Committees;
- Require the disclosure and management of conflicts of interest.

The Governance rules also include:

- Expectations of the conduct of Councillor's during Election Periods through the Election Period Policy;
- Use of the common seal.

Principles

Council must, in the performance of its role, give effect to the overarching governance principles outlined in the Local Government Act 2020. These principles are:

- a) Council decisions are to be made and actions taken in accordance with the relevant law;
- b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- c) The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- d) The municipal community is to be engaged in strategic planning and strategic decision making;
- e) Innovation and continuous improvement is to be pursued;
- f) Collaboration with other Councils and Governments and statutory bodies is to be sought;
- g) The ongoing financial viability of the Council is to be ensured;
- h) Regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- i) The transparency of Council decisions, actions and information is to be ensured.

In giving effect to the overarching governance principles, Council must take into account the following supporting principles –

- a) the community engagement principles;
- b) the public transparency principles;
- c) the strategic planning principles;
- d) the financial management principles;
- e) the service performance principles.

Chapter 2 – context

2.1 Affected persons rights and interests

Before making a decision that affects a person's rights, Council will identify whose rights may be affected and provide an opportunity for that person (or persons) to convey those views regarding the effect on their rights and consider those views.

This includes but is not limited to the rights outlined in the *Charter of Human Rights and Responsibilities Act 2006*.

2.2 Context

The Governance Rules are to be read in the context of and in conjunction with:

- Community Engagement Policy
- Public Transparency Policy;
- Councillor Code of Conduct;
- Employee Code of Conduct;
- Other relevant policies

2.3 Definitions

(1) In these Governance rules:

Act means the *Local Government Act 2020*;

Agenda means a document containing the date, time and place of a *Meeting* and a list of business to be transacted at the *Meeting*;

Chairperson means the Chairperson of a *Meeting* and includes an acting, temporary and substitute Chairperson;

Chief Executive Officer means the person occupying the office of Chief Executive Officer of Council, and includes a person acting in that office;

Committee meeting means a meeting of a Delegated Committee convened in accordance with these Governance Rules and includes a scheduled or unscheduled meeting (whether held as face to face attendance in a set location or via electronic means (virtual) or in a 'hybrid' or 'parallel' format that mixes in person and electronic attendance.

Common Seal means the common seal of Council;

Council means Cardinia Shire Council;

Councillor means a Councillor of Cardinia Shire Council;

Code of Conduct has the same meaning as in the *Act*;

Council Meeting means a meeting of the Council convened in accordance with these Governance Rules and includes a scheduled meeting and unscheduled meeting (whether held as face-to-face (in-person) attendance in a set location or via electronic means (virtual) or in a 'hybrid' or 'parallel' format that mixes in-person and electronic attendance;

Delegate means a member of Council staff to whom powers, functions and duties have been delegated by an instrument of delegation;

Delegated Committee has the same meaning as in the *Act*;

Deputy Mayor means the Deputy Mayor of *Council* and any person appointed by *Council* to act as Deputy Mayor;

General Manager means a senior member of Council staff holding the position of General Manager or another position (however designated) which reports directly to the *Chief Executive Officer*;

Mayor means the Mayor of *Council* and any person appointed by *Council* to be acting as Mayor;

Meeting means a *Council Meeting* or a *Delegated Committee Meeting*;

Member means a member of any committee to which these governance rules apply;

Minister means the Minister for Local Government;

Minutes means the official record of the proceedings and decisions of a *Meeting*;

Motion means a proposal framed in a way that will result in the opinion of *Council* being expressed, and a *Council* decision being made, if the proposal is adopted;

Notice of Motion means a notice setting out the text of a *Motion* which a *Councillor* proposes to move at a *Council Meeting*;

Notice of Rescission means a *Notice of Motion* to rescind a resolution made by *Council*;

Point of Order means a procedural point (about how the *Meeting* is being conducted), not involving the substance of a matter before a *Meeting*;

Procedural Motion means a *Motion* that relates to a procedural matter only and which is not designed to produce any substantive decision but used merely as a formal procedural measure;

Urgent Business means a matter that relates to or arises out of a matter which has arisen since distribution of the *agenda* and cannot safely or conveniently be deferred until the next *meeting*;

and

(2) Definitions provided by the Act

The following definitions provided by the Act are applied to these Governance Rules:

Audit and Risk Committee means the Audit and Risk Committee established by a Council under section 53.

Confidential information means the following information—

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
- (b) security information, being information that if released is likely to endanger the security of Council property or the safety of any person;
- (c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values;

- (d) law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person;
- (e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;
- (f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
- (g) private commercial information, being information provided by a business, commercial or financial undertaking that—
 - i. relates to trade secrets; or
 - ii. if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;
- (h) confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);
- (i) internal arbitration information, being information specified in section 145;
- (j) Councillor Conduct Panel confidential information, being information specified in section 169;
- (k) information prescribed by the regulations to be confidential information for the purposes of this definition;
- (l) information that was confidential information for the purposes of section 77 of the *Local Government Act 1989*;

Electoral Material means an advertisement, handbill, pamphlet or notice that contains electoral matter but does not include an advertisement in a newspaper that is only announcing the holding of a meeting.

Electoral Matter means matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the election manager for the purposed of conducting an election.

Nomination Day means the last day on which nominations to be a candidate at a council election may be received in accordance with the Act and the regulations.

Chapter 3 – Meeting procedure

PART 1 Procedure

Division 1 – Quorums, Convening meetings and Structuring meetings

3.1 Virtual Council Meeting

- 3.1.1 The Local Government Act 2020 allows Councillors and members of delegated committees to participate in meetings remotely by electronic means of communication.
- 3.1.2 A member's remote attendance can only be recorded as present where the member can confirm that:
 1. They can hear proceedings;
 2. They can see other members in attendance and can be seen by other members;
 3. They can be heard (to speak)
- 3.1.3 Other than situations where COVID restrictions are such that face-to-face (in-person) meetings are not appropriate it is the Councils preference that Ordinary and Special Council Meetings and Committee meetings are held as face-to-face (in-person) meetings however if a Councillor is unable to attend in person that Councillor may, with approval, attend via electronic means.
- 3.1.4 Councillors who wish to attend a meeting via electronic means may submit a request to the Manager Governance Safety & Property in writing or verbally by midday of the day of the meeting stating the reason for requesting electronic attendance.
- 3.1.5 Approval to attend via electronic means will not be unreasonably withheld. It will remain the responsibility of the Councillor attending electronically to ensure that they have the required access and environment suitable for electronic communications, including sufficient safeguards to ensure that consideration of any confidential matters will not be seen or heard by other persons.

3.2 Quorum for Ordinary, Annual or Special meetings

A quorum for an Ordinary Meeting, Annual Statutory Meeting or Special Meeting or a call of the Council Meeting will be a majority of the number of Councillors.

If a quorum is not present within 30 minutes of the time appointed for the commencement of a meeting:

- 3.2.1 the meeting lapses;
- 3.2.2 the Mayor must convene another Council meeting and ensure that the agenda for it is identical to the agenda for the meeting which has lapsed; and
- 3.2.3 the Chief Executive Officer must give notice of the meeting convened by the Mayor to all Councillors.

If a quorum is lost after a meeting has commenced, the Chairperson must adjourn the meeting, and then reconvene the meeting within 30 minutes after it was adjourned, in which case:

- if a quorum is then present the meeting resumes; or

- if a quorum is not then present and if, after using his or her best endeavours to regain a quorum, the Chairperson is unsuccessful, the Chairperson must announce that the meeting has lapsed. In this event, the meeting lapses and the undisposed of business must, unless it has already been disposed of at another meeting, be included in the agenda for the next Ordinary Meeting.

Despite the loss of a quorum the business transacted at the meeting to that point remains valid and capable of being acted upon.

3.3 Quorum for Delegated Committees, Community Asset Committees or Advisory Committee

A quorum for a Delegated Committee, Community Asset Committees or Advisory Committee will be as determined by the Council when appointing the Special Committee or Advisory Committee, in the absence of which a majority of the number of positions comprising the Special Committee or Advisory Committee be required.

- If a quorum is: not present within 30 minutes of the time appointed for the commencement of a meeting; or
- lost after a meeting has commenced,

The provisions of clause 3.2 will apply, with all modifications and adaptations.

3.4 Notice of meetings and reports

The Chief Executive Officer must give notice of Ordinary and Special Meetings and Committee meetings, together with agendas and all reports accompanying the same, by delivering them so as to reach each Councillor at least ten (10) clear days before the time fixed for the holding of the meeting unless it is impractical to do so. The Agendas will be made available on Council's website 6 days prior to the meeting.

3.5 Ordinary meeting business

No business will be considered at an Ordinary Meeting unless it appears on the agenda or in any report accompanying the same, or it is business which has arisen since the preparation of the agenda and reports, is of such importance that a decision of the Council cannot be delayed, is submitted to the Council either in writing or is read by a member of Council staff in the form of a supplementary agenda or report so that it may be incorporated in the minutes, and which the Council resolves to be urgent.

3.6 Order of business

The order of business at an Ordinary Meeting must be as follows, or as near thereto as practicable, but for the greater convenience of the Council at any particular meeting, it may be altered by resolution to that effect:

- 3.6.1 Opening & Reflection**
- 3.6.2 Traditional owner's acknowledgement
- 3.6.3 Apologies
- 3.6.4 Adoption and confirmation of minutes of previous meetings
- 3.6.5 Declaration of any interest of any Councillor

- 3.6.6 Community Question Time
- 3.6.7 Ordinary Business
- 3.6.8 Reports by Councillors
- 3.6.9 Presentation of Petitions
- 3.6.10 Notices of Motion
- 3.6.12 Urgent Business
- 3.6.13 Councillor Question Time
- 3.6.14 Mayoral Minute
- 3.6.15 Confidential Business

3.7 Declaration of Interest

Any declarations of interest must be made in accordance with the Order of Business, with details of the interest provided to the Chairperson in writing and in accordance with Chapter 4 of these rules.

3.8 Special meeting business

- 3.8.1 The Mayor, Chief Executive Officer or at least four Councillors may by a written notice call a Special Meeting.
- 3.8.2 The notice calling the Special Meeting must list the business to be considered and state the date, time and venue for the holding of the Special Meeting.

3.9 Special meetings

- 3.9.1 The order of business at Special Meetings will be as it appears on the notice unless the Council by resolution at any particular meeting changes the order of business.
- 3.9.2 Despite the requirements of clause 3.4, the Chief Executive Officer is not required to send the agenda for a special meeting so that it is received) ten (10) clear days before the meeting if in the circumstances it is not practicable to do so.

Division 2 – Motions and Amendments

3.10 Content of Motion or Amendment

A motion or amendment must be:

- within the Council's functions and powers;
- relevant to an item of business properly before the meeting;
- clear and unambiguous; and
- neither defamatory nor objectionable in language or nature.

3.11 Motion of same effect as negated motion

A motion to the same effect as any motion which has been negated by the Council must not again be entertained within a period of three (3) months of the motion being so negated.

3.12 Motion lapses and no discussion if not seconded

A motion or amendment which is not seconded shall lapse; and no motion or amendment shall be discussed or put to the vote until it is seconded, except that a Councillor may require compliance with any of the provisions of these rules by drawing the Chairperson's attention to any breach thereof.

3.13 Limitation on speaking times

Except by leave of the Chairperson in any particular case to grant an extension of time, no Councillor shall speak or seek clarification of any question for a longer period than:

The mover of a motion	for five (5) minutes
Any other Councillor	for three (3) minutes
The mover of a motion exercising a right of reply	for two (2) minutes

Provided that no Councillor, when speaking, may be interrupted, except by the Chairperson or upon a point of order (in which case the period allowed shall be extended accordingly).

3.14 Right of reply

The mover of every original motion at any meeting of the Council but not of any amendment will (even if that person has spoken on any amendment to such original motion) have a right of reply to be exercised at the conclusion of the debate (including debate on any such amendment). Except for this, no Councillor will be allowed to speak more than once on the same question, unless permission is given by the Chairperson to explain or unless for the purpose of calling the attention of the Chairperson to a point of order. For the purposes of this clause, a motion will be deemed to be an original motion, even although any amendment to it has been carried.

3.15 Proposal of and discussion on Amendment

Any Councillor, except the mover or seconder of the original motion, may propose or second an amendment. Any Councillor may address the meeting on an amendment, whether or not that Councillor has spoken to the motion; a Councillor who has spoken on a motion without moving an amendment must not subsequently propose an amendment to that motion, except by leave of the Council.

3.16 Successive Amendments

No Councillor may move more than two (2) amendments in succession.

3.17 Withdrawal of Motion or Amendment

No motion or amendment can be withdrawn without the consent of the meeting.

3.18 Lodgement of Notice of Motion

3.18.1 All notices of motion, other than those relating to revocation or alteration of a previous resolution, must be signed and given by the intending mover to the Chief Executive Officer no later than 14 days before the next meeting of the Council to permit the Chief Executive Officer to include them in the agenda for the next meeting. The Chief Executive Officer must number all notices of motion and enter the same in the Notice of Motion File in the order in which they were received.

3.18.2 The Chief Executive Officer after consultation with the Mayor may reject any Notice of Motion which:

- 3.18.2.1 is vague or unclear in intention
- 3.18.2.2 is beyond Council's power to pass; or
- 3.18.2.3 if passed would result in Council otherwise acting invalidly; but must: give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so; and
- 3.18.2.4 notify in writing the Councillor who lodged it of the rejection and reasons for the rejection.

3.19 Absence of Mover and Notice of Motion

A Councillor who has given a notice of motion, but who will be absent from the meeting at which the motion is to be considered, may ask the Mayor or Chief Executive Officer to inform the meeting of the reasons for their absence and of the Councillor's desire that the motion be held over until the next Ordinary Meeting.

3.20 Deliberations upon Notice of Motion

Notwithstanding Clause 3.18, if a Councillor who has given notice of motion:

- is absent; or
- does not move the motion

when it is called by the Chairperson, any other Councillor may move it forthwith, or move to defer consideration of it, but if the motion is not so moved it will be deemed to have been withdrawn.

3.21 Urgent business

3.21.1 A motion which is not listed on the agenda can only be considered as Urgent Business.

3.21.2 A motion can only be considered as Urgent Business if:

- 3.21.2.1 it relates to or arises out of a matter which has arisen after the deadline for lodgement of motions with notice;
- 3.21.2.2 it cannot safely or conveniently be deferred until the next Ordinary Meeting; and
- 3.21.2.3 the Council resolves to admit it as Urgent Business.

3.22 Rescission motion

A proposed motion contrary to a resolution previously adopted and acted upon cannot be considered.

A proposed motion contrary to a resolution previously adopted by the Council, but not acted upon in part or in whole, cannot be considered until the previous resolution with which it is inconsistent has been rescinded or altered following notice of motion to such effect.

3.23 A notice of motion to rescind or alter a previous resolution

A notice of motion to rescind or alter a previous resolution:

- 3.23.1 must be dated and signed by both the intending mover and the intending seconder and lodged before the motion to which the rescission motion relates has been acted on
- 3.23.2 given by the intending mover to the Chief Executive Officer no less than 14 days before the next meeting of Council to enable the Chief Executive Officer to include the rescission motion in the agenda for the meeting.
- 3.23.3 will be deemed withdrawn if not moved at the next meeting at which such business may be transacted; and
- 3.23.4 if it is a second or subsequent notice to rescind or alter an earlier resolution, must not be accepted by the Chief Executive Officer until a period of one month has elapsed after the date of the meeting at which the first or last motion of revocation or alteration was dealt with.

3.24 Majority required for successful motion

A motion to rescind or alter a previous resolution must be passed by a majority of the Councillors.

Division 3 – Debate

3.25 Withdrawal of remark and apology

The Chairperson may require a Councillor to withdraw any remark which is defamatory, indecent, offensive, abusive or objectionable in language or substance and a Councillor required to withdraw a remark must do so immediately and make an apology to the meeting.

3.26 Refusal to apologise

Any Councillor having been required by the Chairperson to withdraw a remark and apologise under Clause 3.25 and refusing to do so will be dealt with in accordance with Clause 3.46.

3.27 Interruptions to Speaker

A Councillor may be interrupted by the Chairperson or upon a point of order, at which time the Councillor must resume their seat (if applicable) and remain silent until the Chairperson has ceased speaking or the point of order has been disposed of.

3.28 Suspensions and removal

- 3.28.1 The Chairperson may suspend from a meeting any Councillor whose actions have disrupted the business of the Council and have impeded the orderly conduct of the meeting.
- 3.28.2 The duration of any suspension effected under clause 3.28.1 will be in the Chairperson's discretion but must not exceed the balance of the meeting.
- 3.28.3 The Council may resolve to ask any member of Council staff or member of the Victoria Police to remove from the chamber any Councillor who has been suspended under clause 3.28.1 but who has refused or neglected to leave the chamber.

3.29 Chairperson may address meeting

The Chairperson may address any meeting upon any matter under discussion and will not be deemed to leave the chair on such occasions.

3.30 Voting

The Chairperson must put the question to the Council first in the affirmative then in the negative, and thereupon announce the result which will be recorded in the minutes.

3.31 Divisions

3.31.1 Immediately after a vote is taken, the Chairperson or any Councillor may demand a division. In that event, the vote already taken will be treated as a nullity and the question will be decided on the division.

3.31.2 A division will be taken by those voting in favour of the motion or amendment by clearly raising their hand and keeping their hand raised until their names are recorded by the Chief Executive Officer. After their names are so recorded, and those voting against the motion or amendment will then raise their hand and keep their hand raised until their names are recorded by the Chief Executive Officer.

3.31.3 The Chairperson must declare the result of the division as soon as it is taken.

Division 4 - Miscellaneous**3.32 Grounds for Points of Order**

A point of order may be taken on the grounds that the matter objected to is:

3.32.1 in contravention of these rules;

3.32.2 defamatory, disloyal, irrelevant, irreverent, obscene, ambiguous or obscure; or

3.32.3 not within the powers or functions of the Council.

Rising to express a mere difference of opinion or to contradict a speaker is not a Point of Order.

3.33 Chairperson to take Point of Order

The Chairperson may take a point of order although it has not been taken by any Councillor.

3.34 Meeting adjournment to consider Point of Order

3.34.1 The Chairperson may adjourn the meeting to consider a point of order but must otherwise rule upon it as soon as it is taken.

3.34.2 The Chairperson must give reasons for his or her ruling.

3.35 Disagreement with Chairperson's ruling

3.35.1 Other than a ruling made by the Chairperson under clause 3.27, any Councillor may move a motion that the Chairperson's ruling be disagreed with.

3.35.2 A motion to disagree with the Chairperson's ruling:

3.35.2.1 must specify the ruling to be substituted for the Chairperson's ruling;

3.35.2.2 must be considered in priority to any other business; and

3.35.2.3 if carried, shall be acted upon instead of the ruling given by the Chairperson.

3.36 Lodgement of question upon notice from Councillors

- 3.36.1 A question upon notice must be in writing delivered to the Chief Executive Officer by midday on the day of the meeting
- 3.36.2 The Chief Executive Officer must, as far as it reasonably practicable, distribute the text of any question lodged in accordance with clause 3.36.1 to every Councillor present at the Ordinary Meeting prior to the commencement of that meeting.
- 3.36.3 The Chairperson, Councillor or senior officer who is asked a question upon notice must answer that question at the meeting if he or she is able to do so.
- 3.36.4 If the Chairperson or Councillor is unable to provide an answer to the question upon notice at the meeting at which it is asked, he or she must answer the question at the next available meeting.
- 3.36.5 If a senior officer is unable to provide an answer to a question upon notice at the meeting at which it is asked, the senior officer shall provide and circulate to all Councillors a written answer as soon as is practicable, but in any event not later than five business days after the meeting. The written answer must then be reproduced in the minutes of the Ordinary Meeting immediately following the meeting at which the relevant question was asked.

3.37 Period available for questions

All questions and answers must be as brief as possible, provided that the Chairperson may, at his discretion, limit to not more than five (5) minutes the time allotted to any one Councillor for question time.

3.38 Disallowance of questions

A question may be disallowed by the Chairperson upon the ground that it:

- 3.38.1 relates to a matter exceeding the powers of the Council;
- 3.38.2 is defamatory, disloyal, indecent, irreverent, abusive or objectionable in language or substance;
- 3.38.3 is intended to embarrass or denigrate a senior officer; or
- 3.38.4 is repetitive of a question already answered (whether at the same or an earlier meeting).

3.39 Answer when the meeting is closed to members of the public

The Chairperson may direct that the answer to any question be given when the meeting is closed to members of the public in accordance with Section 89(2) of the Act.

3.40 Confirmation of minutes

The minutes of a Council meeting must be tabled and confirmed at the next appropriate meeting of the Council.

3.41 Copies of minutes to Councillors

Where minutes are to be confirmed at the next meeting, a copy of them must be made available to each Councillor at least two (2) clear days prior to the meeting at which the minutes are to be confirmed.

3.42 Discussion only as to accuracy

No discussion must be permitted on the minutes except as to their accuracy as a true record of the meeting and the minutes must be signed by the Chairperson of the meeting at which they are confirmed.

Division 5 – Visitors and behaviour**3.43 Visitors admitted with exception**

Visitors will be admitted to Special, Ordinary and Committee meetings unless they are excluded for disorderly conduct or the Council resolves that the meeting be closed to members of the public.

3.44 Visitor behaviour

Visitors must not move about, interject, applaud, converse or take part in the debate or otherwise create a nuisance at meetings and silence must be preserved in the gallery during any debate and while any vote is being taken.

3.45 Not to use recording equipment or take photographs

Visitors (including media representatives) may not use audio or video recording equipment or take photographs without the consent of the Council.

3.46 Eviction

If any visitor is called to order by the Chairperson because of behaviour which breaches clause 3.43 and thereafter again behaves in a manner which breaches clause 3.44:

- 3.46.1 the Chairperson may request a member of Council staff or member of the Victoria Police to remove that person from the gallery; and
- 3.46.2 the Council may resolve to ban that person from attending meetings of the council for a period up to 3 months for a first offence and for a period up to 12 months for any subsequent breach of these rules.

3.47 Adjournment because of disorder

- 3.47.1 The Chairperson may call a break in a meeting for either a short term, or to resume another day if the behaviour at the Council table or in the gallery is significantly disrupting the meeting
- 3.47.2 Where a Councillor engages in improper or disorderly conduct, or acts in a way that otherwise disrupts the Meeting, and prevents the conduct of Council business:
 - 3.47.2.1 Council may, by resolution, suspend that Councillor from a portion of the Meeting or from the balance of the Meeting where the Chairperson has warned the Councillor to cease that behaviour; or

3.47.2.2 The Mayor, under section 19 of the Act, at a Council meeting, having previously warned the Councillor to cease that behaviour, may direct a Councillor to leave the meeting for a period of time or the balance of the Meeting

3.47.3 Where Council suspends a Councillor under clause 3.47.2 or the Mayor directs a Councillor to leave the meeting under clause 3.47.2.2 the Councillor will take no active part in the portion of the Meeting from which he or she has been suspended

3.47.4 If a Councillor has been suspended from a meeting or directed to leave in accordance with clause 3.47.2.2 the Chairperson may ask a member of Council staff or member of the Victoria Police to remove the Councillor

3.48 Public attending meeting

3.48.1 In addition to the provisions of these Governance Rules, further limitations on attending Council meetings in person may be imposed;

- By resolution of Council; and/or
- By the Chief Executive Officer at their discretion, in consultation with the Mayor or Deputy Mayor.

3.48.2 Limitations under clause 3.48.1 may include, but are not limited to:

- Limiting in-person attendance to members of the public who have registered their intention to attend a Council meeting prior to the meeting; and/or
- Limiting in person attendance to members of the public who have, immediately prior to being granted access to a public Council meeting:
 - Provided their first and last name;, and current address; and/or
 - Provided the number of their:
 - current driver licence; or
 - passport; or
 - government issued identification card, for example veterans' card, seniors' card; or
 - other form of identification deemed suitable by the Chief Executive Officer; and/or
- Verified the information provided in accordance with this clause by producing for inspection their:
 - current driver licence; or
 - passport; or
 - government issued identification card, for example veterans' card, seniors' card; or
 - other form of identification deemed suitable by officers.

Division 6 – Community Question Time

3.49 Period for gallery questions

Questions from the gallery may be permitted at Ordinary Council meetings and will be limited to a period of 15 minutes at each meeting.

3.50 Time for consideration of questions

Notwithstanding clause 3.48, the Chairperson may, upon the request of any person, defer questions from the gallery to a later time in the meeting if it is desirable or convenient to do so

3.51 Chairperson may reject question

The Chairperson may withhold or refuse to deal with any question from the gallery in whole or in part.

A question may be disallowed in whole or in part by the Chairperson upon the ground that it:

- 3.51.1 relates to a matter exceeding the powers of the Council;
- 3.51.2 is defamatory, disloyal, indecent, irreverent, abusive or objectionable in language or substance;
- 3.51.3 is intended to embarrass or denigrate a councillor or officer; or
- 3.51.4 is repetitive of a question already answered (whether at the same or an earlier meeting).

3.52 Procedure

- 352.1 Questions must be received by the Chief Executive Officer no later than midday on the day of the meeting.
- 3.52.2 The Question submitted should not contain any commentary on the matter or any preamble to the Question
- 3.52.3 The Chief Executive Officer or another member of Council staff nominated by him/her must read and answer each question received unless the question the question has been disallows by the Chairperson
- 352.4 The questioner must be present in the gallery for the question to be read and answered.

3.53 Reply to subsequent meeting

Any member of Council staff to whom a question is directed will have a right to reply to a subsequent meeting of the Council.

3.54 Multiple questions

Where there are multiple questions from a member of the gallery, answers to second or subsequent questions may, at the discretion of the Chairperson, be deferred until questions from other members of the gallery have been responded to.

3.55 Supplementary questions

At the discretion of the Chairperson, a member of the gallery whose question has been answered may be permitted to ask a supplementary question if that question is designed to clarify the answer given. Any such supplementary question will not be a multiple question for the purposes of clause 3.54.

3.56 No debate

Questions from the gallery and responses to them must not be debated.

Division 7 – Consequential**3.57 Meeting closing time**

The Council may, by resolution, fix a closing time for each Council and committee meeting, and may by resolution extend the closing time.

3.58 Reports and correspondence not to be read in full

No reports or correspondence will be read in full at any meeting unless the Chairperson or a Councillor requests that any particular item or items be so read.

3.59 Personal explanations

A Councillor or member of Council staff may at any meeting of the Council make a brief personal explanation in respect of any statement made affecting the Councillor or member of staff (as the case may be).

3.60 Timing of personal explanation

A personal explanation arising out of a statement made at a meeting of the Council must be made as soon as is practicable after the speaker making the statement concludes. A personal explanation arising out of a statement made or published elsewhere must be made at a meeting of the Council at such time as is determined by the Chairperson.

3.61 No debate on personal explanation

A personal explanation must not be debated except upon a motion to censure the Councillor or member of Council staff who has made it.

3.62 Suspension of standing orders

Any one or more of the clauses of this part may be suspended for a particular purpose by a majority vote of the Councillors present at any Ordinary or Special meeting; such clauses will remain suspended until a further motion to "resume standing orders" is moved and carried.

3.63 Official Titles to be used

Councillors in a meeting must designate each other and members of Council staff by their official titles.

3.64 Resort to Parliamentary Procedure

In all cases not provided in this part, regard shall be had to the Standing Orders and Rules of Practice of the Upper House of the Victorian Parliament, which must be followed so far as the same are applicable to the proceedings of the Council. In the event of a dispute or difference as to what the Standing Orders or Rules of Practice provide, the Chairperson's ruling will be final and conclusive.

3.65 Chairperson to determine if no procedures

In all matters not provided for in clause 3.64 the Chairperson must determine the procedure to be adopted.

Part 2 – ELECTION OF THE MAYOR

3.66 Purpose

The purpose of this Part is to regulate proceedings for the election of Mayor.

3.67 Procedure for election of Mayor

3.67.1 Councillors must elect a Councillor to be the Mayor.

3.67.2 The Mayor is to be elected at the Annual Statutory Meeting, and held:

- 3.67.2.1 after the fourth Saturday in October but not later than 30 November in each year;
or
- 3.67.2.2 as soon as possible after there occurs a vacancy in the office of the Mayor.

3.67.3 Any Councillor is eligible for election or re-election to the office of Mayor.

3.67.4 Until the Mayor is elected, the Chief Executive Officer will be the temporary Chairperson and Returning Officer of the meeting at which the election of Mayor is to be conducted but will have no voting rights.

3.67.5 The election of Mayor is to be in accordance with the following procedure:

- 3.67.5.1 The Returning Officer must invite nominations for the office of Mayor.
- 3.67.5.2 If there is only one nomination (which must be seconded), the candidate nominated is deemed to be elected.
- 3.67.5.3 If there is more than one nomination (each of which must be seconded), the Councillors present at the meeting must vote by show of hands for one of the candidates.
- 3.67.5.4 If a candidate receives an absolute majority of the votes, that candidate is declared to have been elected.
- 3.67.5.5 If no candidate receives an absolute majority of the votes, the candidate with the fewest number of votes is declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates by a further show of hands. This procedure shall continue until one of the candidates has the votes of an absolute majority of councillors.
- 3.67.5.6 If an absolute majority of the Councillors cannot be obtained at the meeting, the Council may resolve to conduct a new election at a later specified time and date.

3.68 Mayor to take Chair

3.68.1 After the election of the Mayor is determined, the Mayor must take the Chair.

3.68.2 The Mayor must take the Chair at all Ordinary and Special meetings at which he or she is present.

- 3.68.3 If the Mayor is absent from an Ordinary or Special Meeting of Council, the Deputy Mayor will assume the role of Chairperson

3.69 Election of Deputy Mayor

The procedure for the election of a Deputy Mayor is to be the same as the procedure under clause 3.67 for the election of Mayor.

Chapter 4 – Conflicts of interest

4.1 Obligations with regard to conflict of interest:

- 4.1.1 Councillors, members of Delegated Committees, Council staff and contractors are required to:
- Avoid - all situations which may give rise to conflicts of interest;
 - Identify - any conflicts of interest; and
 - Disclose – or declare all conflicts of interest;

4.2 Councillors and Members of Delegated Committees

- 4.2.1 May not participate in discussion or decision-making on a matter in which they have a conflict of interest.
- 4.2.2 When disclosing a conflict of interest, Councillors must clearly state their connection to the matter and complete a Conflict of Interest Declaration
- 4.2.3 All disclosures of conflicts of interest will be recorded in the minutes of a Council or Delegated Committee Meeting.
- 4.2.4 Council will maintain a Conflict of Interest Register which will be made available on Council's website.

4.3 Procedure at a Council or Delegated Committee Meeting

- 4.3.1 At the time indicated in the Agenda, a Councillor with a conflict of interest in an item on that agenda must indicate they have a conflict of interest by clearly stating:
- (a) The item for which they have a conflict of interest; and
 - (b) Whether their conflict of interest is general or material; and
 - (c) The circumstances that give rise to the conflict of interest.

The Councillor shall complete a Conflict of Interest Declaration in writing and pass this on to the Manager Governance Safety and Property

- 4.3.2 Immediately prior to the consideration of the item in which they have a conflict of interest, a Councillor or Member of a Delegated Committee must indicate to the meeting the existence of the conflict of interest and leave the meeting.
- 4.3.3 A Councillor who is not present at the designated time in the agenda for disclosures of conflicts of interest, must disclose their conflict of interest in the manner that required for the declarations of conflicts of interest at sub-rule (1) prior to leaving the meeting.

- 4.3.4 A Councillor or Member of a Delegated Committee who discloses a conflict of interest and leaves a Council meeting must not communicate with any participants in the meeting while the decision is being made.

4.4 Procedure at other meetings organised, hosted or supported by Cardinia Shire Council

- 4.4.1 A Councillor who has a conflict of interest must not participate in discussion of matters that will come before Council for a decision, or if a decision will be made by a member of staff acting under delegation.
- 4.4.2 At the time indicated on the Agenda, a Councillor with a conflict of interest will indicate the existence of the conflict of interest and the matter in which the conflict of interest arises.
- 4.4.3 If there is no Agenda, a Councillor with a conflict of interest will indicate the existence of the conflict of interest as soon the matter arises.
- 4.4.4 At the time for discussion of that item, the Councillor will leave the discussion and not communicate with any members of the meeting for the duration of the discussion.
- 4.4.5 The existence of a conflict of interest will be recorded in the minutes of the meeting.
- 4.4.6 If there are no minutes kept of the meeting, the conflict of interest will be recorded in a meeting record and provided to the Governance team for recording in the register of Conflicts of Interest.
- 4.4.7 The meeting minutes or record will also record the duration of the discussion and whether the Councillor left the meeting.
- 4.4.8 Meeting records and reports will be presented to Council for noting and inclusion on the public record.

4.5 Council staff

- 4.5.1 Must act in accordance with the Employee Code of Conduct
- 4.5.2 Must not exercise a delegation where a conflict of interest exists.
- 4.5.3 May be permitted provide advice to a decision maker if a conflict of interest exists, subject to the procedure and disclosure provisions at Rule 4.6 and the Employee Code of Conduct.

4.6 Procedure for disclosures of conflicts of interest by Council Staff

- 4.6.1 Council staff must disclose the existence of all conflicts of interest in writing and in the form determined by the Chief Executive Officer.

- 4.6.2 All conflicts of interest disclosed by Council staff will be provided to the Governance team for recording in the register of Conflicts of Interest.
- 4.6.3 A Council staff member who has disclosed a conflict of interest may provide advice to Council or another staff member acting under delegation if:
- 4.6.4 The number and qualifications of other people providing advice regarding the same matter is equal or greater; or
- 4.6.5 The staff member who has disclosed the conflict of interest is the only staff member with expertise in the area; and
- 4.6.6 The staff member's Director determines that the conflict of interest has not influenced the advice provided; and
- 4.6.7 The existence of the conflict of interest is documented in all advice provided by that staff member, and in the case of verbal advice, is documented by the decision maker.

4.7 Contractors and Consultants

- 4.7.1 All Contractors and consultants engaged by Council will be required to disclose conflicts of interest
- 4.7.2 A Contractor or consultant who discloses a conflict of interest will not be engaged to provide advice on that matter unless;
- 4.7.3 There are no other contractors or consultants reasonably available and qualified to provide the technical advice required; and
- 4.7.4 The conflict of interest is documented in all advice provided by that contractor or consultant.

Chapter 5 – Joint Council meetings

- (1) Council may resolve to participate in a Joint Council meeting to consider:
 - (a) Matters subject to discussion relating to regional matters
 - (b) Collaborative projects
 - (c) Collaborative procurement
 - (d) Emergency Response
- (2) If Council has resolved to participate in a Joint Council meeting, the Chief Executive Officer (or delegate) will agree on governance rules with the participating Councils.
- (3) Where Cardinia is the lead Council on a matter to be brought for consideration at a Joint Council meeting, the Mayor will be nominated to Chair the Joint Council meeting
- (4) At a majority of Councillors will be appointed to represent Council at a Joint Council meeting.
- (5) Consistent information will be provided to Councillors prior to any Joint Meeting and every endeavour will be made by the Chief Executive Officer to facilitate a joint briefing.
- (6) A joint briefing arranged in accordance with sub-rule (5) may be held electronically.

Chapter 6 – Council records

6.1 *Records of meetings held under the auspices of Council*

- 6.1.1 A record of the matters discussed at Councillor Briefing Sessions, Council Meetings, Delegated Committees and Special meetings will be kept.
- 6.1.2 Records kept in accordance with sub-rule one will include
- (a) The attendees at the meeting
 - (b) The title of matters discussed
 - (c) Any conflicts of interest disclosed and whether the person with the conflict of interest left the meeting.
 - (d) Details of councillors that voted for and against motions at a Council or Committee meeting
- 6.1.3 Where minutes are kept of a meeting and made available to the community an additional record is not required to be kept.

6.2 *Councillor attendance records*

- 6.2.1 Council will maintain a register of Councillor attendance at Council Meetings, Delegated Committee Meetings and Councillor Briefing Sessions.
- 6.1.2 The register of Attendance kept in accordance with sub-rule (1) will be published on Council's website quarterly and included in the Annual Report

Chapter 7 – Community Asset Committees

7.1 Community Asset Committee

- 7.1.1 The Governance Rules will apply to any Community Asset Committee established by Council.
- 7.1.2 Council may resolve, in establishing a Community Asset Committee, that the meeting procedure chapter of these Governance Rules does not apply.
- 7.1.3 A Community Asset Committee must report the minutes of all Committee Meetings as soon as possible following each meeting.
- 7.1.4 A Community Asset Committee must act in accordance with its Instrument of Delegation and guidelines issued from time to time.

Chapter 8 – Election period policy

8.1 Election period policy

8.1.1 Introduction

8.1.1.1 There are specific provisions in the Local Government Act 2020 (the Act) that Councils must implement during an election period. These include limits on Council publications and prohibitions on certain types of decisions. (Refer section 69 of the Act).

8.1.1.2 The Act provides that the election period commences on the last day on which nominations for the election can be received and concludes at 6pm on the Election Day. For the 2024 Council election, this means that the election period will be from Tuesday 24 September through to 6pm on 26 October.

8.2 Purpose

8.2.1 The Election Period Policy has been developed to ensure that general elections for Cardinia on Saturday 26 October 2024, and any subsequent elections are conducted in a manner that is ethical, fair and equitable, and is publicly perceived as such.

The Chief Executive Officer will ensure as far as possible, that all Councillors and staff are informed of the requirements of this Policy

8.3 Policy Decisions and Inappropriate Decisions

8.3.1 During the election period the Council can only deal with matters that meet the Act provisions and should not make any major policy decisions that bind the incoming Council. These provisions however do not preclude the Council making decisions where the issue:

- a) Is urgent;
- b) the decision is significant;
- c) cannot be reasonably deferred without major negative repercussions; and
- d) where the decision relates to the completion of an activity already undertaken and endorsed by Council eg. via the Budget, Council Plan or long term strategies or policies, but does not meet the definition of 'major policy' in the Act.

8.3.2 It shall be the responsibility of the Chief Executive Officer to determine if a matter is significant and if it is urgent.

8.3.3 In the context of this Policy, a 'major policy' decision means any decision:

- relating to the employment or remuneration of a Chief Executive Officer other than a decision to appoint or remunerate an acting Chief Executive Officer;
- commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year;
- the Council considers could be reasonably deferred until the next Council is in place; or
- the Council considers should not be made during an election year

8.3.4 During the election period Council will not make any decisions that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

- 8.3.5 Council will also not intentionally adopt any new Policy, Strategy, Local Law or major planning scheme amendment during this period.

8.4 Public Consultation

- 8.4.1 Public consultation means a process which involves an invitation or invitations to individuals, groups or organisations or the community generally to comment on an issue or proposed action or proposed policy, and includes discussion of that matter with the public.
- 8.4.2 Public consultation may be undertaken during the election period to facilitate the day-to-day business of Council, to ensure matters continue to be proactively managed.
- 8.4.4 Any consultation activities conducted during the election period will avoid express or implicit links to, or influence on the election.
- 8.4.5 The requirements of this Clause do not apply to public consultation activities required under the Planning and Environment Act 1987, or matters subject to section 223 of the Local Government Act 1989.

8.5 Council Events

- 8.5.1 No Council events will be conducted during the election period.
- 8.5.2 Council sponsored community events will be encouraged to not be held during the election period
- 8.5.3 No election material or active campaigning is to be conducted at Council sponsored events or displays.
- 8.5.4 Councillor participation at Council sponsored community events should not be used to gain attention in support of an election campaign.

8.6 Council Resources

- 8.6.1 The Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice will be sought from the Chief Executive Officer or the Manager Governance Safety & Property.
- 8.6.2 Councillor candidates undertake to use Council resources, including offices, support staff, hospitality services, equipment (such as mobile phones or computers including Council email addresses, printers etc) and stationery exclusively for normal Council business during the election period, and not use such resources for any electioneering activity.
- 8.6.3 Reimbursements of Councillors' out-of-pocket and travel expenses during the election period will only apply to costs that have been incurred in the performance of normal Council duties, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign.
- 8.6.4 No Council logos, letterheads, business cards or other material such as photographs sourced by Council or other Cardinia branding should be used for, or linked in any way to, a candidate's election campaign.

- 8.6.5 The Chief Executive Officer or any staff should not be asked to undertake any tasks connected directly or indirectly with electioneering.

8.7 Information

- 8.7.1 The Council recognises that all election candidates have rights to information from the Council administration. However, it is important that sitting Councillors continue to receive information that is necessary to fulfil their elected roles. Neither Councillors nor candidates will receive information or advice from Council staff that might be perceived to support election campaigns, and there shall be complete transparency in the provision of all information and advice during the election period.
- 8.7.2 Information and briefing material prepared by staff for Councillors during the pre-election caretaker period will relate only to matters before the Council or to existing Council services and programs.
- 8.7.3 An Information Request Register will be maintained by the Manager Governance Safety & Property commencing nomination day, 24 September 2024. This Register will be a public document that records all requests for any information by candidates, and the responses given to those requests. Those responses will be provided by General Managers, Manager Governance Safety & Property or the Chief Executive Officer. Only information that can be reasonably accessed will be released. The Register will exclude queries relating to items listed on formal Council meeting agendas during the election period.
- 8.7.4 The Council will suspend the holding of Council or Town Planning Committee meetings during the election period other than the holding of a meeting to consider the Annual Report or meetings required due to an emergency or exceptional circumstances

8.8 Communication

- 8.8.1 Council communication will not be used in any way which might influence the outcome of a Council election.
- 8.8.2 Any requests for media advice or assistance from Councillors during the election period will be channelled through the Chief Executive or their delegate.
- 8.8.3 During the election period, no employee will initiate any public statement that relates to an election issue. Contact with the local media will be restricted to the communication of normal Council activities as identified in the Council Plan and will only respond to questions not involving the election or election outcome.
- 8.8.4 In response to media inquiries the Chief Executive Officer, General Managers, Managers or the Manager Communications will only provide information that relates to current services and operations
- 8.8.5 During the election period, Council initiated communications, other than for the purpose of conducting the election, shall be restricted to the communication of normal Council activities as identified in the Council Plan.
- 8.8.6 No media advice or assistance will be provided to Councillors in relation to election campaign matters or publicity which involves specific Councillors.
- 8.8.7 Council staff and other Council resources or information to gain media attention in support of an election campaign. This includes photos or images provided by Council.

- 8.8.8 Councillors should refrain from using social media to promote their position as a councillor to gain advantage as part of their election campaign.

8.9 Council Publications

- 8.9.1 Council will refrain from printing, publishing or distributing publications during the election period that may influence the outcome of the election.
- 8.9.2 Any advertisement, notice, media release, leaflet, brochure, mail out to multiple addresses and editions of Connect Cardinia or any other Council sponsored newsletter must be submitted to the Chief Executive Officer for certification prior to publication. This certification does not need to be printed or published but the certification will be retained on Council record.
- 8.9.3 No publication during the period will contain any express or implicit reference to or comment on
- a) the election; or
 - b) a candidate in the election; or
 - c) an issue submitted to, or otherwise before, the voters in connection with the election.
- 8.9.4 Any references to Councillor candidates in Council publications printed, published or distributed during an election period will not include any promotional text.
- 8.9.5 During the election period Council's website will not contain material which is precluded by this Policy or the statutory requirements relating to publications. Any references to the election will only relate to the election process. Information about Councillors will be restricted to the names of the elected representatives and contact details.
- 8.9.6 The Annual Report will be compiled during the election period and will not contain any material that could be regarded as electioneering or that inappropriately promotes individual Councillors. Information about Councillors will be restricted to names, contact details, titles, membership of Special Committees and other bodies to which they have been appointed by the Council.
- 8.9.7 Council Newsletter Connect Cardinia will not be published during the election period.
- 8.9.8 Any publication on social media sites such as Twitter and Facebook will not contain any electoral matter during the election period.

8.10 Assistance to Candidates

- 8.10.1 The Council affirms that all candidates for the Council election will be treated equally, fairly and without discrimination.
- 8.10.2 Any assistance and advice to be provided to candidates as part of the conduct of the Council election will be provided equally to all candidates.
- 8.10.3 All election related enquiries from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or, where the matter is outside the responsibilities of the Returning Officer, to the Chief Executive Officer or a designated member of Council staff.

8.11 Complaints regarding breach

- 8.11.1 Any complaints regarding a breach of this Election Period Policy relating to staff conduct is to be referred to the Chief Executive Officer. Alleged breaches relating to all other

matters are to be referred to the Local Government Investigations and Compliance Inspectorate at www.lgi.vic.gov.au

8.12 Correcting misinformation

8.12.1 If any candidates, or other persons, release or distribute information relating to the election that is considered to be misleading or incorrect the CEO may at their discretion provide information to the public through any relevant platform to correct any such misinformation.

8.12.2 If considered necessary the CEO may report to the Victorian Electoral Commission (VEC) that the misinformation has been released and request that the VEC investigate the matter in accordance with the provisions of Section 288 of the Local Government Act 2020

Disclaimer

This Policy has been written to provide a guide only for Council staff, Councillors and candidates and is not a substitute for legal advice. Individuals should seek their own independent advice if they are unsure about any aspect of the **Local Government Act** in relation to the election period.

**Conflict of Interest Declaration Form
(Councillors)**


Councillor's name:		Meeting type:	
Meeting date:		Agenda item number and title:	
Nature of conflict of interest (see definitions on next page): ☐ GENERAL conflict of interest ☐ MATERIAL conflict of interest			
Description of the conflict of interest			
Does the nature of the conflict of interest involve your relationship with, or a gift from another person/organisation? YES ☐ NO ☐			
If you answered YES, please complete the following section			
Name of other person/organisation			
Nature of relationship with the other person/organisation or date of receipt, value and type of gift received from the other person			
Nature of other person/organisation's interest in the matter			

Councillor's Signature	Received BEFORE the meeting by	Received AT the meeting by
Date	Date Time	Date Time

Information Privacy

The personal information collected on this form will be kept secure and handled in accordance with Council's Information Privacy Policy and the Privacy and Data Protection Act 2014.

Conflict of Interest Declaration Form (Councillors)



Disclosure of a Conflict of Interest at a Council Meeting under Clause 4.3 of the Governance Rules a Councillor with a conflict of interest in an item on a Council Meeting agenda must indicate they have a conflict of interest by clearly stating:

- (a) The item for which they have a conflict of interest; and
- (b) Whether their conflict of interest is general or material; and
- (c) The circumstances that give rise to the conflict of interest.

The Councillor shall complete a Conflict of Interest Declaration in writing and pass this on to the Manager Governance Safety and Property

Immediately prior to the consideration of the item in which they have a conflict of interest, they must indicate to the meeting the existence of the conflict of interest and leave the meeting.

Definitions – *Local Government Act 2020*

GENERAL conflict of interest	GENERAL conflict of interest under section 127(1) of the Act means that you have a general conflict in a matter if an impartial, fair-minded person would consider your private interests could result in you acting in a manner that is contrary to your public duty. Private interests under section 127(2) means that your direct or indirect interest does not derive from your public duty and does not include an interest that is only a matter of personal opinion or belief. Public duty under section 127(2) of the Act means your responsibilities and obligations to members of the public in your role.
MATERIAL conflict of interest	MATERIAL conflict of interest under section 128(1) of the Act means you have a material conflict of interest in respect of a matter if you would gain benefit or suffer a loss depending on the outcome of the matter. The benefit of the loss under incurred under section 128(2) may be: (a) Directly or indirectly; (b) In a pecuniary or non-pecuniary form. Affected person under section 128(3) means yourself, your family member, a body corporate of which you or your spouse or domestic partner are a Director or a member of the governing body, your employer unless they are a public body, your business partner, a person for whom you are a consultant, contractor or agent, a beneficiary under a trust or an object of a discretionary trust of which you are a trustee, a person from whom you have received a disclosable gift. Disclosable gift under section 128(4) of the Act means one or more gifts with a total value of, or more than, \$500 or if an amount is prescribed for the purposes of this subsection, the prescribed amount, received from a person in the five years preceding the decision on the matter: (a) If you held the office of Councillor, member of Council staff or member of a delegated committee at the time the gift was received (b) If the gift was, or gifts were, or will be, required to be disclosed as an election campaign donation But does not include the value of any reasonable hospitality received by you at an event or function that you attended in an official capacity as a Councillor, member of Council staff or member of a delegated committee.
Exemptions	Exemptions under section 129 of the Act means that a conflict of interest does not arise if: (a) The conflict of interest is so remote or insignificant that it could not be reasonably regarded as capable of influencing your actions or decisions in relation to the matter (b) The interest that would give rise to a conflict of interest is held in common with a substantial proportion of the residents, ratepayers or electors of the municipal district and does not exceed the interest held by the other residents, ratepayers or electors (c) You do not know the circumstances that give rise to the conflict of interest and could not be reasonably expected to know those circumstances (d) The interest only arises because you are a representative of the Council on a not-for profit organisation that has an interest in the matter and you receive no personal advantage from the not-for-profit organisation (e) The interest only arises because a family member is a member but not an office-holder of a not-for-profit organisation (f) The interest only arises because you are a member of a not-for-profit organisation that has expressed an opinion or advocated for an outcome in regard to the matter (g) The interest arises in relation to a decision by a Councillor on a matter or in a circumstance that is prescribed to be exempt by the regulations.
Matter	Matter under Section 126 of the Act means a matter which a Councillor, delegated committee, community asset committee or a member of Council staff is concerned and that will require: (a) A power to be exercised, or a duty or function to be performed, or a decision to be made, by the Council, delegated committee or community asset committee in respect of the matter (b) A power to be exercised, or a duty or function to be performed, or a decision to be made by a member of Council staff in respect of the matter.
Family member	Family member under Section 126 of the Act means your spouse or domestic partner, a parent, grandparent, sibling, child, grandchild, step-parent, step-sibling or step-child.

Appendix 2

Approval Memorandum



To: Manager Governance Safety & Property who does this go to?

From: [insert name and title]

Subject: CERTIFICATION OF PUBLICATION DURING ELECTION PERIOD

Date:

Council will not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill pamphlet or notice (including group emails) during the election period unless the advertisement, handbill, pamphlet or notice has been approved, in writing, by the Chief Executive Officer.

In accordance with the Election Period Policy, Council further commits that where a publication is deemed necessary for a Council service or function, it will be approved by the Chief Executive Officer

Insert details of publication here including information on who is intended to receive it and why it needs to be issued during the election period.

Council Officer

Name:	Signature	Date

General Manager Use only:

The attached material has been reviewed and, to the best of my knowledge, does not contain any electoral related matter. Please authorise this material to be printed, published or distributed.

GM Name:	Signature	Date

Governance review:

The attached material has been reviewed and, to the best of my knowledge, does not contain any electoral related matter.

Name:	Signature	Date

Certification by Chief Executive Officer

I approve the attached material for printing, publishing or distributing on behalf of Cardinia Shire Council.

CEO Name:	Signature	Date

Draft Governance Rules – Summary of Changes – April 2026

Section	Current Rules (Clause)	Draft Model Rules (Clause)	Comments
Part 4 – Meeting administration 16. Additional Council Meeting	3.8	16	Removed reference to Special Council Meeting to reflect current language of Additional Council Meeting
Part 4 – Meeting administration 18. Emergency Meeting changes	Not included	18	Included Emergency Meeting Changes
Part 4 – Meeting administration Division 2 – Business of meetings 21. Notices of Motion	3.18	21	Provides clarity when a report from officers is needed if it meets certain criteria.
Part 4 – Meeting administration Division 2 – Business of meetings 22. Notices of rescission	3.22	22	No material change
Part 4 – Meeting administration Division 2 – Business of meetings 23. Urgent Business	3.21	23	Provides clarity when a report from officers is needed if it meets certain criteria.
Part 4 – Meeting administration Division 3 - Physical and Remote attendance 24. Mode of attendance	3.1	24	Must seek CEO's approval to attend remotely.
Part 4 – Meeting administration Division 3 - Physical and Remote attendance 25. Meetings conducted remotely	3.1	25	Change to include ability to adjust applications of rules or order of business in a meeting conducted remotely.
Part 4 – Meeting administration Division 4 – Minutes of meetings 26. Form and availability of minutes	3.40, 3.41, 3.42	26	Improvement and clarity on what will be included in minutes and process of confirmation of minutes.
Part 5 - Public Participation in meetings	Division 5		Updated title from 'Visitors and behaviour' to "Public Participation in meetings"

Draft Governance Rules – Summary of Changes – April 2026

Section	Current Rules (Clause)	Draft Model Rules (Clause)	Comments
Part 5 - Public Participation in meetings Division 1 - Terms of entry into Council meetings 28. Terms of entry into Council meetings	3.43 3.44 3.45 3.46 3.47 3.48	28.1, 28.2	Addition of Terms of Entry into Council meetings
Part 5 – Public Participation in meetings Division 2 - Public Question Time	Division 6 – Community Question Time		Updated title, from 'Community Question Time' to 'Public Question Time'.
Part 5 – Public Participation in meetings Division 2 – Public Question Time <i>29. Receiving public question time submissions</i>	Division 6 – Community Question Time	29	Includes explicit details in respect of receiving questions.
Part 5 – Public Participation in meetings Division 2 - Public question time 30. Treatment of public questions in the Council meeting	Division 6 – Community Question Time	30	Includes explicit details in respect of treatment in the meeting.
Part 5 – Public Participation in meetings Division 3 - Submission 31. Receiving submissions	Not included	31	Not included in current Rules.
Part 5 – Public Participation in meetings Division 4 – Petitions 32. Petitions	Not included	32	Includes explicit details in respect of receiving petitions.
Part 5 – Public Participation in meetings Division 4 - Petition 33. Meeting procedures for receiving petitions	Not included	33	Includes explicit details in respect of treatment of petitions in the meeting.

Draft Governance Rules – Summary of Changes – April 2026

Section	Current Rules (Clause)	Draft Model Rules (Clause)	Comments
Part 6 – Council meeting procedures Division 2 - Expected meeting behaviour 38. Addressing the meeting	3.43 3.44 3.45 3.46 3.47 3.48	38	Introduction of meeting conduct standards for both councillors and public.
Questions directed to Council staff	3.53 Reply to subsequent meeting	N/A	Remove this section: 'Any member of Council staff to whom a question is directed will have a right to reply to a subsequent meeting of the Council.' As questions directed to officers are taken on notice if they can't be answered at the time and not brought back to a subsequent meeting.
Part 6 – Council meeting procedure Division 4 – Debate	Division 3 - Debate	43, 44, 45, 46, 47, 48, 49, 50, 51, 52	More comprehensive on altering, amending, withdrawing, foreshadowing and separating and combining motions.
Division	3.31	N/A	Removed. Division no longer exists as covered by voting and requirements to record for and against for every motion.
Part 6 – Council Meeting procedure Division 6 – Procedural Motions 58. Procedural motions	Not included	58	Procedural Motions not included in current rules.
Part 6 – Council Meeting procedure Division 7 - Points of Order	3.33 3.33 3.34 3.35	59, 60, 61, 62	Clearer valid points of order and inclusion of procedure to raise a point of order.
Part 6 – Council Meeting procedure Division 9 - Miscellaneous	Not included	66, 67, 68, 69, 70, 71	Inclusion of meeting break and time limits for meetings. Improved procedure on suspending standing orders. Inclusion of provision for the CEO to make a statement in the meeting.
Part 7 – Conflicts of Interest 74. Disclosure when not in attendance at a meeting	Not included	74	Inclusion that must make declaration that you are entitled to attend but did not attend due to the Conflict of Interest.
Part 9 – Community Asset Committees	Chapter 7	81,82,83	Clearer language on the governance rules applying to these committees. Removal of comment that Council can resolve they don't apply for CAC's and removal that minutes of the committees must be reported to Council.

Draft Governance Rules – Summary of Changes – April 2026

Section	Current Rules (Clause)	Draft Model Rules (Clause)	Comments
Part 10 – Council elections 85. Election Period policy	Chapter 8	84,85	• New clarity and accountability in roles and responsibilities. • New control & probity around staff as candidates. Mirrors Act's prohibited decisions and codifies them; adds a broad list of "significant decisions" to be avoided (e.g., plan/policy adoptions, local laws, budget, borrowings, rates, grants, major scheme amendments, road discontinuance). • New guidance to officers acting under delegation—how to assess urgency/financial repercussions/controversy; consult CEO where uncertain. • Move from "suspend meetings" to "run with constraints". • Tighter: no s223 public consultation during the period; only operational/low-risk engagement allowed. • New operational control on signage. Not in current policy. • New section on External elections (Councillors running for State/Federal etc.)

7.1.2 OPTIONS FOR INVESTMENT ADVISORY COMMITTEE

Responsible GM:	Wayne Mack
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5. Responsible Leaders 5.3 Long term financial sustainability - We manage Council's resources prudently and efficiently to ensure long-term financial sustainability.

Recommendation

That Council:

1. In response to Council Plan Item 5.13 establishes a committee with Senior Officers and up to three Councillors, including the Mayor of the day;
2. Appoints the Mayor and Cr <insert name> and Cr <insert name> to the committee; and
3. Confirms that appointments will be reviewed on an annual basis with existing Council Committees.

Executive Summary

This report provides the first steps in responding to two Council Plan initiatives in the 2025-29 Council Plan which are focused on actions Council can take to support achieving long term financial sustainability.

The two specific Council Plan Initiatives are:

- **5.13 Investment Body**
Develop an Investment Policy and Advisory Committee to guide potential investment and revenue opportunities.
- **5.14 Investment Body**
Identify, assess and implement alternative revenue and investment opportunities.

The report recommends establishing a committee with Councillors and Senior Officers to progress work on potential investment and revenue opportunities.

Background

Council's long term financial planning has identified a need to consider alternative revenue sources and strategies to support them.

The development of the Council Plan 2025-29 identified two initiatives to identify, assess and guide potential investment and revenue opportunities.

Discussion

Officers have considered various options for the establishment of an Advisory Committee to ensure it is best placed to deliver on the objectives of the Council Plan Initiative. This included seeking advice from respected lawyers with extensive Local Government experience in relation to investment and developments.

These options included:

- Council Committee with limited/no financial delegation
- Delegated Committee established under section 63 of the *Local Government Act 2020*

- Beneficial Enterprise/Special Purpose Vehicle
- No Committee
- Working Group

The options have been assessed with consideration given to:

- Legal advice received
- Broad intent of Council established through the development of the Council Plan initiative
- Likely options available to Council to generate alternate revenue through investment

Based on these considerations, officers recommend that the establishment of the Advisory Committee is through an internal committee comprised of Councillors and officers.

This will enable opportunities and strategic discussions to happen sooner, particularly as a range of opportunities have been identified that require further consideration and do not require input from external committee members at this time.

The establishment of the internal committee will reduce the expense or time of establishing an Advisory Committee with external members on it. It also maximises the opportunity to use funding to specific advice and opportunities, rather than to fund external committee members.

It is proposed that the working group meets bi-monthly (and more frequently when required) with the following membership:

- Councillors (Mayor of the Day plus 2 Councillors)
- General Manager Corporate Services
- Chief Financial Officer
- Manager Governance, Safety and Property
- Coordinator Property Services

It is recommended that when a particular investment opportunity is identified, the Committee would consider the most desirable legal structure required to pursue that opportunity. This would be undertaken on a case-by-case basis and will depend on various factors such as the nature of the investment and the risk profile associated with the investment opportunity. Each investment opportunity identified by the committee may require a different legal structure to be established, examples of which include:

- Council in its own capacity
- Corporation
- Trust
- Joint Venture

In 2023/24 Council undertook an Alternative Revenue Streams project. This project identified potential revenue opportunities, relevant projects can be explored further in response to these Council Plan Initiatives. Many of the opportunities were reviewed and considered in further detail, with some unable to progress past the feasibility stage of consideration. A review of this would be an important discussion once the committee is established.

Another important conversation for the committee will be the opportunity for strategic purchases of land associated in PSP areas as both an investment and DCP shortfall risk management opportunity for Council. A review of acquisition successes and opportunities for improvement from a revenue generation perspective will also be an important consideration.

A review of the existing Investment Policy will also be undertaken.

Policy Implications

- Investment Policy 2020
- Financial Reserves Management Policy 2025
- Long Term Financial Plan 2025/26
- Property Strategy 2022
- Lease and Licence Policy 2022

A review of the Investment Policy will be undertaken and consideration on the need for a new Strategic Investment Policy will form part of this review.

Financial and Resource Implications

There are no immediate financial resources required to progress this initiative.

It is noted that \$30,000 has been included in the draft 2026/27 budget from the Council Plan Initiative budget allocation to fund the work of this committee.

Establishing an internal committee rather will provide a saving in payments to professional external members.

Project or investment specific funding would be subject to separate decisions, consistent with normal Council processes.

Consultation/Communication

Consultation has been outlined in the discussion section of the report. There is no community consultation or engagement required in establishing an internal committee with Councillors and Officers. Identified projects may require consultation in line with Council's Community Engagement Policy.

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the *Gender Equality Act 2020*. It was determined that a Gender Impact Assessment (GIA) was not required as the subject matter of this report does not relate to a policy, program or service that has a direct or significant impact on the community.

Attachments

Nil

7.1.3 NOTICE OF MOTION 1118 - REPORT RESPONSE - TRANSPORT AND MOVEMENT IN OFFICER

Responsible GM:	Ana Caicedo
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	1. Thriving Communities 1.5 Safe and accessible places - We plan for, provide and maintain safe, inviting and accessible public spaces and places, to promote pride of place and improve wellbeing. 2. Vibrant Places 2.3 Road network - We partner with agencies to plan, deliver and maintain an integrated transport network that supports connected communities into the future. 2.4 Road advocacy - We advocate for State and Federal Governments for increased investment in infrastructure for all modes of transport, public transport infrastructure and services, and enhanced road safety treatments. 2.7 Advocacy growth/funding - We advocate for fair and equitable funding to ensure Cardinia is equipped with the infrastructure and services needed to support our existing and growing population, accommodate increases in housing and employment, and help our community to thrive as a connected, sustainable and inclusive place to live.

Recommendation

That Council:

1. Notes the deep concerns regarding the closure of the Station Street level crossing without the delivery of the North South Arterial Road, have been communicated to the State Government and relevant agencies on numerous occasions by officers.
2. Notes the Mayor and CEO have met with relevant stakeholders at the State level to advocate on behalf of the community, emphasising the urgent need for the Department of Transport and Planning to commit to a funding and construction timeline.
3. Notes persistent and ongoing advocacy efforts by Council will continue to request the State Government fulfills its responsibility to deliver this critical infrastructure and mitigate the safety and traffic impacts currently being felt by the Officer community.

Executive Summary

The Officer North South Arterial Road is a critical link in the Officer road network. The road is required to support safe and efficient movement between Princes Highway and the Princes Freeway and to provide the arterial road connection to the Officer South Employment Precinct.

The State Government through the Department of Transport and Planning is responsible for funding and delivering the project. Although the Officer Precinct Structure Plan anticipated the delivery of this road before the closure of Station Street level crossing, the crossing was closed in 2024 without the new arterial road in place. DTP recognises the project as a regional priority but has not confirmed a timeframe for project scoping, funding, or delivery.

Council continues to advocate strongly for the project, supported by traffic data showing the increased volumes and speeds of vehicles on local roads following the Station Street level crossing closure. Further traffic counts will be undertaken when developer works on the north side of Princes Highway are complete.

Background

Notice of Motion 1118

At the Council Meeting on 15 September 2025, Notice of Motion 1118 was moved by Cr Potter and carried with unanimous support. The Motion requested a report to Council addressing:

- a) Precinct Structure Plan and Development Contributions Plans (PSP/DCP) requirements for a future arterial road in Officer
- b) Advocacy work done to date
- c) Opportunities to progress prioritisation and delivery by State Government
- d) Further traffic counts and analysis on traffic movement are conducted within the Officer area on completion of Starling Street stage two works

This report responds to these matters.

Discussion

North South Arterial Road

The Officer Precinct Structure Plan (PSP) establishes the future road network needed to support safe and efficient movement through the Officer Precinct. The Officer North South Arterial Road is a key part of the planned road network and will provide the main arterial road connection to and from Princes Highway through the existing signalised intersection with Bayview Road. The Officer North South Arterial Road will then cross over the railway corridor with a new road bridge and connect to the existing signalised intersection of Officer South Road with Rix Road and Bridge Road. From this intersection, Officer South Road provides the main arterial road connection to and from the Princes Freeway as well as the Officer South Employment Precinct area further south.

Role in Precinct Structure Plan Road Hierarchy

The Officer North South Arterial Road will provide the primary road connections with Princes Highway and the Princes Freeway (via Officer South Road) and will ultimately consist of up to four traffic lanes to accommodate up to 30,000 vehicles per day with a likely speed limit of 80 km/hr. The road will also provide the primary grade-separated crossing of the railway corridor for the Officer Precinct via a new road-over-rail bridge.

Brunt Road provides a secondary road connection with Princes Highway and consists of two traffic lanes to accommodate up to 12,000 vehicles per day with a speed limit of 60 km/hr.

Siding Avenue is intended as the future main street of the activity centre and should ultimately carry around between 7,000 and 10,000 vehicles per day with an ultimate speed limit of 40 km/hr due to high pedestrian volumes.

Delivery Responsibility, Funding and Timing

The State Government through The Department of Transport and Planning (DTP) is responsible for funding and delivering the Officer North South Arterial Road.

The Officer Precinct Structure Plan identified the delivery of the North South Arterial Road as a longer-term project that was to be delivered before the closure of the existing Station Street level crossing. However, in May 2024 the State Government closed the Station Street level crossing without delivering the North South Arterial Road.

The State Government is yet to announce when it will fund the construction of the Officer North South Arterial Road.

Council Advocacy and Opportunities to Progress Delivery by State Government

Prior to the closure of the Station Street level crossing in May 2024, Council strongly advocated to both the Level Crossing Removal Project (LXRP) and the Department of Transport and Planning (DTP) for the Station Street level crossing to remain open until the Officer North South Arterial Road was constructed. This would have maintained three road crossings over the rail line in accordance with the Officer PSP. However, this approach was not supported by LXRP or DTP and the Station Street level crossing was closed to meet the State Government's commitment to remove all level crossings on the Pakenham rail line by 2025.

Council officers have since continued to advocate to DTP to elevate the Officer North South Arterial Road to a high priority project in their forward planning and project pipeline. In support of this, Council officers have emphasised the strategic importance of this missing arterial road and presented traffic count data to show the impacts of the Station Street level crossing closure on the surrounding local road network.

DTP has acknowledged the Officer North South Arterial Road as a priority project for the region however DTP does not currently have a confirmed timeframe to secure funding for the design and deliver of the project. Council officers will continue to advocate to DTP for delivery of the Officer North South Arterial Road to improve access through Officer and improve safety and reduce congestion on the existing local road network managed by Council. The project has also been included for consideration within Council's Advocacy Framework priorities.

Traffic Count Update

Traffic counts across the Officer Precinct show an increase in traffic volumes on Council collector roads following the closure of Station Street in the absence of the North South Arterial Road.

Traffic volumes on Siding Avenue are approaching 10,000 vehicles per day which is above the intended ultimate traffic volume for Siding Avenue which should ultimately become a pedestrian-focused main street at the heart of the Officer Town Centre. Additionally, the 85th percentile speed is currently above the 50 km/hr speed limit presenting increased risks for vulnerable road users including pedestrians and cyclists. Council officers have raised this with Victoria Police for enforcement action.

Council officers will continue to monitor traffic conditions across the Officer precinct as development continues. Further traffic counts will be undertaken when developer road works on the north side of Princes Highway are complete.

Financial and Resource Implications

The absence of the Officer North South Arterial Road is contributing to higher traffic volumes, higher traffic speeds, and an increased proportion of heavy vehicles on the local road network. This is causing the local roads to wear faster than expected. This will require Council to bring forward future road maintenance and renewal expenditure.

Climate Emergency Consideration

Higher traffic volumes, higher traffic speeds, and an increased proportion of heavy vehicles are reducing the perceived safety of the local road network and discouraging more sustainable transport modes such as walking, wheeling and cycling.

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the *Gender Equality Act 2020*. It was determined that a Gender Impact Assessment (GIA) was not required

as the subject matter of this report does not relate to a policy, program or service that has a direct or significant impact on the community.

Attachments

Nil

7.1.4 LOCAL STREET SEALING INITIATIVE (LSSI) PROGRAM

Responsible GM:	Ana Caicedo
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	2. Vibrant Places 2.2 Annual capital project planning - We identify and deliver capital projects that provide and renew public infrastructure. 2.3 Road network - We partner with agencies to plan, deliver and maintain an integrated transport network that supports connected communities into the future. 2.4 Road advocacy - We advocate for State and Federal Governments for increased investment in infrastructure for all modes of transport, public transport infrastructure and services, and enhanced road safety treatments. 2.9 Asset planning and management - We manage assets on behalf of the community to sustainably deliver services with the optimal balance of whole of life costs and performance.

Recommendation

That Council:

1. Adopts the proposed assessment and weighting criteria for the proposed *Local Street Sealing Initiative (LSSI)* program as Council's endorsed framework for establishing the order of priority to guide initial engagement and consultation with affected property owners;
2. Endorses the approach to plan, assess, and investigate potential schemes in accordance with the adopted priority sequencing, with the outcomes of property owner consultation and investigations presented to Council for consideration; and
3. Confirms the continuation of the bi-annual recurring budget allocation to support the ongoing preparation, consultation, and delivery of the LSSI program.

Executive Summary

Cardina Shire Council manages a substantial unsealed road network that generates costly ongoing ad-hoc maintenance, in some instances, presents challenges in meeting community expectations.

The Local Street Sealing Initiative (LSSI) program introduces a structured, prioritised and financially sustainable framework to guide engagement and consultation with affected property owners, with the objective of progressively reducing the extent of unsealed roads and improving overall satisfaction levels.

The program is supported by a recurring bi-annual budget allocation within Council's Capital Works Plan, delivered under Special Charge Schemes. The implementation, timing, and funding of individual projects remain subject to demonstrated community support and endorsement through Council's annual budget process.

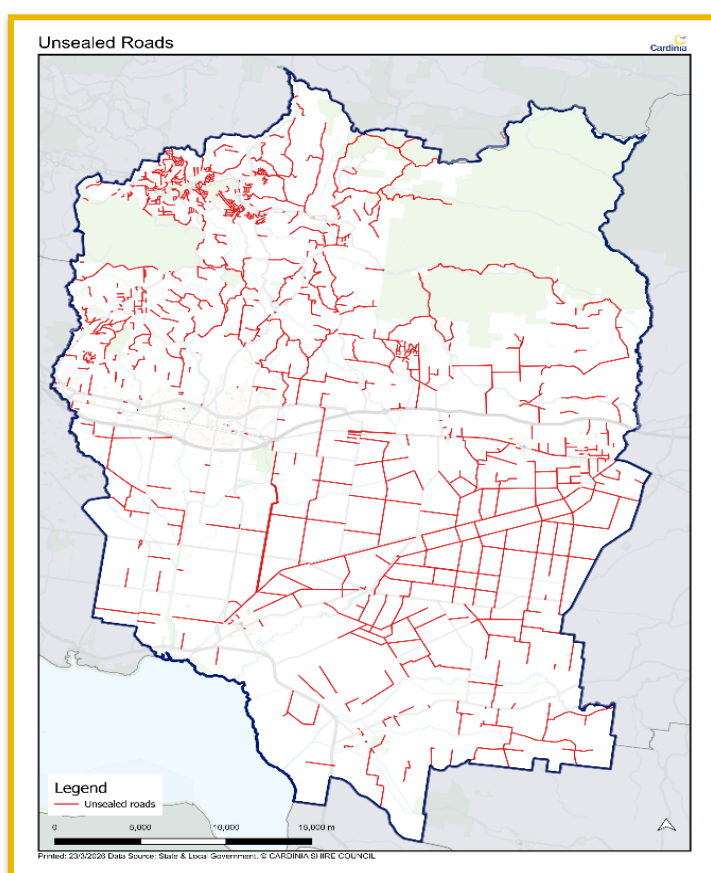
To support affordability and long-term value, an optimised construction standard that tailors road and drainage designs to local conditions while maintaining compliant safety standards, durability and long-term performance across the lifecycle of Council-managed assets.

Background

In January 2023, the Federal Government advised Council that it had withdrawn its \$109 million funding commitment to the *Sealing the Hills* program. This decision led to an increase in community requests for sealing unsealed residential roads in the Dandenong Ranges and surrounding townships currently managed on an ad hoc basis through Council's limited budget.

Maintaining Council's unsealed road network that represents a scale of 831 kilometres (as shown in Figure 1) has become increasingly demanding. Existing resource limitations affect Council's ability to maintain a level of service that meets growing community expectations. The network continues to experience surface degradation, dust impacts, restricted emergency access, and broader amenity issues, creating ongoing operational, financial, and service-delivery challenges.

Table 1. Map of Council's unsealed road network (residential and non-residential roads)



Discussion

In response, officers are proposing a structured prioritisation framework designed to guide initial engagement and consultation with affected property owners ensuring an orderly, transparent and equitable delivery of road upgrades throughout the shire.

Scheme Prioritisation Methodology

The Scheme Prioritisation Methodology establishes the framework for determining the order of priorities for the *Local Street Sealing Initiative (LSSI)* program and supersedes the previous methodology adopted by Council on 16 March 2020 for the *Sealing the Dandenong Ranges and Surrounds* program.

The methodology sets out the order in which new Special Charge Scheme (SCS) proposals will be presented to Council for consideration, with funding subject to Council approval through the forward Capital Works Program. The methodology aligns with Council's asset management framework and long-term financial sustainability objectives by prioritising unsealed residential roads where sealing is expected to reduce ongoing maintenance requirements and associated whole-of-asset costs across the unsealed road network.

In accordance with Section 7 of the Special Rate and Charge Scheme Policy (2020), the prioritisation criteria is required to be periodically reviewed and submitted to Council for approval as the preferred sequence for scheme development. Once adopted, the methodology forms the endorsed priority sequence for future scheme development and implementation, subject to annual budget and resource considerations.

The methodology applies to Council-maintained unsealed residential roads with a minimum density of 25 lots per kilometre. Eligible roads are assessed using a shire-wide, data-based, risk-weighted framework that determines an indicative priority score on a scale of 1 to 4 to set the relative order of consideration under the LSSI program.

Higher scores are ranked and considered in accordance with the risk-weighted framework. The framework considers estimated resident contribution costs at 50%, maintenance effort at 30%, bushfire and emergency evacuation considerations at 15% and resident enquiry volumes at 5%, supporting a consistent and equitable approach to prioritisation across the municipality.

A road-by-road delivery model has been adopted to minimise the risk of scheme non-progression, reduce upfront investigation and design costs, and enable the delivery of smaller projects within available budget allocations.

As part of the review, Council officers have assessed the program against the following detailed criteria outlined below.

- ***Estimated Residential Contribution Cost – 50% weighting***

Affordability of resident contributions is a key constraint affecting the feasibility of Special Charge Scheme (SCS) projects. Roads with lower estimated contribution costs are generally more likely to gain community support and progress to implementation. Accordingly, contribution cost forms a significant component of the program's prioritisation criteria.

Under *Sealing the Hills* program, Federal Government funding enabled resident contributions to be capped at \$7,000 per property. This affordability benchmark was instrumental in securing a strong level of community support and successful scheme delivery, and it now serves as an indicator of what many residents consider reasonable and achievable.

To balance affordability with safety, durability and long-term asset performance, the proposed program considers an optimised construction standard. This approach enables road and drainage treatments to be tailored to local site conditions, environmental constraints and community needs, ensuring each road receives the most appropriate and cost-effective design. Additional Council contributions may be considered where drainage infrastructure services significant upstream catchments.

Under this optimised standard, construction costs are estimated at \$900 per metre or less, reducing indicative resident contributions to approximately \$7,000 to \$35,000 per property. Additional Council contributions may need to be considered where roads service

large upstream drainage catchments or deliver broader strategic benefits to the road network.

This facilitates a substantial improvement in affordability and supports the broader objectives of the Council Plan 2025-2029, particularly the Road Improvement Plan initiative.

- **Maintenance Effort Score – 30% weighting**

The maintenance effort scoring component prioritises roads that place the highest ongoing maintenance burden on Council, based on a nine-year assessment of average maintenance effort across the unsealed road network.

Unsealed roads require frequent grading, periodic resheeting and continued drainage repairs due to surface wear, and sediment displacement, particularly following wet weather in steep or vegetated areas. Inadequate drainage accelerates pavement deterioration, driving reactive maintenance effort and operational costs, consistent with findings of the Civil Maintenance Service Review Plan 2025. These demands place sustained pressure on Council resources and limit capacity to meet broader service needs.

Sealing roads reduces sediment erosion, improves drainage, and lowers grading and re-sheeting requirements, thereby extending asset life and easing operational demand. Grassed swale drains will be retained where feasible to slow stormwater, support infiltration and reduce flooding. However, site constraints, particularly in areas with large upstream catchments, necessitate road-specific assessment to determine suitable drainage treatments.

- **Bushfire and Emergency Services Evacuation – 15% weighting**

The bushfire and emergency service access criterion prioritises residential roads that play a critical role during bushfire and emergency events. Roads servicing properties within the Bushfire Management Overlay (BMO) are given higher weighting, with those providing primary access routes ranked the highest due to their essential role in evacuation and emergency response.

Sealing unsealed roads enhances emergency access and evacuation reliability during bushfire and extreme weather events. Sealed surfaces:

- provide more predictable travel conditions for residents and emergency services by reducing dust, and surface degradation that may impede visibility and vehicle movement, particularly during high-risk periods
- improve drainage performance, helping maintain road accessibility following heavy rainfall, reducing the likelihood of washouts and blockages that may delay response times
- enhance community safety, particularly for vulnerable residents living in high-risk areas of the Shire.

- **Resident Enquiry Volumes – 5% weighting**

The resident enquiries criterion prioritises roads that have generated the highest number of service requests over the past seven years. This measure captures locations where the current level of service is not meeting community expectations and where unsealed road conditions are contributing to ongoing dissatisfaction.

Sealing these roads is expected to substantially reduce enquiries related to dust, potholes, drainage issues and general road condition concerns. A sealed surface provides greater durability, improved drainage performance and fewer recurring defects, thereby, reducing the need for repeated grading, maintenance intervention and reactive service requests. Reducing enquiries will enhance service levels for affected communities and support more efficient utilisation of Council's maintenance resources.

More broadly, Council's prioritisation methodology is based on an adopted Council policy that applies uniform and consistent assessment criteria across all Council-maintained unsealed residential roads within the Shire. The methodology is consistent with the requirements of the Local Government Act, and reflects contemporary practice across comparable Victorian councils, including Mornington Peninsula Shire, Surf Coast Shire and Yarra Ranges. The application of measurable and objective criteria including community benefit, equity, maintenance demand, emergency access and resident enquiries provides a transparent and defensible basis for decision-making, consistent with established asset-management principles.

The program establishes a consistent, shire-wide approach for the planning and management of unsealed residential roads to meet the needs of current and future communities. It aligns with Council Plan initiatives 2.2 (Annual capital project planning), 2.9 and 2.10 (Asset planning and management), and 2.11 (Road and asset works) by applying a prioritised, data-based framework under the Local Street Sealing Initiative (LSSI) to guide sustainable investment decisions and the orderly sequencing of proposed residential road schemes.

Although alternative prioritisation models exist, including catchment-wide models with higher contribution thresholds, these options present greater implementation risk and reduced alignment with Cardinia's financial, operational and strategic frameworks.

The road-by-road methodology aligns with program objectives and Council's obligations to ensure sound financial management and equitable service delivery, and any community petitions to be considered in accordance with the adopted prioritisation framework. Accordingly, the adopted approach represents the most appropriate, transparent and administratively defensible prioritisation framework for the Shire.

Policy Implications

The proposed Special Charge Scheme (SCS) program to seal residential roads has been developed in accordance with the provisions of the *Local Government Act 2020* and Cardinia Council's Special Rate and Charge Scheme Policy 2020. It is based on community benefit, safety, and property owner support.

Section 163 of the *Local Government Act 2020* provides that Council may not recover a greater portion of the cost of the works than calculated in accordance with the statutory 'benefit ratio' under Section 5.2 of the Special Rate and Charge Scheme Policy 2020 and in accordance with Section 163(2) of the *Local Government Act 2020*.

Financial and Resource Implications

Council may need to resolve the program's annual funding allocation through the recurring budget process at the annual budget adoption. Where applicable, funding may be sourced from Council's capital budgets, externally secured grants, and/or other Council-approved funding streams available at the time of deliberation. This approach maintains transparency and prudent financial management within established budget controls.

Financial contributions for each scheme will be determined on a road-by-road basis and submitted to Council for resolution prior to commencing the statutory process. While upfront Council funding may be required for design and statutory phases, sealing the priority unsealed roads is expected to yield long term gains, with capital outlays partially offset by reduced maintenance requirements. All scheme development and preparations are to be carried out in accordance with the *Local Government Act 2020* and Council's Special Rate and Charge Scheme Policy 2020.

Program delivery timeframes will need to account for Council's resourcing capacity, noting the statutory phase typically requires six to nine months per road. Dedicated and permanent resourcing may need to be considered to ensure consistent scheme preparation, and delivery to support program acceleration where Council resolves to advance priority roads, thereby safeguarding timelines and internal controls.

Climate Emergency Consideration

The road sealing SCS projects will consider climate emergency reduction measures such as:

- minimising tree removal through innovative road design
- use of LED lighting to reduce energy emissions
- utilising local contractors and local road & drainage construction materials to minimise travel investigating the reuse and use of recycled road construction materials

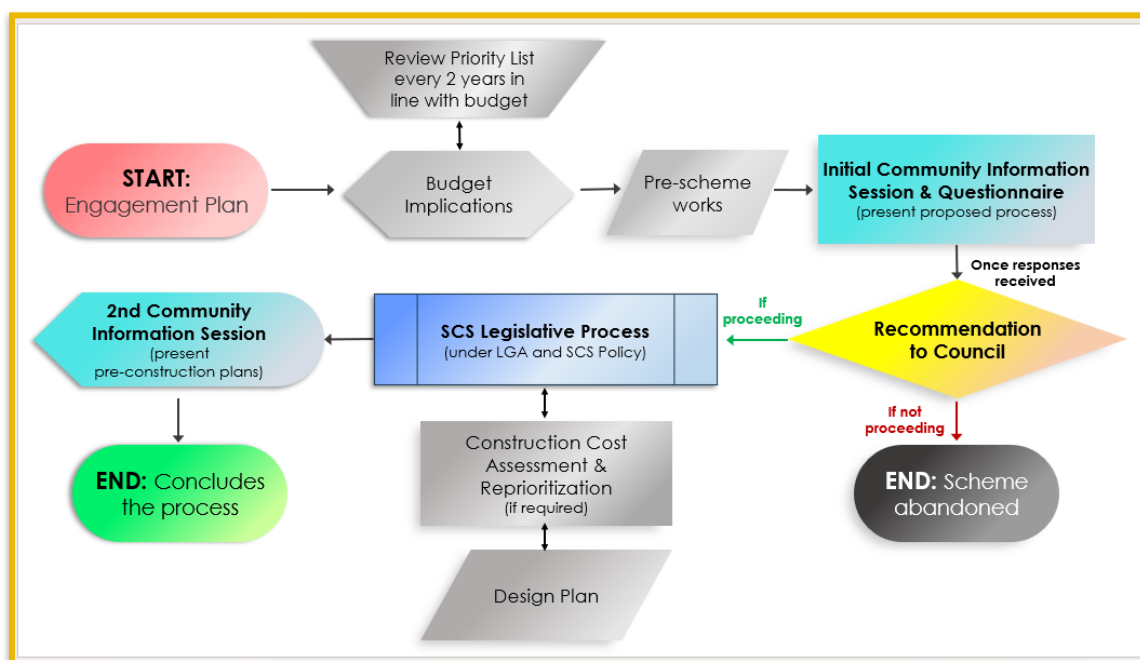
Consultation/Communication

Council will commence engagement by providing clear, program level information, including frequently asked questions and interactive mapping illustrating indicative scheme timeframes, prior to seeking any formal consultation with affected property owners.

Following this, initial correspondence will be issued to the affected property owners consistent with the endorsed prioritisation methodology. As individual schemes receive property owner support and approval from Council, road specific information outlining the proposed scope of works and estimated costs will be provided to affected property owners.

Prior to recommending that a scheme proceed, Council will undertake reasonable steps to obtain responses from the majority of affected property owners. Where a majority response is not achieved following reasonable and practicable engagement, the matter will be referred to Council for resolution.

If endorsed, formal statutory consultation will then be undertaken, in accordance with the *Local Government Act 2020* and Council's adopted *Special Rate and Charge Scheme Policy 2020*. Payment terms and interests, together with the estimated cost-allocation, a description of the works, and a map outlining the scheme boundary will be provided to affected property owners to enable informed responses. The engagement process outlined in Figure 2, provides clarity to both Council and affected property owners for each proposed scheme.

Table 2. Engagement process flow chart for LSSI Program

Council may adjust indicative timeframes where required by statutory obligations, funding decisions, procurement lead times, seasonal constraints, or unforeseen site conditions. Any changes to sequencing or timing will be reassessed and communicated with updated milestones. Any petition received will be considered in the development of the revised *Special Rate and Charge Scheme Policy*, which is due to be submitted to Council later this year.

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the *Gender Equality Act 2020*. A Gender Impact Assessment (GIA) was completed as part of the engagement, planning and development of the *Local Street Sealing Initiative (LSSI)* program and identified the following key recommendations:

- **Inclusive and accessible engagement**
The LSSI program impacts a large number of residents and requires informed consent from affected property owners to establish Special Charge Schemes. Ensuring engagement activities are accessible and inclusive supports equitable participation and is consistent with Council's obligations under the *Gender Equality Act 2020*.
- **Strengthened financial hardship pathways and communication**
The affordability of property owner contributions presents a potential barrier to participation. Women, single parents, older residents, and people with disability are more likely to experience financial stress. Clear communication regarding hardship provisions and support options is therefore critical.
- **Minimisation of disruption during works**
Consideration of construction impacts is important to support residents with caring responsibilities, reduced mobility, or specific emergency access requirements.

Attachments

Nil

7.1.5 PAKENHAM REGIONAL TENNIS CENTRE LIGHTING UPGRADE PROJECT

Responsible GM:	Wayne Mack
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	2. Vibrant Places 2.2 Annual capital project planning - We identify and deliver capital projects that provide and renew public infrastructure. 2.5 Community and open space infrastructure - We plan, deliver and maintain recreation facilities, open spaces and places that support community connection and promote the health and wellbeing of the community.

Recommendation

That Council:

1. Approves the expenditure of \$300,000 for the Pakenham Regional Tennis Centre lighting project in the 2025/2026 capital program.
2. Notes that \$775,000 is allocated in the draft 2026/27 capital works program for the completion of this project.

Executive Summary

An onsite inspection at the Pakenham Regional Tennis Centre identified concerns regarding the safety of light poles. An independent lighting specialist was engaged to undertake structural assessments across all sports lighting poles and associated electrical infrastructure. Due to the safety risk identified, it was recommended that the centrally located lighting poles be removed. The assessment also identified that the remaining lights did not meet current safety or compliance standards.

The removal of the internal court light poles has reduced the lighting capacity at the facility. Courts cannot be safely used for competition, training, or recreational activities outside daylight hours. Night competitions and training have been unable to operate since the central court lighting was removed.

Professional assessments have further confirmed that the existing lighting infrastructure is not structurally suitable for reuse or to install different luminaires and requires full replacement. A detailed design package and cost plan for the lighting renewal project has been completed to guide project delivery.

Council officers have engaged with key stakeholders throughout the design process and provided regular project updates. The proposed lighting design has received formal support from the West Gippsland Tennis Association, the facility manager Aligned Leisure, and the State Sporting Association Tennis Victoria.

To accelerate project delivery, subject to Council endorsement, it is recommended that lighting luminaires be purchased within the current 2025/26 financial year. These components are subject to long lead times, and delayed procurement may result in extended project delivery timeframes.

The project is planned to continue into the 2026/27 financial year, including public tender, contractor appointment, and construction scheduled for that period.

Council officers will continue to work closely with stakeholders to minimise disruption to facility operation as much as possible throughout the project.

Background

Built in 2009, the Pakenham Regional Tennis Centre consists of eighteen (18) external courts, lit with pole mounted metal halide luminaires. Each court is lit by six (6) luminaires mounted on 7.5m high poles. Aligned Leisure manages the facility on behalf of Council under the Leisure Facilities Contract. The Pakenham Tennis Club relocated to the facility in 2021.

In September 2025, during an onsite inspection at the Pakenham Regional Tennis Centre, a leaning light pole was identified. A structural assessment confirmed that the pole's footing had failed, posing a significant public safety risk. The pole was removed as an immediate precaution.

Subsequent structural investigations of the remaining court light poles identified severe foundation defects affecting all the mid court light poles. With these poles at risk of potential failure, it was recommended that public access to the courts be restricted until their removal and make safe works complete. Upon receiving this advice, Council officers engaged a contractor to remove the mid-court poles within the week.

Independent reports from electrical contractors, structural engineers and lighting engineers concluded that the existing lighting infrastructure is unsuitable for reuse. Full replacement—including new poles, cabling and luminaires—is required. Alternative options, such as reinforcing or reusing existing footings, were explored; however, site investigations confirmed that the footings were undersized and structurally unsound.

Following the removal of the light poles, a lighting lux-level assessment confirmed that the remaining lighting does not meet the required standards for evening or night-time play. Consequently, night-time activities that rely on compliant lighting have ceased. Temporary lighting options were investigated but were deemed unviable due to cost, impacts on court availability, and the low likelihood of achieving the required lighting outcomes.

Council has worked closely with the Pakenham Tennis Club, West Gippsland Tennis Association, and Tennis Victoria throughout this period to minimise disruption and explore alternative venues to support evening competition and training. The Club has temporarily relocated their night competition to another venue; however, the facility is smaller and requires additional resourcing to accommodate all teams. Aligned Leisure's coaching program has been placed on hold while suitable alternative venues are considered.

Stakeholder consultation has continued throughout the investigation and design process. The proposed lighting design has received support from the West Gippsland Tennis Association, Facility Manager Aligned Leisure and Tennis Victoria.

Council acknowledges the impacts on the Club, Aligned Leisure, and the broader community resulting from the removal of the internal light poles and the future replacement of all lighting at PRTC, and will seek to deliver the project as quickly as practicable.

Discussion

Based on advice received from Council's insurance provider, night-time play at the Pakenham Regional Tennis Centre has been suspended. The Pakenham Tennis Club and West Gippsland

Tennis Association are seeking insurance clarification to support night-time activities to occur with the reduced lighting levels. Should the Association or Club be able to secure appropriate insurance coverage, Council will consider permitting night-time use under the current conditions.

Since the removal of the central light poles, Council officers have met regularly with key stakeholders Aligned Leisure, Pakenham Tennis Club, West Gippsland Tennis Association, and Tennis Victoria to discuss facility usage, project timelines, and the proposed lighting design.

To support stakeholder understanding of the lighting proposal, Council arranged a site visit to a tennis facility in Dandenong North that uses the same luminaires specified in the draft design. The visit was attended by Council officers, representatives from the Pakenham Tennis Club, and the West Gippsland Tennis Association.

Policy Implications

The lighting design and project aligns with the strategic priorities under the four key pillars of the Active Cardinia Strategy 2023:

1. Participation: Increase participation in sport and active recreation, with a focus on reducing barriers for people that are less active
2. Places: Plan, develop and activate places that support communities to participate in sport and active recreation
3. Promotion: Promote opportunities to participate in sport and active recreation, and build awareness of the benefits of physical activity
4. Partnerships: Work with our partners to invest in infrastructure, deliver participation opportunities and develop the capability of our community.

In addition to aligning with Council's Active Cardinia Strategy, the lighting project has been designed in accordance with Council's Sport Facility Standards and the relevant Australian Standards for sports lighting.

Financial and Resource Implications

A detailed lighting design and accompanying cost plan have been finalised. The current cost estimate for project delivery is \$1,075,000, which includes a 10% project contingency.

To support timely project delivery, early procurement of the luminaires in 2025/26 is recommended due to their extended lead times. Ordering the luminaires in the current financial year will minimise delays and allow the project to be delivered as soon as possible.

It is recommended that Council approves expenditure of \$300,000 in the 2025/26 capital works program to commence this project, noting that \$775,000 is proposed in the draft 2026/27 capital works program.

Climate Emergency Consideration

The design has been prepared using energy-efficient LED lighting technology, which significantly reduces power consumption compared to traditional systems. This approach supports Council's Climate Emergency Action commitments by lowering operational energy use, reducing long-term emissions, and minimising ongoing maintenance needs. The project prioritises sustainable design choices that improve efficiency and reduce the overall environmental footprint of the facility.

Consultation/Communication

Since the removal of the lighting poles, Council officers have maintained regular communication with all key stakeholders; providing updates on progress, working collaboratively to address challenges and develop the draft lighting design. This has included formal meetings, onsite discussions, and direct communication as required.

To support stakeholder understanding of the proposed lighting solution, Council arranged a site tour of a facility utilising similar luminaires. Representatives from the Pakenham Tennis Club and the West Gippsland Tennis Association attended and provided positive feedback on the proposed approach.

In addition to the stakeholder engagement, a communications plan has been developed to inform surrounding residents and casual facility users of the temporary disruptions and planned works.

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the *Gender Equality Act 2020*. A Gender Impact Assessment (GIA) has been identified as a requirement for this project and will be completed prior to the planning, engagement, and delivery of the project.

Attachments

Nil

7.1.6 INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT 1987

Responsible GM:	Wayne Mack
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.5 Champion the collective values of the community through the Councillors' governance of the shire.

Recommendation

That Council in the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987*, resolves that:

- The member of Council staff referred to in the attached Instrument be appointed and authorised as set out in the instrument:
 - Ryan Harris
 - Sam Smith
 - Nathaniel Knight
- That the instrument comes into force immediately it is signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.

Executive Summary

Council under Section 147(4) of the *Planning and Environment Act 1987* appoints authorised officers to act on behalf of Council. It is recommended that Council appoint Ryan Harris, Sam Smith and Nathaniel Knight as Authorised Officers.

Background

Council and the CEO under delegated powers, often appoint officers to be authorised officers under the relevant legislation to allow them to perform the duties of their role.

Section 147(4) of the *Planning and Environment Act 1997* allows Council to appoint officers to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act;

Authorised officers exercise these powers in accordance with the Planning Scheme.

Discussion

The named officers are required to be authorised officers in the performance of their duties.

Authorised Officers under the *Planning and Environment Act 1987* can only be appointed by resolution of Council.

Policy Implications

Cardinia Planning Scheme

Financial and Resource Implications

Nil

Climate Emergency Consideration

Nil

Consultation/Communication

Nil

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the *Gender Equality Act 2020*. It was determined that a Gender Impact Assessment (GIA) was not required as the subject matter of this report does not relate to a policy, program or service that has a direct or significant impact on the community.

Attachments

1. Attachment 1 - S11A Instrument of Appointment - PE Act - Ryan Harris [7.1.6.1 - 2 pages]
2. Attachment 2 - S11A Instrument of Appointment - PE Act - Sam Smith [7.1.6.2 - 2 pages]
3. Attachment 3 - S11A Instrument of Appointment - PE Act - Nathaniel Knight [7.1.6.3 - 2 pages]



Maddocks Delegations and Authorisations

*S11A Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*

Cardinia Shire Council

**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987* only)**



**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987*)**

In this instrument "**officer**" means -

Ryan Harris

By this instrument of appointment and authorisation Cardinia Shire Council -

1. under s 147(4) of the *Planning and Environment Act 1987* – authorises the officer to carry out the duties or functions and to exercise the powers of an authorised officer under the *Planning and Environment Act 1987*; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Cardinia Shire Council on 20 April 2026.

Signed by the Chief Executive Officer of Council)
in the presence of:)

Witness)

Date:



Maddocks Delegations and Authorisations

*S11A Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*

Cardinia Shire Council

**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987* only)**



**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987*)**

In this instrument "**officer**" means -

Sam Smith

By this instrument of appointment and authorisation Cardinia Shire Council -

1. under s 147(4) of the *Planning and Environment Act 1987* – authorises the officer to carry out the duties or functions and to exercise the powers of an authorised officer under the *Planning and Environment Act 1987*; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Cardinia Shire Council on 20 April 2026.

Signed by the Chief Executive Officer of Council)
in the presence of:)

Witness)

Date:



Maddocks Delegations and Authorisations

*S11A Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*

Cardinia Shire Council

**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987* only)**



Instrument of Appointment and Authorisation ***(Planning and Environment Act 1987)***

In this instrument "**officer**" means -

Nathaniel Knight

By this instrument of appointment and authorisation Cardinia Shire Council -

1. under s 147(4) of the *Planning and Environment Act 1987* – authorises the officer to carry out the duties or functions and to exercise the powers of an authorised officer under the *Planning and Environment Act 1987*; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Cardinia Shire Council on 20 April 2026.

Signed by the Chief Executive Officer of Council)
in the presence of:

Witness _____)

Date:

7.2 Town Planning Reports

7.2.1 PLANNING SCHEME AMENDMENT C282 OFFICER KILN CONSIDER SUBMISSIONS

Responsible GM:	Wayne Mack
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	2. Vibrant Places 2.1 Strategic planning - We ensure the Cardinia Shire Planning Scheme delivers high quality outcomes that preserve the liveability and identity of the municipality and protecting our natural environment, while also accommodating for population growth and economic development, while preserving the liveability and identity of the municipality and protecting our natural environment.

Recommendation

That Council:

1. Notes and consider all submissions made to Proposed Planning Scheme Amendment C282card, in accordance with Section 22(1) of the of the Planning and Environment Act 1987 and the Council officers report and Attachment 1-4.
2. In accordance with section 23 of the *Planning and Environment Act 1987*, refer all submissions for consideration to an independent Planning Panel appointed by the Minister for Planning under Part 8 of the *Planning and Environment Act 1987*.
3. Authorises Council officers to consider late or modified submissions received prior to a Planning Panel hearing appointed by the Minister for Planning under section 22 of the *Planning and Environment Act 1987*.
4. Authorises Council officers to present a submission at a future Planning Panel and make decisions at the Planning Panel regarding any proposed changes or revisions to the exhibited Amendment, generally in accordance with the officer report, officer recommendations and Attachments 1-4;
5. Authorises Council officers to write to the applicant and all submitters to advise of Councils resolution to the submissions received to proposed Planning Scheme Amendment C282card.

Executive Summary

Proposed Planning Scheme Amendment C282card aims to amend the Cardinia Planning Scheme to permit a prohibited use, specifically an 'office' at Lot AA PS814723 Cotswold Crescent Officer (also known as the Officer Kiln site). This will enable Council to consider the concurrent planning permit application T230528 seeking approval for the use and development of the land for an office, café, restaurant/wine bar and the associated conservation of the heritage structure, the kiln.

At the Council meeting on 16 June 2025, Council considered the request for an amendment to the Cardinia Planning Scheme for the subject site. Council resolved to proceed with the formal exhibition of proposed Planning Scheme Amendment C282card.

Proposed Planning Scheme Amendment C282card was placed on public exhibition from 29 January 2026 to 05 March 2026. As a result of the exhibition, four (4) submissions were

received. The submissions present a range of different views, and Council officers will not be able to fully resolve the amendment and change it in the manner requested by all submitters. A planning authority has the following options when considering a submission which request a change to the amendment:

- Must change the amendment in the manner requested; or
- Refer the submission to a panel appointed under Part 8 of the *Planning and Environment Act 1987*; or
- Abandon the amendment or part of the amendment

Council officers consider referring the amendment to a panel the preferred approach.

Background

Proposed Planning Scheme Amendment C282card to the Cardinia Planning Scheme is requested by Nobelius Land Surveyors on behalf of James Hicks Pottery Site Pty Ltd, to be considered concurrently with a planning permit application T230528 pursuant to Section 96A of the Planning and Environment Act 1987.

Subject Site

The subject site is known as the James Hicks Pty Ltd Pottery site and forms part of the Officer Precinct Structure Precinct (PSP) area. The subject site is identified as Lot AA PS814723 Cotswold Crescent, Officer, and comprises a total area of approximately 1,759 square metres, as shown in Figure 1.

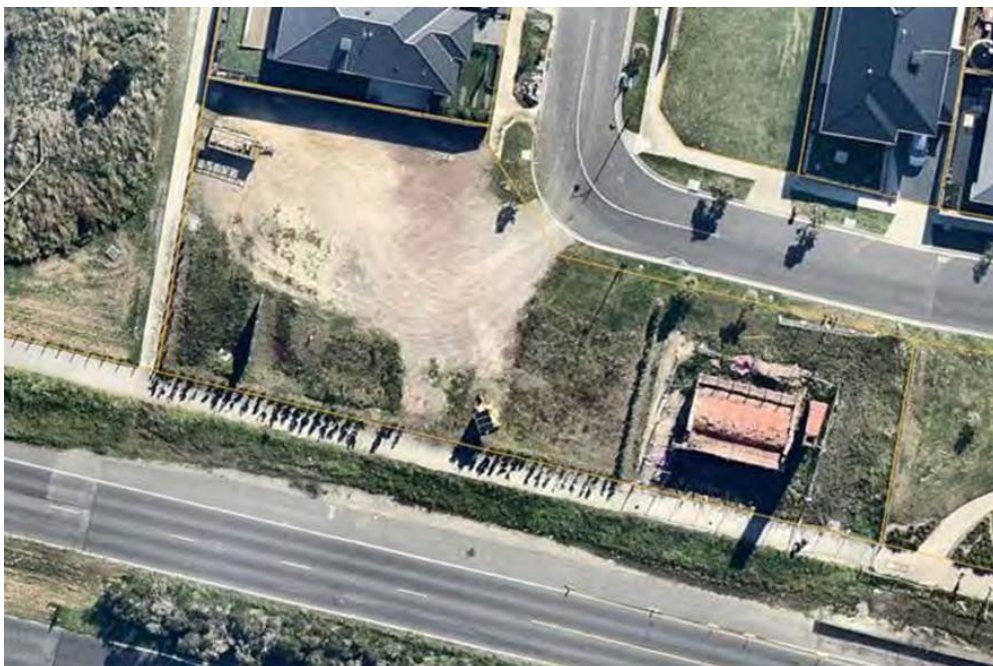


Figure 1: The subject site, lot AA PS814723 (NearMap, April 26, 2023)

The land is subject to the Urban Growth Zone – Schedule 3 (UGZ3) and under the Applied Zone provisions of the Schedule to the UGZ3 it includes the land in the General Residential Zone. The site is also subject to a Development Contributions Plan Overlay – Schedule 4 (DCPO4) and a Heritage Overlay (H0104).

The site has dual road frontages with interfaces to the Princes Highway to the south and Grace Street to the north. The site's western boundary abuts an open space reserve that contains a former clay pit.

The site has historically been used for the manufacture of terracotta building materials as part of the James Hicks Pty Ltd Pipe and Bricks Works. The brick kiln and chimney structures on the eastern portion of the land and the disused clay pit on the adjoining land to the west is associated with this former use of the land.

Planning application T200214 sought Council approval to subdivide the land into two lots. The Council issued a Notice of Refusal to Grant Planning Permit in 2020. An appeal was lodged by the applicant to have Council's decision reviewed by the Tribunal at the Victorian Civil Administration Tribunal (VCAT) in April 2021. In *Timbertop East Pty Ltd v Cardinia SC [2021]* Council's grounds of refusal, in particular, the proposed two lot subdivision's potential impact on the heritage significance of the site, were reviewed by the Tribunal. The member found that maintaining the connection between the brick structures and the former clay pit was essential, and that:

... the proposed subdivision and subsequent development of the larger of the two lots will adversely affect the significance of the heritage place by diminishing the physical setting of the kiln and chimney and disrupting the visual connection between the kiln and the former clay pit. This will occur by inserting a lot on which development will be undertaken between the kiln and the former clay pit. That outcome has a significant effect on the heritage place by disrupting the association between the former clay pit and the kiln. The significance of the former clay pit's association with the kiln and to the kiln's spatial setting is reflected in the application of H0104 to the former clay pit.

The permit history and Tribunal findings have been considered in this current proposal. The landowner worked closely with Council's heritage expert at the Victorian Civil Administration Tribunal hearing from Anthemion Consultancies to ensure all heritage considerations, policies and objectives have been considered as part of the design process.

Further, planning permit T170233 issued in 2017, allows for the development of a restaurant and access to the Princes Highway. It is important to note that planning permit T170233 does not include any elements that physically protect the Officer Kiln. However, the proposed development through this proposed Planning Scheme Amendment C282card and planning permit application T230528 (Use and develop the land with an office building, café, restaurant/wine bar and associated car parking), will assist in making it financially viable for the developer to safeguard this significant heritage asset.

The new and proposed planning permit T230528 will require to construct a protective structure over the Kiln to shield it from weather damage and ensure its ongoing Maintenance. Proposed Planning Scheme Amendment C282card seeks to amend the Schedule to Clause 43.01 Heritage Overlay. Specifically, the amendment proposes to amend the table contained in the Schedule to Clause 43.01 Heritage Overlay to allow prohibited uses at H0104. The table contains site specific heritage controls and includes a column that asks whether prohibited uses are permitted. The response in the table for H0104 currently states 'No' and it is proposed to change this to state 'Yes'. This will enable Council to consider the concurrent planning permit application seeking approval for the use of the land for an office.

The table of uses contained in Clause 32.08-1 (General Residential Zone) was recently revised in Amendment VC232, and changed 'Office' from a Section 3 use (prohibited) to a Section 2 (permit required) use on the condition that the use must be associated with a use or development to which Clause 53.23 (significant residential development with affordable housing) applies. The proposed development of the subject site does not meet the condition for the Section 2 use as it is not proposing significant residential development with affordable housing, and therefore, by virtue, it is a prohibited use.

Proposed Planning Permit T230528

The application for Planning Permit T230528 seeks approval for:

- Use of the land for office and food and drink premises;
- Buildings and works associated with the above uses, being development of the land with an office building, café, restaurant/wine bar and associated car parking;
- Construction and display of signage associated with the development;
- Reduction in the minimum number of car parking spaces required;
- Creation of access to the Princes Highway (TRZ2).

See **Attachment 3** – Exhibited Permit Conditions.

The glass structure over the kiln requires a build over easement permit from Councils engineering department, as the southern portion of the glass structure encroaches approximately 0.9 metres into Council's four metre drainage easement. The proponent has agreed to apply for the build over easement permit and will enter into a Section 173 Agreement covenant if required by the permit. It has been clarified by the proponent that the footings of the glass structure will not affect the drainage infrastructure within the easement. However, obtaining a build over easement and a Section 173 Agreement will ensure that if Council needs to perform any work within the easement that necessitates the removal and reinstallation of the glass structure, the landowner will be responsible for all associated costs. The proponent has agreed to the build over easement permit, along with the Section 173 Agreement which will be finalised before Council adopts the planning scheme amendment.

At the Council Meeting 16 June 2025, Council considered the request for an amendment to the Cardinia Planning Scheme for the subject site. Council resolved to proceed with the formal exhibition of Amendment C282.

Discussions**Exhibition**

Proposed Planning Scheme Amendment C282card was placed on public exhibition from 29 January 2026 to 05 March 2026.

Notification and exhibition of the amendment was carried out via the following measures including:

Statutory required notification:

1. Letters, including an information brochure and notice of preparation (**Attachment 1** – Letter to the landowners and occupiers) were sent to owners and occupiers surrounding the site;
2. Letters, including notice of preparation and fact sheet, sent to Stakeholders and Prescribed Authorities;
3. Notices placed in the Pakenham Gazette and the Government Gazette;
4. Full planning scheme amendment documentation on the Department of Transport and Planning (DTP) website;
5. Full planning scheme amendment documentation on the Council's website; and

Non statutory notification:

1. Council offered a drop-in session to all affected parties on 12 February 2026 from 5pm to 7.30pm at the Council chamber, Civic Centre;
2. More than 12 people attended the drop-in session.

Response to Submissions Received

As a result of public exhibition, five written submissions were received.

A summary of the key issues raised in the submissions and proposed responses to these issues are addressed below in the following table:

Issue	Response
Suggestion that the office complex should support not-for-profits or social housing initiatives to benefit the local region.	Council cannot legally control the specific tenants or business models of the future occupants through a Planning Scheme Amendment. Residential housing is not proposed as part of this amendment.
Request to remove patron limits for the restaurant/wine bar, arguing that new state-wide planning provisions (VC277) calculate parking based on floor area rather than patron numbers.	The site is constrained with residential properties to the north. The only available overflow area is Grace Street (a residential road), as Princes Highway cannot accommodate it. The conditions serve to protect residential amenity.
Request to extend restaurant hours (specifically for weekday lunch) to improve economic viability.	Weekday lunch hours would cause the restaurant's peak parking demand to overlap with the office building's peak demand. The conditions serve to protect residential amenity.
Request to allow background or "mood" music and speakers in the alfresco/outdoor areas.	Due to the direct boundary with residential properties, the conditions require all music to be confined to the internal building area to prevent ongoing amenity disputes.

A detailed response to specific issues raised by submissions is provided in **Attachment 2 - Response to Submissions**.

Section 23 of the *Planning and Environment Act 1987* considering changes to Amendment C282

Where submissions have been received to a proposed Planning Scheme Amendment, Council has three options under Section 23 of the *Planning and Environment Act 1987*:

- Must change the amendment in the manner requested; or
- Refer the submissions to an independent Planning Panel to consider the submissions and to provide recommendations to Council; or
- Abandon the amendment or part of the amendment.

Council received a total of five (5) written submissions to the proposed Planning Scheme Amendment. Given the submissions present a range of different views, Council will not be able to fully resolve the amendment and change it in the manner requested by all submitters. Therefore, Council must either refer the Amendment to a Panel or abandon it.

Before referring the amendment to Panel, Council can recommend changes to the amendment in response to submissions for the consideration of the Panel.

Recommendation

Accordingly, it is recommended that Council refer all submissions, including any late submissions to a Planning Panel and request that it recommends approval of proposed Planning Scheme Amendment C282card with no changes to the exhibited amendment, consistent with Council's position as informed by the recommendations in this report.

Next steps if submissions are referred to a panel

In accordance with Ministerial Direction No. 15, Council must request the appointment of a Planning Panel under Part 8 of the *Planning and Environment Act* within 40 business days of the closing date of submissions.

The following dates have been pre-set, pending Council's resolution:

- A Directions Hearing is scheduled for the week commencing 22 June 2026; and
- A Planning Panel hearing is scheduled for the week commencing 20 July 2026.

If Council requests a Planning Panel, officers will write to all submitters and advise them of the Panel. On receipt of the Panel report for Amendment C282, a report would be brought to Council to consider the Panel's recommendations.

Policy Implications

The proposed Planning Scheme Amendment C282card will improve the site's usability and feasibility by allowing a prohibited use for an office on site, which will facilitate the protection of a locally significant heritage site (Kiln). The proposed amendment responds to the key issues for employment in the Shire and will provide for a use and development outcome that generates local employment opportunities and trade within a growing residential community and along a key transport route.

The following State and local planning provisions are relevant and apply to this proposed amendment:

Clause 02.02 Vision

The amendment helps to give effect to the vision for Cardinia – 'Cardinia Shire will be developed in a planned manner to enable present and future generations to live healthy and productive lives and to enjoy the richness of the diverse and distinctive characteristics of the Shire'. The amendment facilitates development that integrates within the surrounding walking and open space network, will generate social and employment opportunities within a new residential estate, foster the sustained wellbeing of the community and enhance the experience of people who live, work and visit the municipality.

Clause 02.03 Strategic directions

The amendment helps to address key issues associated with environment, settlement, economic development and particular use and development by facilitating the sustainable development of land in the Urban Growth Zone, enabling the development of a balanced local economy and local employment opportunities for residents, and by protecting and enhancing a place of heritage significance. The amendment will enable a use and development outcome with attractive, functional and sustainable built form that will integrate within its heritage setting and the wider residential neighbourhood.

Clause 02.03-5 Built environment and heritage

The strategic direction of this Clause seeks to provide for the protection and appropriate management of sites of heritage significance. A Heritage Impact Statement has informed the use proposed, to be enabled by this amendment by qualifying the compatibility of permitted uses and their ability to achieve the economic return required to contribute to the restoration and readaptation and ongoing conservation of the heritage place. The amendment will enable a prohibited use (office) in order to create a 'hub' of uses that operate in symbiosis. The

prohibited use (office) is the most compatible and reasonable use for the site when having regard for the economic return required to ensure the protection and ongoing conservation of the James Hicks Bricks and Pipe Works site and restoration and reuse the existing heritage structures.

Clause 13.07-1S Land use compatibility

The amendment is consistent with the objective to protect amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts. The amendment will enable an office use which will complement the surrounding residential uses and respond to the site's location adjacent to the Princes Highway.

Clause 15 - Built environment and heritage

The amendment is consistent with this objective to ensure planning delivers high quality built form that is efficient, responsive to the surrounding landscape and character including its associated risks, protective of heritage and provides the functionality required by the community.

Clause 15.01-1S - Urban design

The amendment accords with this Clause, which seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. The amendment facilitates the provision of high quality and architecturally designed urban space that appropriately responds to the opportunities and constraints of the site and context.

Clause 15.01-1L-01 Urban Design

The amendment is consistent with the objectives that have regard to good urban design. The design plans associated with the concurrent planning application (T230528) evidences a site responsive, high quality architectural design that responds to the heritage setting and the sensitive residential, open space and Princes Highway interfaces. The design provides for extensive landscaping and pedestrian and cycling connectivity to the surrounding area.

Clause 15.03-1S - Heritage conservation

The amendment supports the objective of this Clause which is to ensure the conservation of places of heritage significance. A Heritage Impact Statement (HIS) has informed the proposed use and development of the site and the amendment will provide for the ongoing conservation of a locally significant heritage place.

Clause 17.01-1S - Diversified economy

The amendment supports the objectives of this Clause as it allows for a mixed-use development that will encourage economic development, commercial enterprise, tourism, and improve access to jobs closer to where people live.

Clause 17.01-1L Diversified economy – Cardinia

The amendment responds to the key issues for employment in the Shire and will provide for a use and development outcome that generates local employment opportunities and trade within a growing residential community and along a key transport route. The amendment enables a prohibited use (office) which helps to give effect to the numerous strategies to facilitate employment opportunities in the Shire.

Clause 17.02-2S Out-of-centre development

The amendment is consistent with the objective of Clause 17.02-2S as it will enable an office use within a mixed-use development that will provide net social and economic benefits from the creation of local employment opportunities within close proximity to where people live, strengthening the local community, the creation of a meeting place or social hub, and

bolstering a sense of place and community associated with the preservation and celebration of a heritage site in a prominent location within Officer.

Financial and Resource Implications

External costs associated with the exhibition of the proposed Planning Scheme Amendment, statutory fees and planning panel fees will be met by the proponent. Council's officer time, own legal advice or engagement of experts (if needed for a future Planning Panel) and representation throughout the process are managed through the Planning Strategy and Urban Design team's operational budget.

Climate Emergency Consideration

The proposed Planning Scheme Amendment has been developed with careful consideration of both State and local policies aimed at climate change mitigation and adaptation. It outlines recommended actions to prevent or minimise the impacts of climate change on the community, including:

- The development promotes active transportation options, such as walking and cycling, to reduce reliance on private vehicles which will reduce greenhouse gas emissions;
- By providing employment opportunities within the local area, the development helps to reduce the need for residents to commute long distances, thereby decreasing car trips and greenhouse gas emissions;
- The proposed landscaping around the development will increase green space, which can help mitigate the urban heat island effect and provide cooling benefits for the local area.

Consultation/Communication

Council has:

- Exhibited the amendment for one calendar month, in accordance with the requirements of the *Planning and Environment Act 1987*;
- Posted notice of the proposal to all owners and occupiers of land directly affected by the changes, other interested parties and Prescribed Ministers;
- Published formal notice of the amendment in the Pakenham Gazette and Government Gazette; and
- Provided comprehensive information on the Council's website (Creating Cardinia).
- Organised a drop-in session on 12 February 2026 from 5 to 7:30 pm at the Council Chamber, Civic Centre.

Consultation provided the community, landowners and stakeholders with the opportunity to make a submission about the proposed changes.

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the *Gender Equality Act 2020*. It was determined that a Gender Impact Assessment (GIA) was not required as the subject matter of this report does not relate to a policy, program or service that has a direct or significant impact on the community.

Attachments

1. Attachment 1 - Letter to the landowners and occupiers [7.2.1.1 - 6 pages]
2. Attachment 2 - Amendment C282 Summary of submissions and responses [7.2.1.2 - 3 pages]
3. Attachment 3 - T230528 PA - Exhibited Planning Permit Conditions [7.2.1.3 - 15 pages]
4. Attachment 4 - Post exhibition Explanatory Report & Instruction sheet [7.2.1.4 - 14 pages]

Our reference: Amendment C282card



29 January 2026



Dear Sir/Madam

Re: Cardinia Planning Scheme Amendment C282card

You are receiving notification in accordance with section 19 of the *Planning and Environment Act 1987* as you may be affected by or have an interest in Cardinia Planning Scheme Amendment C282.

The amendment proposes to amend the Schedule to the Heritage Overlay (HO) to consider prohibited uses for HO104 and concurrently consider a planning permit application for land at Cotswold Crescent, Officer to facilitate a mixed-use development.

Specifically, the proposed amendment seeks to:

- Amend the Schedule to the HO to allow prohibited uses to be considered for HO104 (James Hicks Pty Ltd Pottery) by amending the 'prohibited uses permitted?' column to state 'Yes'.

The application is for a permit approval for:

- Use of the land for office and food and drink premises;
- Buildings and works associated with the above uses, being development of the land with an office building, café, restaurant/wine bar and associated car parking;
- Construction and display of signage associated with the development;
- Reduction in the number of car parking spaces required;
- Creation of access to the Princes Highway (TR22).

You may inspect the amendment and supporting documents at:

- the Department of Transport and Planning website www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the amendment documentation.
- The Cardinia Shire Council website at <https://creating.cardinia.vic.gov.au/officer-kiln-james-hicks-pottery-site> and
- on request, during office hours, at the office of the planning authority, Cardinia Shire Council at 20 Siding Ave, Officer VIC 3809, by contacting Planning Strategy and Urban Design Team on 1300 787 624 to arrange a time to view the amendment documentation.
- A drop-in session is organised on 12 February 2026 from 5 pm to 7 pm at Cardinia Civic Centre at 20 Siding Ave, Officer VIC 3809.

Included with this notification are the enclosures listed at the end of this letter.

Cardinia Shire Council
ABN: 32 210 906 807
20 Siding Ave, Officer

PO Box 7
Pakenham 3810
(DX 81006)

Phone: 1300 787 624
Email: mail@cardinia.vic.gov.au
Web: www.cardinia.vic.gov.au

Any person who may be affected by the amendment may make a submission. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

It is important to note that under the *Planning and Environment Act 1987* (Act) submissions to planning scheme amendments are public documents. The need to respect an individual's privacy must be balanced with the need for transparency. Section 21(2) of the Act states the planning authority must make a copy of every submission available in accordance with the public availability requirements until the end of 2 months after the amendment comes into operation or lapses.

Before making a submission, please ensure you read Council's [Privacy Collection Notice for notification given under the Planning and Environment Act 1987](#).

Submissions must be received at Council by **5pm on Thursday, 5 March 2026**.

As a part of Council's commitment to sustainability, we encourage the use of electronic communication where possible.

Please reference Amendment C282 in your submission and in the subject field of your email and send it to:

- mail@cardinia.vic.gov.au or
- Planning and Design
Cardinia Shire Council
PO Box 7
PAKENHAM VIC 3810

If you make a submission, you will be invited to attend a future Panel Hearing if it is required.

If you have any difficulty accessing the amendment documentation on the website or if you have any questions regarding the amendment, please contact **Mir Faruque** at [REDACTED] or phone [REDACTED].

Yours faithfully

[REDACTED]

Principal Strategic Growth Area Planner

Enclosures:

1. Notice of the Preparation of an Amendment
2. Frequently Asked Questions Information Sheet
3. Amendment documentation via DTP's www.planning.vic.gov.au/public-inspection web page



Translator Interpretation Service

131 450 (ask for 1300 787 624)

Planning and Environment Act 1987**CARDINIA PLANNING SCHEME****Notice of the preparation of an amendment to a planning scheme and
notice of an application for a planning permit given under section 96C of the *Planning and
Environment Act 1987*****Amendment C282card****Planning permit application T230528****Overview**

This combined planning scheme amendment and planning permit application seeks to facilitate a mixed-use development on land in the Heritage Overlay (HO). In doing so, it proposes to restore and reuse a kiln and chimney of heritage significance.

For further details, refer to the explanatory report about the amendment.

Details of the amendment

The Cardinia Shire planning authority has prepared Amendment C282card to the Cardinia Planning Scheme.

The land affected by the amendment is Lot AA PS814723 Cotswold Crescent, Officer VIC 3809.



Figure 1: Aerial map showing the land affected by the amendment as outlined in orange.

The land affected by the application is Lot AA PS814723 Cotswold Crescent, Officer VIC 3809.

The amendment proposes to amend the Schedule to the Heritage Overlay (HO) to consider prohibited uses for HO104 and concurrently consider a planning permit application for land at Cotswold Crescent, Officer to facilitate a mixed-use development.

Specifically, the proposed amendment seeks to:

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- Amend the Schedule to the HO to allow prohibited uses to be considered for HO104 (James Hicks Pty Ltd Pottery) by amending the 'prohibited uses permitted?' column to state 'Yes'.

The application is for a permit approval for:

- Use of the land for office and food and drink premises;
- Buildings and works associated with the above uses, being development of the land with an office building, café, restaurant/wine bar and associated car parking;
- Construction and display of signage associated with the development;
- Reduction in the number of car parking spaces required;
- Creation of access to the Princes Highway (TRZ2).

The applicant for the permit is James Hicks Pottery Site Pty Ltd.

You may inspect the amendment, any documents that support the amendment and the explanatory report about the amendment, free of charge, at:

- the Department of Transport and Planning website www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the amendment documentation.
- The Cardinia Shire Council website at <https://creating.cardinia.vic.gov.au/officer-kiln-james-hicks-pottery-site> and
- on request, during office hours, at the office of the planning authority, Cardinia Shire Council at 20 Siding Ave, Officer VIC 3809, by contacting Planning Strategy and Urban Design Team on 1300 787 624 to arrange a time to view the amendment documentation.

Any person may make a submission to the planning authority about the amendment and the application. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the amendment and/or application are supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for planning authority to consider submissions and to notify such persons of the opportunity to attend planning authority meetings and any public hearing held to consider submissions.

The closing date for submissions is 05 March 2026. A submission must be sent to mail@cardinia.vic.gov.au (subject line: Amendment C282) or mailed to:

Planning and Design
Cardinia Shire Council
PO Box 7
PAKENHAM VIC 3810.

The planning authority must make a copy of every submission available at its office and/or on its website for any person to inspect free of charge until the end of the two months after the amendment comes into operation or lapses.

Mir Faruque
Principal Strategic Growth Area Planner
Cardinia Shire Council

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Cardinia Planning Scheme Amendment C282 Officer Kiln – 365 Princes Highway, Officer



Frequently Asked Questions

How will the amendment affect me?

You have been given notice of the amendment as you may be affected by or have an interest in the proposed changes. You may own property or live nearby or be planning on developing property in the affected areas.

The documents provided to you are for your information and you do not have to do anything further if you do not wish to do so.

What is the Cardinia Planning Scheme?

Each local government in Victoria is covered by a planning scheme. The Cardinia Planning Scheme sets out how land is protected and how it can be used and developed in Cardinia Shire.

Planning schemes require changes from time to time to achieve certain planning outcomes, support new policies and to ensure that requirements continue to meet the needs of the local community.

What does the amendment propose?

The amendment proposes to amend the Schedule to Clause 43.01 Heritage Overlay. Specifically, the amendment proposes to amend the table contained in the Schedule to Clause 43.01 Heritage Overlay to allow prohibited uses for HO104. The table contains site specific heritage controls and includes a column that asks whether prohibited uses are permitted. The

response in the table for HO104 currently states 'No' and it is proposed to change this to state 'Yes'.

This will enable Council to consider the concurrent planning permit application seeking approval for the use of the land for an office. The table of uses contained in Clause 32.08-1 (General Residential Zone) was recently revised in Amendment VC232, and changed 'Office' from a Section 3 use (prohibited) to a Section 2 (permit required) use on the condition that the use must be associated with a use or development to which Clause 53.23 (significant residential development with affordable housing) applies.

The proposed development of the subject site does not meet the condition for the Section 2 use as it is not proposing significant residential development with affordable housing, and therefore, by virtue, is a prohibited use.

Why is the amendment required?

The amendment seeks to amend the table in the Schedule to Clause 43.01 Heritage Overlay, to allow prohibited uses for HO104. Modifying the Heritage Overlay HO104 under the Planning and Environment Act 1987 is considered the most appropriate mechanism to achieve the desired outcome. Council is considering a prohibited 'office' use for the James Hicks Pty Ltd site (HO104) to facilitate the development of the site and associated conservation of the heritage structures.

What does the concurrent planning permit application do?

The proposed Office use will not adversely affect the significance of the heritage place, and a planning permit application (s96a) has been prepared and lodged concurrently with this planning scheme amendment application to demonstrate how the proposed mixed-use development and the proposed office use will aid in the conservation of the heritage place. The office component of the use and development proposed under Planning Permit Application T230528 presents the most reasonable and compatible use of the site in comparison with other permitted uses, and the most economically viable with the capacity to contribute to the ongoing preservation of the heritage components of the site.

How do I make a submission to the Amendment?

Any person who may be affected by the amendment may make a submission clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

All submissions must be made in writing and submitted to Council by 5pm on the final day of exhibition.

This document aims to provide an understanding of the planning scheme amendment process and the terms used in correspondence regarding amendments. For further information go to our [Cardinia Planning Scheme Amendments](#) page or contact Planning and Design on 1300 787 624.

Please mention 'Amendment C282 – Officer Kiln' in the subject line.

Submissions can be emailed to Council at mail@cardinia.vic.gov.au

Or mailed to:

Planning and Design
Cardinia Shire Council
PO Box 7
PAKENHAM VIC 3810

What happens if I make a submission?

All submissions received are public documents and Council must consider all submissions as part of the amendment process.

If concerns cannot be resolved by making changes to the amendment, Council may refer submissions to an independent planning panel for review.

What is a Planning Panel?

The Planning Panel is appointed by the Minister for Planning and they will hold a public hearing where all submitters can present and be heard.

What happens next?

The Planning Panel will review each submission individually and provide a report with recommendations to Council and the Minister for Planning.

When will the Planning Panel hearing occur?

A preliminary hearing date has been pre-set which is as follows:

- Directions hearing:
Week commencing 22 June 2026

- Panel hearing:
Week commencing 20 July 2026

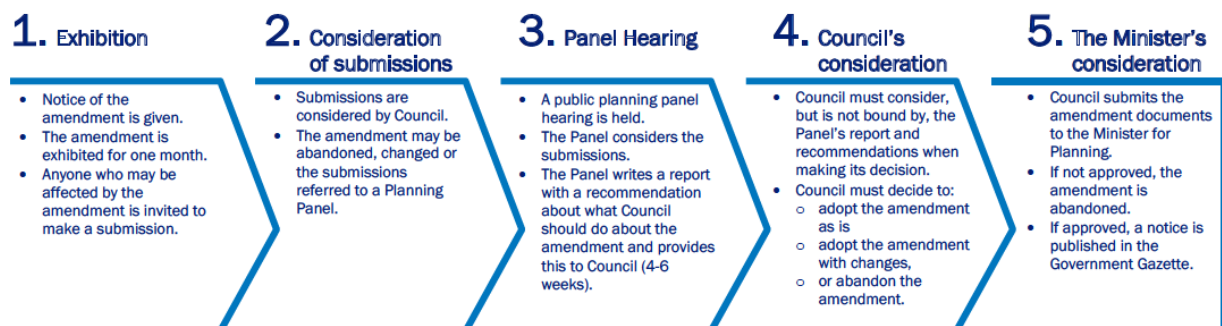
Further details about any Planning Panel Hearing and specific dates will be provided at a later date to those who make a submission.

Where can I find more information?

Amendment documents and more information can be found on the Council's website at <https://creating.cardinia.vic.gov.au>.

You can also contact Mr Faruque [REDACTED] to discuss over the phone or to arrange a meeting to answer any questions.

A drop-in session is organised on 12 February 2026 from 5 pm to 7 pm at Cardinia Civic Centre at 20 Siding Ave, Officer VIC 3809.



This document aims to provide an understanding of the planning scheme amendment process and the terms used in correspondence regarding amendments. For further information go to our [Cardinia Planning Scheme Amendments](#) page or contact Planning and Design on 1300 787 624.

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Amendment C282card – Summary and Response to Submissions

The following Table provides a summary of submissions received to Amendment C282card and the officer's response to issues raised in the submission.

Summary of Individual Submissions and Officer's Response to inform Council's submission to Panel

Submission Number	Interest	Type of Submission	Summary of Submission	Response to inform Council's submission to Panel
Submission 1: Resident				
Objection	<u>General Objection</u> Objects to Amendment C282card		Noted.	
	<u>Supports the amendment if not-for-profit is allowed</u> Acknowledges that it is a nice commercial outcome. Submits that unless the office complex supports not-for-profit organisations or any revenue generated is donated to a local community facing organisation e.g an organisation creating social housing opportunities for the vulnerable, it doesn't benefit the Cardinia or local region.		The site is privately owned, Council cannot control or mandate specific future tenants for a commercial office building through the Planning Scheme Amendment process. The Planning Scheme primarily regulates land use and built form rather than the specific business models or philanthropic contributions of private occupants. Please note that residential housing is not proposed as part of this amendment. Council officers consider the site not optimally located for social housing based on the 20-minute neighbourhood principles. These principles focus on ensuring residents have access to essential services, public transport, and social infrastructure within a 20-minute walk, cycle, or local public transport trip from home. While Council cannot enforce the specific tenancy requirements you have suggested, the submission has been noted. Recommended position: No change to amendment.	
Submission 2: Department of Energy, Environment and Climate Change				
Support	Submits that DEECA has considered the proposed amendment and does not oppose the amendment.		Noted. Recommended position: No change to amendment.	
Submission 3: Resident				
General Enquiry	<u>Access to the site</u> Enquires whether there is access from Grace Street to the new build, or if it is to be accessed only from Princes Hwy?		Council officers responded to the submitter via email on 06 February 2026 that no vehicular access is proposed from Grace Street to the proposed development. Whilst pedestrian access is to be provided via Grace Street, it is noted that vehicular access is provided from the Princes Highway to the proposed development only. Recommended position: No change to amendment.	
Submission 4: The proponent				
Support with Changes	<u>Remove or vary proposed condition 11 (maximum number of patrons)</u> Submits that this condition is unduly restrictive on the operation of the restaurant/wine bar and should be removed given:		The land adjoining the site to the north is residential. If the on-site capacity is exceeded, the only available option for overflow parking would be Grace Street, as the Princes Highway cannot accommodate overflow	

OFFICIAL

Submission Number Interest Type of Submission	Summary of Submission	Response to inform Council's submission to Panel
	- VC277 was gazetted 18 December, 2025 and altered the car parking rates associated with a 'Restaurant' use under clause 52.06. Under the old car parking rates, the number of car parking spaces required correlated with the number of patrons permitted within the restaurant. Under the new provisions, the car parking rate for a 'Restaurant' use has been removed, and the applicable car parking rate is now associated with the wider land use term 'Food and Beverage Premises' which has a floor area calculation rather than patron number calculation. As such, there is no longer a need to impose a restriction via permit condition for patron numbers for the Restaurant/Wine Bar use. - The number of patrons permitted within the restaurant/wine bar can be controlled via certificate of occupancy and liquor license as per maximum patron capacity requirements of Liquor Control Victoria (LCV). Should Council maintain that maximum patron numbers be conditioned, we kindly ask that the number is in keeping with the maximum patron rates imposed by LCV (1 patron per 0.75sqm floor area providing there are chairs and tables provided for 75% of patrons).	parking. This would have a negative impact on the amenity of the neighbouring residential residents. Maintaining a specific patron cap is therefore considered appropriate to manage the localised impact on car parking availability and to ensure that the intensity of the use remains compatible with the surrounding environment. The maximum patron number was proposed through the town planning report submitted to Council as part of this Planning Scheme Amendment request. In the absence of additional parking technical assessments and review to justify this requested change, the maximum patron numbers should remain conditioned to ensure the orderly planning of the precinct. Recommended position: No change to amendment.
	<u>Vary proposed condition 12 (hours of operation)</u> The hours of operation previously specified in both the Traffic Impact Assessment and Car Parking Demand Assessment and Town Planning Report consciously sought to separate the operating times of each proposed use to ensure no overlap in operating times for the sole purposes of car parking. VC277 has significantly reduced the number of car parking spaces required for this development, noting that under the new rates the proposal now seeks a reduction of only three (3) car parking spaces which can be provided through the activation of on street parking along Grace Street. Given the above, it would be appropriate for Council to vary condition 12 to extend the hours of operation for the restaurant/wine bar use. This would enable the restaurant/wine bar to be open for lunch midweek and would enhance the economic viability of the operation. We propose condition 12 include the following hours of operation for the restaurant/wine bar use: Monday and Tuesday 10.30am – 9.00pm Wednesday 10.30am – 10pm Thursday and Friday 10.30am – 11.00pm Saturday 10.30am – 11.00pm Sunday 10.30am – 10.00pm We do not anticipate that extending the hours of operation for the restaurant/wine bar for lunchtime trading would result in any adverse amenity impacts to nearby residential land.	The proposed extension of hours is not supported for the following reasons: As previously noted, the land immediately adjoining the site to the north is residential. Council is concerned with the overlapping hours of operation between the office building and the restaurant during weekdays. The initial hours were consciously separated to ensure that peak parking demand for the office did not coincide with the restaurant use as requested by the town planning report. Extending the restaurant hours to include lunchtime trading would remove this separation, leading to a cumulative impact on parking availability. The only viable option for overflow parking is Grace Street, as the Princes Highway cannot accommodate patron overflow. Grace Street is a residential road. Relying on this street to absorb the combined parking demand of both the office and the restaurant throughout the day and into the night is not ideal. This would lead to a loss of parking for local residents and increased traffic movements in a sensitive residential setting. The hours in the conditions were proposed by the applicant through the town planning report submitted to Council as part of this Planning Scheme Amendment request. In the absence of additional parking technical assessments and reviews to justify this requested change, the maximum patron numbers should remain conditioned to protect the amenity of the adjoining residential area and ensure that the parking demand does not unfairly burden the local community or the existing road infrastructure. Recommended position: No change to amendment.
	<u>Vary proposed conditions 38 & 39 (no live music & no speakers outside the building)</u> These conditions are excessively restrictive and would effectively prohibit any kind of radio or mood music being played within the alfresco area. We seek Council clarification on the reasoning behind these conditions and propose they be varied to allow music within this space during approved operating hours for the restaurant/wine bar use.	As previously noted, the subject site directly abuts residential properties to the north. The introduction of speakers and music into an outdoor space presents a risk of acoustic leakage. Unlike indoor areas, where sound can be mitigated by building fabric, outdoor sound is

OFFICIAL

Submission Number Interest Type of Submission	Summary of Submission	Response to inform Council's submission to Panel
		difficult to contain and would have a direct, adverse impact on the quiet enjoyment of the neighbouring homes. Outdoor areas are naturally more sensitive in a residential context. Even low-level background music, when combined with patron noise, contributes to a cumulative "noise floor" that can become intrusive, particularly during evening hours. This is intended to prevent ongoing amenity disputes and to ensure the long-term compatibility of the two land uses. Recommended position: No change to amendment.
Submission 5: Beaconsfield Progress Association Inc.		
Support	Submits that Beaconsfield Progress Association Inc. has considered the proposed amendment and supports the amendment.	Noted. Recommended position: No change to amendment.

Planning and Environment Regulations 2015
Form 9

Section 96J

PLANNING PERMIT GRANTED UNDER SECTION 96I OF THE PLANNING AND ENVIRONMENT ACT 1987

Permit No.:	T230528
Planning scheme:	Cardinia Planning Scheme
Responsible authority:	Cardinia Shire Council
ADDRESS OF THE LAND:	Cotswold Crescent, Officer VIC 3809 (Lot AA on PS814723U)

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted:
Clause 32.08-2	To use the land for a food and drink premises (Section 2 use) and office use (Section 2 use) where the conditions specified are not met.
Clause 32.08-10	To construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.
Clause 43.01-1	To construct a building or construct or carry out works. To display a sign. To externally alter a building by structural work, rendering, sandblasting or in any other way. To internally alter a building if the schedule to this overlay specifies the heritage place as one where internal alteration controls apply.
Clause 52.05-13	To display business identification signage. To display internally-illuminated signage.
Clause 52.06-3	To reduce (including reduce to zero) the minimum number of car parking spaces required.
Clause 52.29-2	To create or alter access to a road in a Transport Zone 2.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended Plans

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

OFFICIAL

15

Page 1 of

Planning and Environment Regulations 2015
Form 9

Section 96J

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the plans will be endorsed and will then form part of the permit. The plans must be in accordance with the plans prepared by User Experience Design (UXD) Group, Revision V2.6, dated 25 November 2024, but modified to show:
 - a) The floor area (sqm) nominated for the alfresco booth area;
 - b) Additional bicycle facilities required in accordance with the correct calculation of floor area available to the public for the restaurant use;
 - c) All north-facing windows along the northern elevation of the proposed office building (as shown on TP-11) to be installed with fixed obscure glazing;
 - d) Details of any wheel stops proposed for the car parking spaces (if none proposed, please state this);
 - e) Provision of the existing footpath within Grace Street to be extended for the entire length of the site's respective street frontage, to ensure that continuous footpath connectivity is made;
 - f) Pedestrian access to the site from Grace Street shown to utilise the existing kerb ramps on the west and east sides of the street at the "L" bend;
 - g) Deletion of the pedestrian path access point at the site's western boundary through to the adjoining north/south footpath located within the adjoining Council reserve;
 - h) A notation on the plans stating: "all plantings shown along the perimeter of the north, west and south edges of the proposed Level 2 balcony area associated with the office to be maintained to Council's satisfaction";
 - i) Deletion of the "site gate access point" nominated at the site's eastern boundary;
 - j) Improved elevation plans showing full details of the proposed fencing treatment along the site's western property boundary and the interface with the adjoining Council reserve at 355 Princes Highway;
 - k) Boundary fencing details (including height, materials, colours, finishes, etc.) for the northern boundary of the subject land which shares a boundary with 13 Grace Street; and
 - l) Boundary fencing details (including height, materials, colours, finishes, etc.) for the eastern boundary of the subject land which shares a boundary with 1 Shale Rise.

Prior to Commencement

2. Before any development starts, the Owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the *Planning and Environment Act 1987* to provide for the following:
 - a) That the bored footings be deepened to below the invert level of the existing drainage pipe.
 - b) That the Owner of the subject land applies for and obtains "build over easement" approval from council prior to commencement of any works associated with the existing kiln structure.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

Page 2 of

15

OFFICIAL

Planning and Environment Regulations 2015
Form 9

Section 96J

- c) The Owner's responsibilities regarding the potential need to remove and replace any structure within the easement, at the Owner's expense, should Council have the need to repair or replace their existing drainage asset in the future.

Except with the written consent of the Responsible Authority.

3. Before any development starts, application must be made to the Registrar of Titles to register the Section 173 agreement on the title to the land under Section 181 of the Act.
4. The Owner under this permit must pay to the Responsible Authority the reasonable costs incurred by the Responsible Authority in the preparation or review, execution *and registration* of the Section 173 agreement.
5. Prior to any works commencing on the site, a photographic record of the heritage fabric to be demolished or altered to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. The study must include:
 - a) Views of each elevation of the heritage building;
 - b) Two diagonally opposed views of each internal space in the building; and
 - c) Architectural design detailing of the building.

Photographic record must be of a high standard and taken with appropriate photographic equipment to the satisfaction of the Responsible Authority.

6. Prior to any works commencing on the site, a Schedule of Conservation Works report (to be prepared by a suitably qualified professional) is to be submitted to and approved by the Responsible Authority). This report must outline all conservation repairs and maintenance required for the heritage building, including details of any structural engineering remediation required, as follows:
 - a) Stage 1 - specific conservation works (these works should be undertaken prior to new works); and
 - b) Stage 2 - ultimate conservation works (these works should be undertaken during or after the new works).

To the satisfaction of the Responsible Authority.

7. Prior to the endorsement of plans under Condition 1 of this permit, including any demolition works, a fully detailed demolition method statement must be submitted to and approved by the Responsible Authority. When approved, the statement will be endorsed and will then form part of the permit. The demolition method statement must:
 - a) Fully describe and clearly demonstrate the methods of dismantling of the heritage fabric, restoration and repair and the subsequent reconstruction of the building.
 - b) Include reference to the staging of demolition and reconstruction works on the site.
 - c) Detail the necessary protection works required during the demolition works to protect those parts of the building to be retained.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

Planning and Environment Regulations 2015
Form 9

Section 96J

Once approved by the Responsible Authority, all buildings and works must be in accordance with the demolition method statement.

Layout Not Altered

8. The development and/or use of land must be in accordance with the plan/s endorsed under this permit and subject to the conditions set out in this permit.
9. The layout of the access/use/development as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
10. Once the development starts, it must be continued and completed to the satisfaction of the Responsible Authority.

Use

11. No more than sixty (60) patrons (not including staff) may be present at any time on the site in association with the restaurant and wine bar use unless with the prior written consent of the Responsible Authority.
12. Except with the prior written consent of the Responsible Authority, the use (restaurant and wine bar) may only operate:
 - a) Monday and Tuesday: 5:00pm to 9:00pm
 - b) Wednesday: 5:00pm to 10:00pm
 - c) Thursday and Friday: 5:00pm to 11:00pm
 - d) Saturday: 11:00am to 11:00pm
 - e) Sunday 11:00am to 10:00pm.
13. Except with the prior written consent of the Responsible Authority, the use (food and drink premises) may only operate between 6:00am and 3:00pm seven (7) days per week.
14. Except with the prior written consent of the Responsible Authority, the use (office) may only operate between 7:00am and 5:00pm between Monday and Friday.

Conservation Management Plan (Built Heritage)

15. Before the development (including any demolition works) starts, a conservation management plan for the heritage building to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the conservation management plan will be endorsed and will then form part of the permit. The conservation management plan must include:
 - a) Window and door repairs/restoration.
 - b) External joinery restoration.
 - c) Stripping of painted brickwork.
 - d) Fence design.
 - e) Removal of the slate tiles on the portion of the building, which is to be demolished, and their re-use to repair the remaining roof.

Works to the heritage building must be undertaken in accordance with the conservation management plan to the satisfaction of the Responsible Authority.

Date issued: XX Month XXXX Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:

Planning and Environment Regulations 2015
Form 9

Section 96J

Construction Environmental Management Plan

16. Prior to the commencement of any buildings or works a Construction Environmental Management Plan (CEMP) is to be prepared, where appropriate.

The CEMP must specifically address significant flora and fauna where the buildings or works are within:

- a) 50 metres of any native vegetation to be retained in the *Officer Precinct Native Vegetation Precinct Plan (September 2011)*; and/or
- b) 100 metres of any waterbody (including creeks, drains, dams and wetlands) under the provisions of the incorporated *Officer Precinct Structure Plan Conservation Management Plan (excluding Cardinia Creek)*; and/or
- c) the area shown as Environmental Residential (south of the railway line) in Plan 2.

The CEMP must address all requirements specified in the *Officer Native Vegetation Precinct Plan (September 2011)* and the relevant Conservation Management Plan and be to the satisfaction of the responsible authority.

Conservation Management Plan (Environment)

17. Where the *Officer Precinct Structure Plan Conservation Management Plan (excluding Cardinia Creek) (Ecology Partners, 15 September 2011)* or the *Officer Precinct Structure Plan Cardinia Creek Conservation Management Plan (Ecology Australia, 8 September 2011)* has been approved by the Secretary to the Department of Sustainability and Environment and it applies to the land (refer Plan 13 of the incorporated *Officer Precinct Structure Plan*), any permit granted for subdivision or the construction of a building or the carrying out of works must include the following conditions:

- a) The actions which identify the responsible agent as the "landowner" or "developer" in the Conservation Management Plan (CMP) must be implemented to the satisfaction of the Department of Sustainability and Environment.

and the following conditions, where appropriate:

- b) Prior to any works commencing within 100 metres of the edge of any waterbody which is to be retained, a highly visible fence is to be installed 20 metres from the edge of the water body.
- c) No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses.
- d) Pollution or litter traps must be provided on the land at appropriate points along the drainage system or drainage lines.
- e) A salvage and translocation plan must be prepared and implemented to the satisfaction of the Department of Sustainability and Environment and the approval of the responsible authority.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

Planning and Environment Regulations 2015
Form 9

Section 96J

Landscape Masterplan (Development)

18. Before the development starts (including any demolition works), a landscape plan to the satisfaction of the Responsible Authority prepared by a suitably qualified person in landscape design must be submitted to and approved by the Responsible Authority. When approved, the landscaping plan will be endorsed and will then form part of the permit. All species selected must be drought tolerant and proven hardy cultivars suitable to the local conditions. Planting must not impact sightlines for vehicles, pedestrians or cyclists. The landscaping plan must be generally in accordance with the landscape concept plan dated 24 February 2025 (Revision A) prepared by Zenith Concepts Pty Ltd, but modified to show:
- A survey (including botanical names) of all existing vegetation to be retained and/or removed.
 - Buildings and trees (including botanical names, trunk location, trunk diameter and canopy spread) on neighbouring properties within three metres of the boundary (or where the Tree Protection Zones of such trees fall within the subject site as calculated in accordance with Australian Standards AS4970-2009 (or its successor/equivalent)).
 - Details of surface finishes of pathways and driveways.
 - A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - Landscaping and planting within all open areas of the subject land.
 - Screening vegetation adjacent to the bin storage enclosure/s.
 - All fencing along a common boundary with land which is or is intended to become public open space must not exceed 1.2m in height and must include a pedestrian gate and/or stairs as required.
 - All fencing treatment shown on endorsed plans as a part of this permit, to be in accordance with the Arborist Impact Assessment report (prepared by Arbkey, dated 11 November 2024).

Landscape Conditions

- Before the development is occupied or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.
- Before the development including demolition starts, a tree protection fence must be erected around the existing street trees to be retained outside the canopy zone of the tree to define a "Tree Protection Area". The fence must be constructed of star pickets and chain mesh or similar to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area without the written consent of the Responsible Authority. No storage or dumping of tools, equipment or

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

Page 6 of

15

OFFICIAL

Planning and Environment Regulations 2015
Form 9

Section 96J

waste is to occur within the Tree Protection Area. Any pruning that is required to be done to the canopy or roots of any tree to be retained is to be done with permission by Council's Arborist by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-2007.

22. Before the development starts a fee per tree, as amended from time to time, must be paid to the Responsible Authority for the replacement of the existing street tree/s nominated to be removed for the development. Replacement will be undertaken by Council contractors within the streetscape in the next planting season.

Tree Management Plan

23. Before the commencement of any works, a Tree Management Plan must be prepared by a suitably qualified arborist in accordance with AS4970 (2009) and be submitted to and approved by the responsible authority. The Tree Management Plan must detail the following:
- A structural assessment of all retained trees.
 - The procedure for protecting any impacted trees through the implementation of the endorsed development plans.
 - Identification of requisite tree protection zones.
 - Underground services must not encroach into the Structural Root Zone of any tree retained. Services should not be installed by open trenching but use boring/tunnelling if they pass through a TPZ and be at >1000mm depth.
 - Landscaping works (e.g. paving new turf) should not reduce the natural soil level >50mm within TPZs. Any landscaping works within the TPZs should be done by hand, and large roots (>50mm diameter) if encountered must be left intact.
 - Mulch the TPZ areas where possible with coarse mulch (e.g. composted wood chips 100mm deep), prior to heavy machinery entering the site.
 - Direction for management activities to improve the health of the retained trees over the long term.

Waste Management Plan

24. Before the use commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority and prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority. When approved, the Waste Management Plan will be endorsed and will then form part of the permit. The Waste Management Plan, generally consistent with that prepared by One Mile Grid, dated 1 August 2023, must be updated to:
- Provide detail of the proposed arrangements for collection of waste from the land.
 - Demonstrate and show swept path diagrams for proposed waste collection vehicles.
 - Be consistent with relevant guidelines prepared by Cardinia Shire Council regarding waste management for new residential and mixed-use developments.
25. The endorsed Waste Management Plan must be complied with to the satisfaction of the Responsible Authority. The Waste Management Plan may only be amended with the written consent of the Responsible Authority.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

Planning and Environment Regulations 2015
Form 9

Section 96J

Engineering Conditions

26. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority.
27. Before the development starts, a stormwater management plan showing the stormwater works to the nominated point of discharge must be submitted for the approval of the Responsible Authority. The stormwater management plan must be prepared by a suitably qualified person and show details of the proposed stormwater works including all existing and proposed features that may have impact (including trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc). All works must be undertaken in accordance with the approved stormwater management plan.
28. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
29. Before the development is occupied, all proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.
30. At least 14 days before any works start, a site specific Construction Environmental Management Plan (CEMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CEMP will be endorsed and will then form part of the permit. All works must be undertaken in accordance with the approved CEMP.

The CEMP must address all environmental risks and include:
 - a) Temporary stormwater management including sedimentation control,
 - b) Provision of pollution and contamination controls including noise and dust,
 - c) Location of stockpiles and stockpile management,
 - d) Location of site office and facilities
 - e) Equipment, materials and goods management.
 - f) Tree protection zones, trees to be retained and trees to be removed.
31. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

Page 8 of

15

OFFICIAL

Planning and Environment Regulations 2015
Form 9

Section 96J

Patron and Premises Plan

32. Before the use (restaurant and wine bar) starts, a Patron and Premises Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Site Management Plan will be endorsed and will then form part of the permit. The Site Management Plan must show:
- Hours of operation (days and hours in accordance with that permitted under this permit).
 - Site security.
 - Provision of security cameras.
 - Details about minimising and managing graffiti and its removal.
 - Maintenance of parking areas, loading bay areas and any other paved areas.
 - Maintenance of the public realm (including paving, street furniture and landscaping).
 - Management of advertising signs.
 - Arrangements for managing the car park, landscape areas, bins, bicycle racks, deliveries (delivery truck routes, delivery times) and waste collection.
 - Outdoor dining standards.
 - Management of litter, rubbish bins and skips.
 - Arrangements for achieving surveillance and views into and out of the development and to car parking areas through the provision and maintenance of clear unobstructed glazing (no tinting, reflective film, advertising or storage displays) to at least 80% of all glazing.
 - Contact details of the site manager.
33. Unless with the prior written consent of the Responsible Authority, the use must operate in accordance with the approved Patron and Premises Plan to the satisfaction of the Responsible Authority.

Traffic, Loading and Parking Management Plan

34. Before the use starts, a Traffic, Loading and Parking Management Plan to the satisfaction of the Responsible Authority and prepared by a suitably qualified engineer must be submitted to and approved by the Responsible Authority. Once approved, the Traffic, Loading and Parking Management Plan will be endorsed and will then form part of the permit. The Traffic, Loading and Parking Management Plan must show:
- The location of all areas on and/or off-site to be used for staff and patron parking.
 - Owner's permission and any required planning permission for parking on other land.
 - Specification of staff numbers adequate to enable efficient operation of car parking areas both on- and off-site.
 - The number and location of all on and off-site security staff.
 - The means by which the direction of traffic and pedestrian flows to and from car parking areas will be managed and controlled both on and off-site.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

Planning and Environment Regulations 2015
Form 9

Section 96J

- f) Measures to discourage patron car parking in Grace Street.
 - g) Measures to preclude staff parking in designated patron car parking areas.
 - h) Staffing and other measures to ensure the orderly departure and arrival of patrons especially any large groups departing at closing time.
 - i) Servicing of the drainage and maintenance of car parking areas.
 - j) Signage/devices to direct loading/unloading vehicles.
 - k) Designated loading and unloading bay/s.
35. All traffic, loading and parking on the land must be implemented and complied with at all times in accordance with the approved Traffic, Loading and Parking Management Plan to the satisfaction of the Responsible Authority.
36. Except with the written consent of the Responsible Authority, no live or amplified music or entertainment may occur on the premises.
37. No live music, live entertainment, pre-recorded or amplified music may be played outside the building at any time, unless with the prior written consent of the Responsible Authority.
38. Speakers must not be installed or located outside the building, unless with the prior written consent of the Responsible Authority.
39. Empty bottles must be stored internally to the satisfaction of the Responsible Authority. Any transfer of bottles to external areas must not occur after 10.00 pm or before 7.00 am daily on any day. If a bottle crusher is used on the premises, the transfer of crushed material to external areas may take place at any time with the prior written consent of the Responsible Authority.

Fencing to Public Open Space

40. Before the use starts and/or development is occupied, or at any other time agreed to by the Responsible Authority, all fencing along a common boundary with land which is or is intended to become public open space must be erected in accordance with the Officer Precinct Structure Plan or otherwise to the satisfaction of the Responsible Authority. The fencing must be designed and erected in accordance with the endorsed plans that form part of this permit.

Works Required Prior to Occupation

41. Before the use starts and/or development is occupied, the recommendations made in the Preliminary Environmental & Hydrogeological Site Investigation report (prepared by Tonkin & Taylor Pty Ltd, dated May 2024), in regard to appropriate design of infrastructure to consider salinisation of soils and monitoring of groundwater levels during development works must be implemented to the satisfaction of the Responsible Authority.
42. Where saline groundwater is encountered during construction that is detrimental to infrastructure, management strategies to protect the development must be implemented to the satisfaction of the Responsible Authority.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

Page 10 of

15

OFFICIAL

Planning and Environment Regulations 2015
Form 9

Section 96J

43. Before the development is occupied, the following must be completed for that stage to the satisfaction of the Responsible Authority:
- a) Any redundant existing vehicle crossing must be removed and the footpath, nature strip and kerb and channel reinstated at no cost to the Responsible Authority and to the satisfaction of the Responsible Authority.
 - b) All car parking spaces located within the common property driveway must be finished to the satisfaction of the Responsible Authority.
 - c) All areas set aside for access, crossovers and footpaths must be constructed, sealed, drained and delineated.
 - d) Outfall drainage must be designed and constructed to a satisfactory point of discharge in accordance with plans and specifications approved by the Responsible Authority.
 - e) The premises are connected to reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
 - f) All landscaping works shown on the endorsed plan/s must be carried out and completed to the satisfaction of the Responsible Authority. The landscaped areas must be maintained to the satisfaction of the Responsible Authority.
 - g) A bin storage area must be provided for each premises/tenancy and must be located so as not to be detrimental to the visual amenity of the neighbourhood and/or as shown on the endorsed plans.
 - h) Lighting must be provided near the front entrance of each premises/tenancy and along accessways.

General Conditions

44. The use/development must be managed so that the amenity of the area is not detrimentally affected including through the:
- a) Transport of materials, goods or commodities to or from the land.
 - b) Appearance of any building, works or materials.
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - d) Presence of vermin.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

Page 11 of

15

OFFICIAL

Planning and Environment Regulations 2015
Form 9

Section 96J

45. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building, including the roof, must be of a non-reflective nature.
46. Before the use starts/the development is occupied, all pipes, fixtures, fittings and vents servicing any building on the subject land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
47. Before the use starts/the development is occupied, all external plant and equipment must be acoustically treated or placed in soundproof housing to ensure no unreasonable noise impact, to the satisfaction of the Responsible Authority.
48. No plant, equipment, services or architectural features other than those shown on the endorsed plan/s are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
49. All rooftop plant and equipment (including air conditioning units, heating units and hot water systems) must be concealed or screened from the public realm (and remain so), all to the satisfaction of the Responsible Authority.
50. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
51. The loading and unloading of goods from vehicles must not disrupt the circulation and parking of vehicles on the land and must only be carried out on the land:
 - a) Within the designated loading bay/s.
 - b) In accordance with the endorsed Traffic, Loading and Parking Management Plan required under this permit.

Advertising Signs

52. The location and details of the signs, including those on the supporting structure, as shown on the endorsed plan/s, must not be altered without the prior written consent of the Responsible Authority.
53. The illumination of the sign/s must not detrimentally affect the amenity of the area through the emission of unreasonable levels of light beyond the boundary of the subject land.
54. The sign/s lighting must be designed, baffled and located to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
55. Sign/s must not contain any flashing light.
56. Sign/s must be displayed and maintained to the satisfaction of the Responsible Authority.
57. The intensity of the illuminated signage must be limited to the satisfaction of the Responsible Authority to not cause distraction to motorists or any detriment to the amenity in the surrounding area.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

Page 12 of

15

OFFICIAL

Planning and Environment Regulations 2015
Form 9

Section 96J

Department of Transport & Planning (DTP)

58. Prior to the endorsement of plans, amended plans must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be generally in accordance with the Ground Floor Plan date stamped 14/03/2024 (Drawing no: 2021.000, TP-07, Revision V2.2) but modified or annotated to show:
- The provision of a left turn deceleration lane on the Princes Highway to the satisfaction of and at no cost to the Head, Transport for Victoria.
 - No overflow parking permitted on the existing gravel shoulder on the Princes Highway.
59. Unless otherwise agreed in writing by the Head, Transport for Victoria, prior to the commencement of roadworks on Princes Highway, a Functional Layout Plan (FLP) and functional stage Road Safety Audit must be submitted to the Head, Transport for Victoria for approval. The FLP must include:
- The provision of a left turn deceleration lane length in accordance with AustRoads Guidelines.
 - The provision of appropriate signage or parking controls to prohibit parking on Princes Highway along the frontage of the site to the satisfaction of the Responsible Authority.
 - The hours of operation and patron numbers associated with the use must not be altered without the written consent of the Head, Transport for Victoria.
60. Subsequent to the approval of the Functional Layout Plans and prior to the commencement of any roadworks on Princes Highway required by the Head, Transport for Victoria under this permit, the permit holder must submit detailed engineering design plans, along with a detail design stage Road Safety Audit, to the Head, Transport for Victoria for review and obtain written approval. The detailed design plans must be generally in accordance with the approved Functional Layout Plan. Any identified issues in the Road Safety Audit must be addressed in the detailed design plan to the satisfaction of and at no cost to the Head Transport for Victoria.
61. Prior to the commencement of the use, all required roadworks on Princes Highway as per the approved detailed design plan must be completed to the satisfaction of and at no cost to the Head, Transport for Victoria.
62. All vehicles must enter and exit the site in a forward direction at all times.

Date issued: XX Month XXXX	Signature for the responsible authority:
Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	

Page 13 of

15

OFFICIAL

Planning and Environment Regulations 2015
Form 9

Section 96J

Expiry Conditions

63. This permit will expire if one of the following circumstances applies:

- a) The development does not start within **three (3) years** of the date of this permit; or
- b) The development is not completed within **five (5) years** of the date of this permit; or
- c) The use does not start within **three (3) years** of the completion of the development; or
- d) The use is discontinued for a period of **three (3) years**.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with section 69 of the *Planning and Environment Act 1987*.

64. The permit for signage will expire **fifteen (15) years** from the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with section 69 of the *Planning and Environment Act 1987*.

USEFUL INFORMATION:

(the following information does not form part of this permit)

1. The permitted use or development may need to comply with, or obtain the following further approvals:
 - a. A building permit under the *Building Act 1993*.
 - b. Removal of any asbestos containing fibro-cement sheeting in accordance with the Victorian Occupational Health and Safety Regulations.

Date issued: XX Month XXXX Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:

OFFICIAL

15

Page 14 of

Planning and Environment Regulations 2015
Form 9

Section 96J

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit. This permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. [insert planning scheme number] to the [insert planning scheme].

WHEN DOES A PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if–
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation, within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if–
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if–
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision–
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Administrative Tribunal for a review of any condition in this permit.

Date issued: XX Month XXXX Date permit comes into operation: XX Month XXXX (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:

OFFICIAL

15

Page 15 of

Planning and Environment Act 1987

Cardinia Planning Scheme

Amendment C282card

Planning Permit Application T230528

Explanatory Report

Overview

This combined planning scheme amendment and planning permit application seeks to facilitate a mixed-use development on land in the Heritage Overlay (HO). In doing so, it proposes to restore and reuse a kiln and chimney of heritage significance.

Where you may inspect this amendment

The amendment can be inspected free of charge at:

- the Cardinia Shire Council website at <https://www.cardinia.vic.gov.au/>

The amendment is available for public inspection, free of charge, during office hours at the following places:

- Cardinia Shire Council, 20 Siding Avenue, Officer VIC 3809

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: 22 June 2026.
- Panel hearing: 20 July 2026.

Details of the amendment

Who is the planning authority?

This amendment has been prepared for the Cardinia Shire Council, which is the planning authority for this amendment.

The amendment has been made at the request of Nobelius Land Surveyors on behalf of James Hicks Pottery Site Pty Ltd.

Land affected by the amendment

The amendment applies to the former James Hicks Pottery site which is a locally significant heritage place in the Cardinia Shire containing a remnant kiln and chimney. The land affected by the amendment is Lot AA PS814723, Cotswold Crescent, Officer VIC 3809



Figure 1: Aerial map showing the land affected by the amendment as outlined in orange.

The amendment is a combined planning permit application and planning scheme amendment under section 96A of the *Planning and Environment Act 1987* (the Act).

The planning permit application applies to

- Lot AA PS814723, Cotswold Crescent, Officer VIC 3809

The subject land is included in the Urban Growth Zone Schedule 3 (UGZ3) forming part of the Officer Precinct Structure Plan (Officer PSP) and the applied zone provisions of the Schedule to the UGZ include the land in the General Residential Zone (GRZ). The subject land was previously used as a brickworks operated by James Hicks Pottery Pty Ltd. The former clay pit associated with the brickworks is located on the land immediately to the west of the site and forms part of the heritage place subject to HO104.

What the amendment does

The combined amendment and planning permit application proposes to amend the Schedule to the Heritage Overlay (HO) to consider prohibited uses for HO104 and

concurrently consider a planning permit application for land at Cotswold Crescent, Officer to facilitate a mixed-use development.

Specifically, the proposed amendment seeks to:

- Amend the Schedule to the HO to allow prohibited uses to be considered for HO104 (James Hicks Pty Ltd Pottery) by amending the 'prohibited uses permitted?' column to state 'Yes'.

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO104	James Hicks Pty. Ltd. Pottery 365 Princes Highway, Officer	Yes	Yes	No	Yes	Yes	No	Yes	No

The planning permit application seeks approval for:

- Use of the land for **office and food and drink premises**;
- Buildings and works associated with the above uses, being development of the land with an office building, café, restaurant/wine bar and associated car parking;
- Construction and display of signage associated with the development;
- Reduction in the minimum number of car parking spaces required;
- Creation of access to the Princes Highway (TR22).

The draft planning permit is attached as a separate document to this Explanatory Report.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to facilitate a mixed-use development that includes an 'Office' use (a prohibited use in the GRZ) and the restoration and re-adaptive use of a remnant kiln and chimney structure which attributes to the significance of the heritage place at Cotswold Crescent, Officer.

Pursuant to Clause 43.01-9 (Use of a heritage place), a permit may be granted to use a heritage place for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay specifies the heritage place as one where prohibited uses may be permitted.
- The use will not adversely affect the significance of the heritage place.
- The benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place.

Prohibited uses are not currently permitted to be considered at the heritage place. The amendment component to this proposal seeks to change this with the concurrent planning permit seeking to facilitate the mixed-use development, including the prohibited Office use.

The proposed Office use will not adversely affect the significance of the heritage place, and a planning permit application has been prepared and lodged concurrently with this amendment to demonstrate how the proposed mixed-use development and the proposed office use will aid in the conservation of the heritage place. The office component of the use and development proposed under the permit application presents the most reasonable and compatible use of the site in comparison with other permitted uses, and the most economically viable with the capacity to contribute to the ongoing preservation of the heritage components on the site.

Limitation of the Officer PSP

When the Officer PSP was developed, heritage sites were not addressed in significant detail, with these matters deferred to a later stage (planning permits) to establish a suitable transition for heritage sites.

The Officer PSP provides limited guidance on the future use of the subject site. A kiln, as a heritage component, does not have an adaptable use; instead, it requires ongoing maintenance and preservation. Although a planning permit for a restaurant has been issued for the site in the past, this use is not viable for the maintenance of the kiln or for constructing a structure over it.

The construction of a structure over the kiln is essential as such a structure would protect the kiln's heritage elements. Without it, the kiln is at risk of deteriorating due to weather exposure, which could lead to its collapse.

The proposed development will provide the following benefits to the community:

- The development will serve as a buffer between the Princes Highway and residential areas, with the office building to mitigate noise from the highway.
- It will create opportunities for local employment.
- The development will promote nighttime activation of the space and enhance surveillance.
- It will contribute to the preservation of the heritage site and the Shire's history.

Impact on land identified for employment in Officer PSP

The proposal does not negatively affect the availability of employment land designated in the Officer PSP. The office development includes approximately 540sqm of allocated floor space for office use. With the implementation of *Plan for Victoria 2025*, it is anticipated that Cardinia will see an increase in population, which will create a greater demand for employment land. The mixed-use development will contribute

positively to the local economy. Furthermore, there are comparable office developments along the Princes Highway, making this proposal consistent with the existing character of the road interface.

How does the amendment implement the objectives of planning in Victoria?

The objectives of planning in Victoria will be implemented by the amendment through the re-development of the subject site, which contributes to the re-adaptive use and preservation of a valuable community asset. Key objectives under Section 4 of the Act are addressed as follows:

(1)(a) To provide for the fair, orderly, economic and sustainable use, and development of land.

The proposed amendment will implement this objective by facilitating a mixed-use development for the site, including an Office use, which will have the benefit of:

- extending the use of the site through the day and into the evening;
- providing economic use and development with associated localised employment opportunities;
- localised employment which has the potential to reduce car dependency;
- providing use and development that has reduced demand for car parking when compared to permitted uses;
- providing the opportunity to use the heritage site in a sustainable way which contributes to the ongoing conservation of the kiln and chimney; and
- providing use and development that complements the unique heritage components of the kiln and chimney and supports their revitalisation.

(1)(b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.

The amendment protects man-made resources that have identified heritage value through the redevelopment of the site with design that is specifically engineered to preserve and re-adapt the kiln and chimney.

(1)(c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.

The amendment will facilitate development that will contribute to a unique and valuable place of historical interest for the community and the region. The site is an adequate size and suitably located, ensuring the safety and convenience of patrons without detrimental impacts on the surrounding community. The development design evidences a sensitivity to the residential use and development to the north through the incorporation of fencing, battered lighting and strategic planting to minimise detrimental effects associated with noise, glare and overlooking. The uniqueness of the site contributes to its appeal to patrons further afield with ease of access aiding its

pleasant, efficient and safe appeal.

(1)(d) *To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*

The amendment facilitates the use and development of the site for an office, café and restaurant, which presents the most reasonable and economically viable option for the conservation and enhancement of the sites' heritage components.

The permit application contemplates a mixed-use development that will generate a 'hub' of activity to revitalise the site and contribute financially to the ongoing conservation of the heritage listed brick kiln and chimney structures.

How does the amendment address any environmental, social and economic effects?

The amendment ensures that any potential adverse environmental, social and economic effects are addressed through the planning permit application prior to the use and development commencing at the site to assist in ensuring the proposal results in a net community benefit.

Environmental effects

The amendment addresses environmental effects by:

- Being preceded by detailed site investigations to ensure the former industrial use of the land associated with bricks and pottery works will not adversely impact any proposed use or development of the land.
- Providing assurance as to the ongoing management of the heritage site by requiring a Construction Management Plan in accordance with the Heritage Impact Assessment undertaken.
- Supporting the restoration of the site, the provision of landscaping and implementation of water sensitive urban design measures.
- Directing development into a low risk location that is not subject to inundation or bushfire ensuring the proposal will not elevate environmental risks to the community.

Social effects

The amendment addresses social effects by:

- Providing local employment opportunities proximate to places of residence and a commensurate reduction in car dependency.
- Buffering residential development from the amenity impacts associated with proximity to the Princes Highway.
- Enabling use and development that will conserve, enhance and celebrate a locally significant heritage place.

- Creating a strong sense of place by facilitating uses that encourage visitors to the site and investing in the conservation of a heritage place to reinforce the importance of the site to the community.
- Facilitating the mixed-use development which is envisioned to be a social hub and community meeting place integrated within the residential neighbourhood and the existing walking paths and local open space network.

Economic effects

The amendment addresses economic effects by:

- Making best use of existing land in proximity to services, transport and community facilities.
- Remediating and revitalising an underutilised and redundant former industrial site that is currently making little economic contribution to the local or broader area.
- Providing local employment and opportunities for additional trade within a new residential community.

Does the amendment address climate change?

The amendment considers climate change in accordance with Sections 4(2)(da) and 12A of the Act insofar as it enables the use and development of urban land in a way that reduces deterioration through the impacts associated with 'weathering' on the kiln and chimney, which are the heritage features on the subject land. This is supported by the Conservation Management Plan prepared by Heritage Insight, 2015.

The amendment will reduce transport related emissions by locating an office use proximate to an established residential area, facilitating localised employment opportunities that reduce car dependency and prioritise active transport including pedestrianism and use of bicycle networks.

Does the amendment address relevant bushfire risk?

The amendment meets bushfire policy in Clause 13.02 of the Planning Scheme because the land is not subject to the Bushfire Management Overlay nor within a bushfire prone area. The proposed amendment and concurrent permit for the use and development of the site will not result in an increase of the risk of bushfire to life, property assets, community infrastructure or the natural environment.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The amendment is consistent with *Ministerial Direction - the Form and Content of Planning Schemes* under Section 7 (5) of the Act as it amends Section 2.0 (Heritage Places) in the schedule to the HO consistent with the template provided in the direction.

Ministerial Direction 1 – Potentially Contaminated Land

This Ministerial Direction requires any amendment which would have the effect of allowing potentially contaminated land to be used for a sensitive use, agriculture or public open space to be considered and ensures that a planning authority must satisfy itself that the environmental conditions of that land are or will be suitable for that use.

The proposed amendment will allow for the use of the land for 'office' use, and this use is safe for the site, as assured by the results of a preliminary Environmental & Hydrogeological Assessment undertaken on the site. The report found concentrations of measured contaminants below the adopted Health Investigation Levels (HILs) for residential sites and an absence of contaminants that were considered likely to impact on the buildings and structures beneficial use.

Ministerial Direction 11 – Strategic Assessment of Amendments

This Ministerial Direction has the purpose of ensuring comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces. This explanatory report meets the requirements of Ministerial Direction 11.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment supports and implements the following Planning Policy Framework:

Clause 02.02 Vision

The amendment helps to give effect to the vision for Cardinia – 'Cardinia Shire will be developed in a planned manner to enable present and future generations to live healthy and productive lives and to enjoy the richness of the diverse and distinctive characteristics of the Shire'. The amendment facilitates development that integrates within the surrounding walking and open space network, will generate social and employment opportunities within a new residential estate, foster the sustained wellbeing of the community and enhance the experience of people who live, work and visit the municipality.

Clause 02.03 Strategic directions

The amendment helps to address key issues associated with environment, settlement, economic development and particular use and development by facilitating the sustainable development of land in the Urban Growth Zone, enabling the development of a balanced local economy and local employment opportunities for residents, and by protecting and enhancing a place of heritage significance. The amendment will enable a use and development outcome with attractive, functional and sustainable built form that will integrate within its heritage setting and the wider residential neighbourhood.

Clause 02.03-5 Built environment and heritage

The strategic direction of this Clause seeks to provide for the protection and appropriate management of sites of heritage significance. A Heritage Impact

Statement has informed the use proposed, to be enabled by this amendment by qualifying the compatibility of permitted uses and their ability to achieve the economic return required to contribute to the restoration and readaptation and ongoing conservation of the heritage place. The amendment will enable a prohibited use (office) in order to create a 'hub' of uses that operate in symbiosis. The prohibited use (office) is the most compatible and reasonable use for the site when having regard for the economic return required to ensure the protection and ongoing conservation of the James Hicks Bricks and Pipe Works site and restoration and reuse the existing heritage structures.

Clause 13.04-1S - Contaminated and potentially contaminated land

The amendment has been informed by detailed site investigations which aligns with the objective to ensure contaminated and potentially contaminated land is used and developed appropriately and safely.

Clause 13.07-1S Land use compatibility

The amendment is consistent with the objective to protect amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts. The amendment will enable an Office use which will complement the surrounding residential uses and respond to the site's location adjacent to the Princes Highway.

Clause 15 - Built environment and heritage

The amendment is consistent with this Clause, which seeks to ensure planning delivers high quality-built form that is efficient, responsive to the surrounding landscape and character including its associated risks, protective of heritage, and provides the functionality required by the community.

Clause 15.01-1S - Urban design

The amendment accords with this Clause, which seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. The amendment facilitates the provision of high quality and architecturally designed urban space that appropriately responds to the opportunities and constraints of the site and context.

Clause 15.01-1L-01 Urban Design

The amendment is consistent with the objectives that have regard to good urban design. The design plans associated with the concurrent planning application (T230528) evidences a site responsive, high quality architectural design that responds to the heritage setting and the sensitive residential, open space and Princes Highway interfaces. The design provides for extensive landscaping and pedestrian and cycling connectivity to the surrounding area.

Clause 15.01-2S - Building design

The amendment is consistent with the objective of this Clause to achieve building

design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable design. The amendment enables the development of the site in a manner that integrates with surrounding land uses and makes best use of a heritage place of local significance in a highly visible and accessible location.

Clause 15.01-5S - Neighbourhood character

The amendment complies with this Clause, which seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place. The amendment facilitates development that respects adjoining residential uses, is consistent with commercial development along the Princess Highway, and responds to and enhances the heritage significance of the site.

Clause 15.03-1S - Heritage conservation

The amendment supports the objective of this Clause which is to ensure the conservation of places of heritage significance. A Heritage Impact Statement (HIS) has informed the proposed use and development of the site and the amendment will provide for the ongoing conservation of a locally significant heritage place.

Clause 17.01-1S - Diversified economy

The amendment supports the objectives of this Clause as it allows for a mixed-use development that will encourage economic development, commercial enterprise, tourism, and improve access to jobs closer to where people live.

Clause 17.01-1L Diversified economy – Cardinia

The amendment responds to the key issues for employment in the Shire and will provide for a use and development outcome that generates local employment opportunities and trade within a growing residential community and along a key transport route. The amendment enables a prohibited use (office) which helps to give effect to the numerous strategies to facilitate employment opportunities in the Shire.

Clause 17.02-1S Business

The amendment will enable an Office use to meet the community's needs for employment opportunities proximate to where people live in a location with high levels of access and visibility.

Clause 17.02-2S Out-of-centre development

The amendment is consistent with the objective of Clause 17.02-2S as it will enable an Office use within a mixed-use development that will provide net social and economic benefits from the creation of local employment opportunities within close proximity to where people live, the strengthening of the local community, the creation of a meeting place or social hub, and the bolstering of sense of place and community associated with the preservation and celebration of a heritage site in a prominent location within Officer.

Clause 18.01-1S Land use and transport integration

The amendment will not result in development that encroaches or causes detriment to the current or future function of the Princes Highway.

Clause 18.02-1S Walking and Clause 18.02-2S Cycling

The amendment will support a mixed-use development that makes jobs and services more accessible and promote the Walking and Cycles objectives. Several bus stops are within walking distance and the site immediately adjoins existing footpaths, including a regionally significant Shared User Path that provides connection between the new residential estates and the services and amenities along Princes Highway.

Clause 19.03-2S Infrastructure design and provision

The amendment is required to facilitate a mixed-use development that will contribute social and physical infrastructure to a growth area.

Clause 19.03-5S Waste and resource recovery

The amendment will enable an Office use which is not foreseen to contribute to any significant landfill or environmental, amenity or public health impacts.

Is the amendment consistent with the delivery of the relevant housing target set out in the Planning Policy Framework?

The amendment will support infill development and the provision of employment opportunities proximate to existing housing which will reduce car dependency and promotes active transport such as pedestrianism and the use of bicycle networks.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victorian Planning Provisions by amending the table in the Schedule to HO to allow for prohibited uses to be considered under the prohibited uses column. In the absence of permitting prohibited uses, the proposal would not be allowed under the current planning controls. Any proposal that contemplates a prohibited use at the site will still be subject to the assessment and consent of the Responsible Authority.

How does the amendment address the views of any relevant agency?

The amendment was referred to the Department of Transport and Planning (DTP), and a request for further information was provided in March 2024. The amendment responds to the comments provided by DTP by ensuring vehicles cannot enter Grace Street from the Princes Highway via the proposed car park, ensuring the existing gravel shoulder area along the highway will not be used as an informal parking space, and ensuring that vehicles can safely and efficiently manoeuvre within the carpark, and ingress and egress of the site.

Council also notified the Victorian Planning Authority of this amendment.

Exhibition stage

The views of relevant agencies will be considered as part of the public exhibition process of the amendment. Agencies including Melbourne Water, VicRoads, and DTP will be notified and consulted as part of this process.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is consistent with the objectives and decision-making principles in the *Transport Integration Act 2010*. Specifically:

- It promotes social and economic benefits associated with development of land with good access and visibility from the Princes Highway.
- It promotes social and economic inclusion by developing land proximate to residential development, which is accessible by all in the community.
- Access and carparking has been informed by a traffic engineering assessment.

The amendment enables a small-scale mixed-use development that is unlikely to have any significant impact on the transport system as the road network has existing capacity.

As part of the exhibition of the amendment, DTP will have an opportunity to review the proposed amendment and provide a submission.

How does the amendment have regard to the principles set out in the *Yarra River Protection (Wilip-gin Birrarung murrong)* Act 2017 in relation to Yarra River land and other land, the use or development of which may affect Yarra River land?

Yarra River land is not affected by this amendment.

Resource and administrative costs**What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

This amendment will not have an unreasonable impact on the resource and administrative costs of the Cardinia Shire Council. The amendment component requires the responsible authority to implement changes to the table of heritage places in the Schedule to the HO. These impacts are not considered onerous. The costs associated with the restoration and ongoing preservation of the heritage listed brick chimney and kiln structures will be assumed by a private entity for the benefit of the broader community. The amendment is not foreseen to result in any ongoing costs to

Council.

Planning and Environment Act 1987

Cardinia Planning Scheme

Amendment C282card

Instruction sheet

The planning authority for this amendment is the Cardinia Shire Council.

The Cardinia Planning Scheme is amended as follows:

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

1. In **Overlays** – Clause 43.01, replace the Schedule with a new Schedule in the form of the attached document.

End of document

7.2.2 ENDORSEMENT OF DRAFT PLANNING SCHEME REVIEW (PART A) FOR PUBLIC EXHIBITION

Responsible GM:	Wayne Mack
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	2. Vibrant Places 2.1 Strategic planning - We ensure the Cardinia Shire Planning Scheme delivers high quality outcomes that preserve the liveability and identity of the municipality and protecting our natural environment, while also accommodating for population growth and economic development, while preserving the liveability and identity of the municipality and protecting our natural environment. 3. Adaptive Environments 3.1 Biodiversity - We protect our biodiversity and enhance our natural assets and diverse ecosystems. 4. Prosperous Economies 4.1 Investment attraction - We advocate for major infrastructure projects and investment that secure and enhance the economic potential of the municipality. 5. Responsible Leaders 5.1 Customer focus - We deliver customer-centred service that is clear, accessible, and responsive. 5.2 Engagement - We build trust and encourage participation in Council decision-making by providing ongoing opportunities for people to have their say, ensuring the diverse voices of the Cardinia community are heard and considered. 5.9 Gender and social equity - We consider gender and social equity when making decisions, and we ensure that our policies, programs and services promote gender equality.

Recommendation

That Council:

1. Endorses the Cardinia Planning Scheme Review to be split into Part A and Part B to meet the obligations set by the Minister for Planning, as defined in Attachment 1.
2. Notes and consider the Draft Planning Scheme Review Report Part A (Attachment 2) and the Marked-up Planning Scheme (Attachment 3).
3. Endorses the Draft Planning Scheme Review Report Part A (Attachment 2) and the Marked-up Planning Scheme (Attachment 3) to be placed on public engagement for four weeks from the 21 April 2026.
4. Authorises Council officers to consider all submissions received and determine if any changes are required to the Draft Planning Scheme Review Report Part A (Attachment 2) and the Marked-up Planning Scheme (Attachment 3), before presenting back to Council on the outcomes.

Executive Summary

Section 12B of the *Planning and Environment Act 1987* (the Act) requires a planning authority to undertake a review of the planning scheme every four years. Council as the planning authority for the Cardinia Planning Scheme is required to evaluate the effectiveness and efficiency of the planning scheme to ensure it achieves the objectives for planning in Victoria. Specifically:

- It is consistent in Form and Content with the directions or guidelines issued by the Minister for Planning in accordance with the Victoria Planning Provisions.
- Effectively sets out the policy objectives for the use and development of land in the area to which the planning scheme applies.
- Makes effective use of State planning provisions and local planning provisions to give effect to State and local planning policy objectives.

There was significant stakeholder consultation undertaken for the Planning Scheme Review. This has informed the evaluation of strengths, opportunities and threats of the Cardinia Planning Scheme.

Key strengths identified were:

- There has been the delivery of four Precinct Structure Plans (PSPs) for employment and housing since the previous planning scheme review in 2018. This will help achieve the housing targets specified in Plan for Victoria and deliver employment land and jobs within the municipality.
- As of 13 March 2026, Cardinia's Planning Scheme was restructured into the Planning Policy Framework (PPF), a structure that is consistent with the format and structure required by the State Government.
- Several Victorian Civil Administrative Tribunal (VCAT) decisions have affirmed strong protection of land for employment-generating uses in State Significant Industrial Precincts (SSIP).

Key opportunities identified were:

- An audit identified that updates are required to the Form and Content of the Cardinia Planning Scheme to ensure it is consistent with the Ministerial Direction 5 (7). These changes will ensure the ongoing integrity and consistency of the planning scheme with the Victoria Planning Provisions.
- The preparation of the Southern Ranges and Yarra Valley and Dandenong Ranges Green Wedge Management Plan commenced in January 2026. This will provide greater clarity for the vision, values and future land use in these areas. This is particularly important to support agriculture and tourism, and to add clarity for proposed schools and Places of Worship which have been subject to VCAT decisions.
- Planning permit approvals for dwelling densities need to be assessed and quantified in the Pakenham Activity Centre Zone (ACZ) and Officer town centre to understand how Cardinia is tracking against Greenfield and Established Area Housing Targets specified in the Planning Policy Framework and Plan for Victoria.
- Key policy issues were identified through stakeholder engagement and review. Due to the recent changes to the format and structure of Cardinia's Planning Policy Framework (PPF), these will be addressed through Part B of the Planning Scheme Review to be delivered in October 2026.

Key threats identified were:

- Eight (8) Township Strategies of Cardinia are ageing, with many prepared between 2009-2015. A review of the scope, content and process for review of these township strategies would assist in the efficient delivery of the strategic planning work program.
- The process of approving a Development Plan is creating significant delays in the delivery of new development in established areas. Process efficiencies have been identified to address these issues.
- Competing land uses, Artificial Intelligence (AI) and automation have been identified as a key threat to future work force labour and employment opportunities in the municipality.

This Planning Scheme review is being undertaken in two Parts: Part A and Part B. This is mainly due to the Planning Policy Framework Translation for the Cardinia Planning Scheme that was recently gazetted on the 13 March 2026.

- Part A (Administrative) focuses on text and ordinance corrections to zones, overlays and particular provisions which were not affected by the recent PPF Translation. In simple terms, the updates are corrections to anomalies which are not affected by the PPF. It also identifies process efficiencies for continual improvement for the Cardinia Planning Scheme.
- Part B (Policy) of the Cardinia Planning Scheme Review will be delivered in mid to late 2026. This will address substantial changes to the PPF identified through stakeholder engagement and the Planning Scheme Review.

The next proposed steps are:

1. Seek endorsement of the Draft Planning Scheme Review: Part A (Attachment 2 and 3) to be placed on public engagement.
2. Undertake public engagement of the Draft Planning Scheme Review report Part A (Attachment 1 and 2) and consider any submission submitted.
3. Review submissions and determine if any changes are required
4. Seek Council endorsement for the Planning Scheme Review Part A at a future Council meeting. If endorsed submit Part A to the Minister for Planning before the 30th June 2026.
5. Commence Part B Planning Scheme Review.
6. Further updates regarding Part B will be provided to the Council, before being considered for public engagement and adoption later in the year.

Background

Cardinia Shire Council last undertook a comprehensive review of the Cardinia Planning Scheme in 2018. Cardinia Shire Council adopted its next Council Plan on the 21 June 2021 and the planning scheme review was due to be completed by 21 June 2022. At the same time, the Department of Transport and Planning commenced informal consultation with Council on restructuring our planning scheme and the planning scheme review that was due to be completed by the 21 June 2022, was delayed due to the Planning Policy Framework Translation.

On the 12 December 2024 Council received advice from the Minister for Planning allowing further time for the Council to complete the 2022 review and that it must be undertaken by 30 June 2026 (**Attachment 1**).

Recently Cardinia's Planning Scheme was restructured to insert a new Municipal Planning Strategy and local policies to replace the former Local Policy Framework, known as a Planning Policy Framework Translation. This was done via Planning Scheme Amendment C271card and gazetted on the 13 March 2026. It was a policy neutral planning scheme amendment undertaken by the State Government of Victoria.

The latest Council Plan was adopted by Council on the 20 October 2025 and the next planning scheme review is to be completed by October 2026.

To meet these obligations, it is intended to split the planning scheme review into two parts:

- Part A (administrative) evaluates the planning scheme and focuses on text and ordinance corrections, while
- Part B (policy) will propose changes to the Planning Policy Framework (Local).

An audit of the Form and Content of the Cardinia Planning Scheme was undertaken in accordance with Ministerial Direction 5 (7). Inconsistencies were noted and these will need to be addressed through a future planning scheme amendment to ensure the ongoing integrity and effectiveness of the planning scheme.

Since the previous planning scheme review in 2018, the Council Plan 2025-2029 and Community Vision 2040 have been approved. The Planning Policy Framework (Local) must be updated to reflect the vision and strategic objectives of these critical strategic documents.

There have also been extensive changes to State planning policy since the last planning scheme review in 2018. Plan for Victoria sets out key strategic changes including:

- An objective to deliver 2.24 million homes across Victoria by 2041.
- Metropolitan Housing Targets for all municipalities in Victoria. Cardinia has a housing target of 30,000 houses by 2051.
- Introduction of updated Land Use Classifications affecting State Significant Industrial Precincts (SSIPs) such as Officer South Employment.

Extensive public engagement was undertaken to seek feedback on what is working and what could be changed in the Cardinia Planning Scheme. The Victorian Civil and Administrative (VCAT) and Planning Panel Victoria (PPV) reports were analysed to determine key policy issues and any decisions or recommendations that need to be addressed. These inputs were used to evaluate the overall effectiveness of the planning scheme and where efficiencies could be delivered.

Discussion

There are 12 recommendations from the Planning Scheme Review Part A. These are summarised in the table below:

Recommendation	Summary of Recommendation
Recommendation 1	Proceed with an Amendment to resolve Form and Content and administrative inconsistencies. As shown in Appendix 2.
Recommendation 2	Clause 74.02 Further strategic work needs to be rationalised to only the items that can be reasonably achieved in the period from 2026-2031.
Recommendation 3	The Community Vision 2040 and Council Plan 2025-2029 will be reflected in the Municipal Planning Strategy (MPS) and Planning Policy Framework (Local).
Recommendation 4	Continue to protect and prioritise industrial land in State Significant Industrial Precincts (SSIP) for jobs through updates to local policy.
Recommendation 5	Track and report annual planning permit dwelling approvals for established and greenfield areas, Pakenham ACZ and Officer Town Centre to ensure we are meeting our housing target obligations set by Plan for Victoria.
Recommendation 6	Refine the scope, intent and delivery of Township Strategies and Structure Plans. Identify efficiencies to ensure a streamlined process for delivery.
Recommendation 7	There are currently 25 Development Plan Overlays in the Cardinia Planning Scheme. Some are completed and some have yet to have a Development Plan (DP) approved. To improve efficiency, of delivery of Township Strategies and

	Structure Plans, an audit of the status of each DPO should be undertaken with recommendations to improve efficiency of delivery of each DPO based on its status.
Recommendation 8	To improve the efficiency of the scheme, it is recommended that alternative planning scheme instruments should be investigated to implement the objectives of new or revised Township Strategies, instead of Development Plan Overlays.
Recommendation 9	The workflow and Delegation of Authority to approve Development Plans needs to be reviewed. Efficiencies would be gained with a clearly defined process and subsidiarity for Delegated Authorities for approvals.
Recommendation 10	A Memorandum of Understanding (MOU's) process should be considered between developer's and the council to deliver approved Development Plans more efficiently. This would unlock housing and employment in strategically justified areas as far back as 2009, that have not commenced due to landowners conflict with funding background technical reports and the cumbersome processes to approve a Development Plan and commence the planning permit process.
Recommendation 11	Continue to strengthen green wedge policy for non-urban uses and develop policy for the location of Places of Worship and schools. This work could be integrated into the work currently underway for preparation of the Yarra Valley & Dandenong Ranges and Southern Ranges Green Wedge Management Plan.
Recommendation 12	Update the PPF to reflect new and emerging tourism opportunities.

All 12 recommendations deliver efficiencies and increase the effectiveness of the Cardinia Planning Scheme.

Policy Implications

The Cardinia Planning Scheme Review: Part B will use the information collected from public consultation and other analysis to address substantial changes to the Planning Policy Framework (Local).

This includes updates to specifically address:

- Community Vision 2040.
- Council Plan 2025-2029 Strategic objectives.
- Changes to State Planning Policy e.g. Plan for Victoria.

The Cardinia Planning Scheme Review Part A in **Attachment 2** and **Attachment 3** identifies specific clauses in the Planning Policy Framework which will be subject to updates in Part B of the Planning Scheme Review.

Climate Emergency Consideration

Climate emergency considerations do not form part of this report. The proposed Planning Scheme Review is expected to have an overall positive administration effect through the correction of identified administrative mistakes in the Cardinia Planning Scheme.

Consultation/Communication

Council has undertaken stakeholder consultation with the community, planning professionals and the Councillors from June – October 2025 to inform the planning scheme review. The purpose of the consultation was to understand the concerns and strategic visions from users of the Cardinia Planning Scheme.

The consultation undertaken included:

1. An online survey open from October to December 2025. 100 total survey responses were received from the following three groups:
 - Community.
 - Planning professionals and Cardinia Council officers.
 - Councillors.
2. Four in-person drop-in sessions at four locations including: Officer, Lang Lang, Garfield and Emerald.
3. A two-hour Councillor workshop and
4. Council officers wrote to 338 agencies, organisations and community groups advising of the review. Letters were also sent to key referral authorities and other key organisations and agencies.

It is proposed to place the Draft Cardinia Planning Scheme Review Part A on public engagement from the 21 April for four weeks to provide stakeholders with the opportunity to consider the planning scheme review and make a submission about the proposed changes. Consultation will include:

1. Circulating letters to the stakeholders identified above, so that they can see how their feedback has been incorporated into the planning scheme review and
2. Updating the Council website to advise the community the Draft Planning Scheme Part A is on engagement.

Financial and Resource Implications

A town planning consultant is being investigated to complete Part B of the Planning Scheme Review. Specifically, a town planning consultancy that has the expertise in updating policy consistent with the 'Translated' Planning Policy Framework. The consultants work will be completed within the operational budget of the Planning Strategy and Urban Design team.

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the *Gender Equality Act 2020*. A Gender Impact Assessment (GIA) has been identified as a requirement for the Planning Scheme Review (Part B) and will be completed prior to the planning, engagement, and delivery of the project.

Attachments

1. Attachment 1 - Minister for Planning advice on review dates 12 December 2024 [7.2.2.1 - 2 pages]
2. Attachment 2 - Draft Cardinia Planning Scheme Review - PART A [7.2.2.2 - 99 pages]
3. Attachment 3 - Appendix 2 Marked Up Planning Scheme [7.2.2.3 - 121 pages]



The Hon Sonya Kilkenny MP

Minister for Planning
Minister for the Suburbs

1 Spring Street
Melbourne, Victoria 3000 Australia

Ref: CMIN-1-24-6579

Ms Carol Jeffs
Chief Executive Officer
Cardinia Shire Council
PO Box 7
PAKENHAM VIC 3810
C.Jeffs@cardinia.vic.gov.au

Dear Ms Jeffs

Thank you for your council's letter of 22 October 2024 requesting an extension of time to review the Cardinia Planning Scheme.

As identified in your letter, section 12(B) of the *Planning and Environment Act 1987* (PE Act) requires that a planning authority must review its planning scheme no later than one year after the date by which it is required to approve a council plan under section 90 of the *Local Government Act 2020*.

As Cardinia Shire Council's latest council plan was adopted on 21 June 2021, the planning scheme review was due to be completed by 21 June 2022.

The planning scheme review provides an opportunity for the council to undertake strategic work to refine the Municipal Planning Strategy and provisions, review any policy identified with 'sunset' provisions and ensure consistency with state policy and guidance in planning practice notes.

I understand that the last review of the Cardinia Planning Scheme was undertaken in 2018. The council has requested that the Planning Policy Framework (PPF) translation be accepted as the 2022 Cardinia Planning Scheme Review and also seeks an extension of time to undertake the next review due in 2026 to 2027. I understand that council officers would prefer more than one year to review and test the new PPF before undertaking a planning scheme review.

The PPF translation process has provided an opportunity for the council to undertake a detailed review of the form and content of the current policy, which should assist in



identifying any policy gaps or areas that require review or updating. The council is encouraged to use the final stage of the translation process to assist with the preparation of the next planning scheme review and to identify any future strategic work required.

However, as the PPF translation of the Cardinia Planning Scheme has been undertaken in a policy neutral manner, it is not suitable to be considered as a planning scheme review. I also consider that it is not appropriate to grant an extension of time for the next review when the council has not yet adopted its next council plan. If the council considers that it will still require an extension to complete the review, this could be considered after the adoption of the next council plan in 2025.

In accordance with section 12B(1)(b) of the PE Act, I have decided to allow a longer period of time for the council to complete the review of the Cardinia Planning Scheme which was due by 21 June 2022. The council must now review the planning scheme by 30 June 2026, which generally aligns with the due date for the next planning scheme review.

I encourage the council officers to engage with Department of Transport and Planning (DTP) officers to consider how best to meet its obligations under the PE Act.

If you would like more information about this matter, please email Stuart Menzies, Executive Director, State Planning Policy, DTP, at stuart.menzies@transport.vic.gov.au.

Yours sincerely



The Hon Sonya Kilkeny MP
Minister for Planning

Date: 12/12/2027

Cardinia Shire Council



Draft Cardinia Planning Scheme Review – Part A

Summary of consultation, key issues and proposed administrative planning scheme corrections

April 2026

Acknowledgement of Country

Cardinia Shire Council acknowledges and pays respect to the traditional custodians of these lands the Bunurong and Wurundjeri people.

Version	Date	Author	Approved	Detail
1.0	1 Apr 2026	Michael Prior & Ellen Martin	Duncan Turner	Approval for Exhibition

Prepared by:

Cardinia Shire Council
Planning Strategy and Urban Design

Contents

1.	Executive summary	2
2.	Background	4
3.	Previous Planning Scheme Review	11
4.	Cardinia strategic direction and priorities	18
5.	Key changes to planning policy	21
6.	Approved strategic planning documents and amendments	30
7.	Key Planning Panel Victoria and VCAT Reports	42
8.	Stakeholder consultation	50
9.	Audit and assessment of the current scheme	62
10.	Proposed administrative corrections and updates to zones and overlays	68
11.	Key policy issues to be addressed in Planning Policy Framework (PPF) in Part B (Policy)	74
12.	Conclusion	89
13.	Summary of recommendations	90
14.	Glossary of terms	91
15.	Appendix	93

Table of figures

Figure 1 - Components of a Victorian Planning Scheme including the source of content (state, regional and/or local).....	6
Figure 2 - Structure of the planning scheme showing the clause numbers.	7
Figure 3 - Updates to Clause 21 MSS from Planning Scheme Review 2018 (Amendment C250card).	12
Figure 4 - Relationship between Community Vision, Council Plan and operational plans and strategies (Council Plan 2025-2029)	18
Figure 5 - Structure of Planning Scheme before Amendment VC148 in 2018.....	21
Figure 6 - Planning Policy Framework (PPF) structure after Amendment VC148.	22
Figure 7 - Planning Policy Framework Hierarchy.	23
Figure 8 - Where Melbourne will change (Adapted from Map 3 - Plan for Victoria).....	25
Figure 9 - Example of the Industrial and Commercial Land Classification in the Cardinia Planning Scheme (Map 11).....	26
Figure 10 - Location of State Resource Overlay (SRO2) to Nyora.	28
Figure 11 - Status of Greenfield Precinct Structure Plans in Cardinia Shire Council.....	31
Figure 12 - Pakenham Activity Centre Zone (ACZ) – Updated 2021.....	32
Figure 13 - Location of gazetted DPOs in Beaconsfield since the previous 2018 Planning Scheme Review.....	34
Figure 14 - Location of gazetted DPOs in Beaconsfield since the previous 2018 Planning Scheme Review.....	35
Figure 15 - Location of gazetted DPOs and DDOs in Koo Wee Rup since the previous 2018 Planning Scheme Review.....	36

Figure 16 - Location of 85 McNamara Road, Bunyip (DP021 and DD01)	37
Figure 17 - Location of 80 McDonalds Track, Lang Lang	38
Figure 18 - Ranking of Topics by Councillors (ASDF Report, 2026).....	50
Figure 19 - Specific policy issues – top 11 selected across all 8 topics (ASDF Report, 2026)	51
Figure 20 - Community survey respondent involvement in planning applications or enquiries	54
Figure 21 - Survey results of how Council is doing by theme	55
Figure 22 - Ranking of importance of topics – Cardinia (Internal) Staff.....	56
Figure 23 - Clauses of the Cardinia Planning Scheme which are within scope of administrative corrections through Part A (Administrative) of the Planning Scheme Review.....	68
Figure 24 - Overview of Planning Scheme Policy Settings.....	74
Figure 25 - Overview of MPS and PPF in the Cardinia Planning Scheme	75
Figure 26 Yarra Valley, Dandenong Ranges and Southern Ranges Green Wedge Region	76
Figure 27 Westernport Green Wedge Region.....	77
Figure 28 - Planning Policy Framework (PPF) for Green Wedges.....	78
Figure 29 - Planning Policy Framework (PPF) for Housing.....	80
Figure 30 - Planning Policy Framework (PPF) for Housing.....	81
Figure 31 - Planning Policy Framework (PPF) for Activity Centres.....	81
Figure 32 - Planning Policy Framework (PPF) for Flooding	82
Figure 33 - Planning Policy Framework (PPF) for Tourism.....	83
Figure 34 - Planning Policy Framework (PPF) for Extractive Industries	84
Figure 35 - Planning Policy Framework (PPF) for Industry and Employment.....	85
Figure 36 – Planning Policy Framework (PPF) for Transport and Infrastructure.....	87

Tables

<i>Table 1 - Actions identified in the 2018 Planning Scheme Review and relationship to Further strategic work in Clause 74.02.</i>	<i>14</i>
<i>Table 2 - Status of further strategic work identified in the 2018 Planning Scheme Review.....</i>	<i>15</i>
<i>Table 3 - Metropolitan Melbourne Housing Targets (Clause 16.01S Housing), Map 3 (reproduced in</i>	<i>24</i>
<i>Table 4 - Summary of greenfield homes and jobs planned and gazetted since the last Planning Scheme Review.</i>	<i>30</i>
<i>Table 5 - Summary of status of Development Plan Overlays gazetted since the previous Planning Scheme Review.</i>	<i>39</i>
<i>Table 6 - Form and Content Review for Zones in the Cardinia Planning Scheme.....</i>	<i>63</i>
<i>Table 7 - Form and Content Review for Overlays in the Cardinia Planning Scheme</i>	<i>65</i>
<i>Table 8 - Form and Content Review for Particular Provisions in the Cardinia Planning Scheme...</i>	<i>66</i>
<i>Table 9 - Form and Content Review for Operational Provisions in the Cardinia Planning Scheme</i>	<i>66</i>

List of acronyms

ACZ	Activity Centre Zone	PE87	Planning and Environment Act 1987
AN	Advisory Note	PPF	Planning Policy Framework
C	Council Amendment	PPN	Planning Practice Note
DDO	Design and Development Overlay	PPV	Planning Panels Victoria
DEECA	Department of Energy, Environment and Climate Action	PSP	Precinct Structure Plan
DTP	Department of Transport and Planning	RCZ	Rural Conservation Zone
DP	Development Plan	SLO	Significant Landscape Overlay
DPO	Development Plan Overlay	SSIP	State Significant Industrial Precincts
ESO	Environmental Significance Overlay	SPPF	State Planning Policy Framework
GWMP	Green Wedge Management Plan	SRO	State Resource Overlay
GWZ	Green Wedge Zone	SUZ	Special Use Zone
ICP	Infrastructure Contribution Plan	TPZ	Tree Protection Zone
KWR	Koo Wee Rup	UDF	Urban Design Framework
LPPF	Local Planning Policy Framework	UGB	Urban Growth Boundary
MOU	Memorandum of Understanding	VC	Victorian Council Planning Scheme Amendment
MPS	Municipal Planning Strategy	VCAT	Victorian Civil and Administrative Tribunal
MSS	Municipal Strategic Statement	VPA	Victorian Planning Authority
OSE	Officer South Employment	VPO	Vegetation Protection Overlay
PAO	Public Acquisition Overlay	VPP	Victoria Planning Provisions
PCN	Potato Cyst Nematode		

1. Executive summary

1.1 Why is a planning scheme being reviewed?

Section 12B of the *Planning and Environment Act 1987* (the Act) requires a planning authority to undertake a review of the planning scheme every four years. Council as the planning authority for the Cardinia Planning Scheme is required to evaluate the effectiveness and efficiency of the planning scheme and ensure it achieves the objectives for planning in Victoria. In particular:

- It is consistent in Form and Content with the directions or guidelines issued by the Minister for Planning in accordance with the Victoria Planning Provisions.
- Effectively sets out the policy objectives for the use and development of land in the area to which the planning scheme applies.
- Makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives.

There was significant stakeholder consultation undertaken for the Planning Scheme Review. This informed the evaluation of strengths, opportunities and threats of the Cardinia Planning Scheme.

Key strengths identified were:

- There has been delivery of four Precinct Structure Plans (PSPs) for employment and housing since the previous Planning Scheme Review. This will help achieve the housing targets identified in Plan for Victoria and deliver jobs within the municipality.
- As of the 13 March 2026, the Planning Policy Framework (PPF) content is consistent with the format and structure required by the State Government.
- Victorian Civil Administrative Tribunal (VCAT) decisions have affirmed strong protection of land for employment-generating uses in State Significant Industrial Precincts (SSIP).

Key opportunities identified were:

- An audit identified that updates are required to the Form and Content of the Cardinia Planning Scheme to ensure it is consistent with the Ministerial Direction. These changes will ensure the ongoing integrity and consistency of the planning scheme with the Victoria Planning Provisions.
- The preparation of the Southern Ranges and Yarra Valley and Dandenong Ranges Green Wedge Management Plan commenced in January 2026. This will provide greater clarity for the vision, values and future land use in these areas. This is particularly important for proposed schools and Places of Worship which have been subject to VCAT decisions.
- Planning permit approvals for dwelling densities need to be quantified in the Pakenham Activity Centre Zone (ACZ) to understand how Cardinia is tracking against Established Area Housing Targets in the PPF and the broader Plan for Victoria.
- Key policy issues were identified through stakeholder engagement and policy review. Due to the recent changes to the format and structure of Cardinia's Planning Policy Framework (PPF), these will be addressed through Part B (Policy) of the Planning Scheme Review to be delivered in mid to late 2026.

Key threats identified were:

- The Township Strategies of Cardinia are ageing, with most prepared between 2009-2015. There is a risk that some of these are increasingly no longer fit for purpose. A medium-term strategic planning work program is required to address this threat.

- The process of approving a Development Plan is creating significant delays to the delivery of new development. Process efficiencies have been identified to address these issues.
- Competing land uses, Artificial Intelligence (AI) and automation have been identified as a key threat to the future work force labour and employment opportunities in the municipality. Employment must be delivered locally through rigorous strategic land use policy and planning.

Council last undertook a comprehensive review of the Cardinia Planning Scheme in 2018, and since then there have been major policy changes from the State Government of Victoria.

A new Planning Policy Framework (PPF) was introduced to all planning schemes and the Victorian Planning Provisions by Amendment VC148 on 31 July 2018. All Councils in Victoria have been required to translate their Local Planning into the new Planning Policy Framework.

On the 28 February 2025 the Department of Transport and Planning (DTP) released a new planning strategy called Plan for Victoria, to replace Plan Melbourne (2017-2050). Plan for Victoria will guide future population growth, employment, community development and sustainability based on five pillars:

- Pillar 1: Housing for all Victorians
- Pillar 2: Accessible Jobs and Services
- Pillar 3: Great Places, Suburbs and Towns
- Pillar 4: Sustainable Environments
- Pillar 5: Self Determination and caring for Country

Plan for Victoria was formally introduced into all Victorian Planning Schemes on 8 September 2025 via Ministerial Amendment VC283. Plan for Victoria, has significant implications for the delivery of housing targets for each municipal council, with Cardinia Shire required to deliver 30,000 houses (Established and Greenfield) by 2051.

Recently Cardinia's Planning Scheme was restructured to insert a new Municipal Planning Strategy and local policies to replace the former Local Planning Policy Framework, known as a Planning Policy Framework Translation. This was done via planning scheme amendment C271card on the 13th March 2026 and was a policy neutral planning scheme amendment undertaken by the State Government of Victoria. Given this, the Cardinia Planning Scheme review will be undertaken in two parts; A and B.

- Part A (Administrative) focuses on text and ordinance corrections to zones, overlays and particular provisions which were not affected by the recent PPF Translation. In simple terms, the updates are corrections to anomalies which are not affected by the PPF. It also identifies process efficiencies for continual improvement of the Scheme.
- Part B (Policy) of the Cardinia Planning Scheme Review will be delivered in mid to late 2026. This will address substantial changes to the PPF identified through stakeholder engagement and the Planning Scheme Review.

The next steps are to proceed with public exhibition on the proposed administrative changes to the planning scheme and respond to the findings of stakeholder consultation.

On completion of a review, Cardinia Shire Council must without delay report the findings of the review to the Minister for Planning in accordance with the requirements of Section 12B of the *Planning and Environment Act (1987)*.

A planning scheme amendment would be subsequently undertaken to update the Cardinia Planning Scheme with the results of this review. It is expected that this will be submitted to the Minister for Planning for Authorisation in early 2027. This is due to the timing of the Victorian State Election in November 2026.

2. Background

2.1 Introduction

Section 12B¹ of the *Planning and Environment Act 1987* (the Act) requires a planning authority to review its planning scheme every four years. The scope of a Planning Scheme Review is established under Section 12B(3)(4) of the Act and a Planning Scheme Review should focus on:

- The effectiveness and efficiency of the planning scheme in achieving the objectives of planning and the planning framework in Victoria.
- Aligning the planning scheme with the Ministerial Direction on the Form and Content of Planning Schemes.
- Ensuring the planning scheme contains a clear narrative about the way use and development of land will be managed to achieve the planning vision or objectives of the area.

Planning Scheme Reviews also provide the opportunity to:

- Align Council's policy position with the planning scheme.
- Update out of date or redundant information and
- Educate and inform stakeholders about how the planning scheme works and the process by which to improve it.

Cardinia Shire Council (as planning authority) last undertook a comprehensive review of the Cardinia Planning Scheme in 2018.

A planning authority must review its planning scheme no later than one year after the date by which it is required to approve a Council plan under Section 90 of the Local Government Act 2020. After 2018, Cardinia Shire Council adopted its Council Plan on the 21 June 2021 and the Planning Scheme Review was due to be completed by 21 June 2022. At the same time, the Department of Transport and Planning commenced informal consultation with Cardinia Shire Council to translate their Local Planning Policy into the new Planning Policy Framework, introduced to all planning schemes and the Victorian Planning Provisions by Amendment VC148. The Planning Scheme Review that was due to be completed by 21 June 2022 was delayed due to the Planning Policy Framework translation.

On the 12 December 2024 Council received advice from the Minister for Planning allowing a longer period of time for the Council to complete a review of the Cardinia Planning Scheme, which was due by 21 June 2022. Council was advised the 2022 Planning Scheme Review must be reviewed by 30 June 2026.

Recently Cardinia's Planning Scheme was restructured to insert a new Municipal Planning Strategy and local policies to replace the former Local Planning Policy Framework, known as a Planning Policy Framework Translation. This was done via Planning Scheme Amendment C271card gazetted on the 13th March 2026 and was a policy neutral planning scheme amendment undertaken by the State Government of Victoria.

The latest Council Plan was adopted by Council on the 20th October 2025 and the next Planning Scheme Review is to be completed by October 2026.

Based on the recent approval of the Planning Policy Framework translation for the Cardinia Planning Scheme, the obligations to meet the 2022 Planning Scheme Review and to align with next Planning Scheme Review due in 2026, it is intended to split the Planning Scheme Review into two parts. These are summarised below:

- Part A (Administrative) focuses on text and ordinance, corrections to zones, overlays and particular provisions. In simple terms, the updates are corrections and anomalies which are not affected by the PPF translation. Part A (Administrative) is proposed to be submitted to the Minister for Planning before 30th June 2026.

¹ [PLANNING AND ENVIRONMENT ACT 1987 - SECT 12B Review of planning schemes](#)

- Part B (Policy) of the Cardinia Planning Scheme Review will be delivered in mid to late 2026. This will address substantial changes to the PPF identified through stakeholder engagement and the Planning Scheme Review.

Both Part A (Administrative) and Part B (Policy) combined represents a review of the Cardinia Planning Scheme as required under Section 12(B) of the Planning and Environment Act.

On completion of this review, the Planning Scheme Review will be forwarded to the Minister for Planning as required under section 12(B) of the Act. A planning scheme amendment to implement the findings of the review will be required.

2.2 Growth in Cardinia

2017 Population Growth Projections

Cardinia Shire has experienced sustained and rapid population growth, exceeding earlier projections and placing increasing demand on land use and service provision. In 2017, Cardinia was home to 94,300 people, with projections at the time estimating an 18% increase to around 111,600 people by 2020 (Council Plan 2017). It exceeded this by about 4800 people (Australian Bureau of Statistics, Estimated Resident Population Data). Much of this growth is occurring within the Casey-Cardinia Growth Corridor, which was predicted to grow by 15,300 people over that three-year period (Council Plan, 2017).

2025 Population Growth Predictions

Since the 2017 Council Plan, the population has continued to grow at a rapid pace with the 2021 Plan issuing a revised growth rate prediction of 44% over the next 10 years. The Shire continues to see on average three new households each day, reflecting its role as an attractive growth area within Melbourne (Council Plan, 2025). In 2024, there was an estimated resident population of 130,383 (Australian Bureau of Statistics, Estimated Resident Population Data). At the time of last year's Council Plan (2025), it was estimated that the Shire would grow by 40,000 residents over the next 10 years.

Why the Planning Scheme Needs to Respond to Growth

The planning scheme needs to respond to the rapid growth that is occurring across the Shire, through effective land use management, coordinated infrastructure planning and forward planning in growth areas and townships. Population growth is expected to grow to:

- 171,620 residents by 2036 (Remplan Community Statistics)
- 203,880 residents by 2051 (Remplan Community Statistics)

It is important to continually review the planning scheme to reassess whether past planning policy remains aligned with real-world development patterns. This Planning Scheme Review provides a critical opportunity for Council to ensure that planning controls remain fit for purpose and can support sustainable, well-service communities as Cardinia continues to grow.

2.3 Overview of Cardinia Planning Scheme Structure

A planning scheme is a statutory document that sets out objectives, policies and provisions relating to the use, development, protection and conservation of land in the area to which it applies. The Cardinia Planning Scheme applies within the municipal boundary of Cardinia Shire Council.

The Victoria Planning Provisions (VPP) guides the structure of the Cardinia Planning Scheme. It consists of ordinance (text), maps and other documents. In essence, all planning schemes across Victoria share the same basic structure and content, but there are opportunities for Cardinia Shire Council to tailor some of its planning content to our local needs. Any locally tailored content must be in accordance with State Planning Policy.

The overall structure of the Cardinia Planning Scheme is shown in Figure 1. It is important to note the cascading structure of the planning scheme. The Municipal Planning Strategy (MPS) helps guide the content of the Planning Policy Framework (PPF) which cascades down through the Zones and Overlays down to the operational provisions.

The clause number of each component is also shown. Throughout this document, the clause number will refer to the Cardinia Planning Scheme.

For example:

- Clause 02.01 is 'Strategic Directions' which can be found within '02 Municipal Planning Strategy' of the PPF.
- Clause 16.01-1S is 'Housing Supply' which can be found within the '16 Housing' Clause of the PPF.

The 'Translation' of the planning scheme is extensively referred to throughout this review. The 'Translation' specially refers to content in the 'Policy Settings' Clauses of

Figure 2 (i.e. the orange shading and outlines) which has been aligned to the updated format required by the State Government of Victoria under Ministerial Amendment VC148.

It is noted that Clauses 20-29 appear to be 'missing' from the sequential numbering in

Figure 2. This is because of the State Government planning policy changes and the 'Translation' which are explained in detail in Section 5.2 – Ministerial Amendment VC148 (Nov 2018) – Streamlined Planning Policy Framework (PPF) of this report. This is also the key reason the Planning Scheme Review has been split into Part A (Administrative) and Part B (Policy).

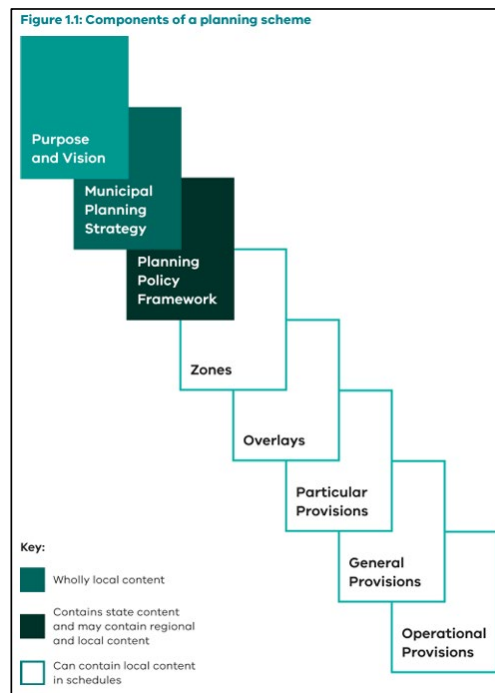


Figure 1 - Components of a Victorian Planning Scheme including the source of content (state, regional and/or local).

A more detailed structure of the planning scheme is shown in Figure 2.

POLICY SETTINGS	Purpose & Vision 00	Purposes of this planning scheme 01	Municipal Planning Strategy 02							
	Planning Policy Framework 10	Settlement 11	Environmental & Landscape Values 12	Environmental Risks & Amenity 13	Natural Resource Management 14	Built Environment & Heritage 15	Housing 16	Economic Development 17	Transport 18	Infrastructure 19
DECISION RULES	Zones 30	No content 31	Residential Zones 32	Industrial Zones 33	Commercial Zones 34	Rural Zones 35	Public Land Zones 36	Special Purpose Zones 37		
	Overlays 40	No content 41	Environmental & Landscape Overlays 42	Heritage & Built Form Overlays 43	Land Management Overlays 44	Other Overlays 45				
	Particular Provisions 50	Provisions that apply only to a specified area 51	Provisions that require, enable or exempt a permit 52	General requirements & performance standards 53	One dwelling or small second dwelling on a lot 54	Two or more dwellings on a lot and residential buildings 55	Residential subdivision 56	No content 57	Apartment development 58	VicSmart applications & requirements 59
	General Provisions 60	No content 61	General Exemptions 62	Existing Uses 63	General provisions for use and development of land 64	Decision Guidelines 65	Referral & Notice Provisions 66	Applications under s96 of the Act 67		
OPERATIONS	Operational Provisions 70	Operation of this planning scheme 71	Administration and enforcement of this planning scheme 72	Meaning of Terms 73	Strategic implementation 74					

Figure 2 - Structure of the planning scheme showing the clause numbers.

2.4 Legislative Requirements

Section 12B² of the Planning and Environment Act requires a planning authority to review the provisions of the planning scheme. The purpose of the review is to enhance the effectiveness and efficiency of the planning scheme in achieving:

- The objectives of planning in Victoria.
- The objectives of the planning framework established by the *Planning and Environment Act (1987)*.

In addition, the review must evaluate the planning scheme to ensure that it:

- Is consistent in form and content with the directions and guidelines issued by the Minister under Section 7 of the *Planning and Environment Act 1987* (Format and Content of Planning Schemes).
- Sets out effectively the policy objectives for use and development of land in the area to which the planning scheme applies.
- Makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives.
- On completion of a review under this section, the planning authority must without delay report the findings of the review to the Minister for Planning.

The 2022 planning review was delayed due to the introduction of major structural changes in the planning scheme to simplify and modernise Victoria's planning policy. In particular, the requirements to update the policy framework to achieve the three-tiered hierarchy. This is discussed further in (Section 5.2 - Ministerial Amendment VC148 (Nov 2018) – Streamlined Planning Policy Framework (PPF).

This review has been undertaken to ensure that the Cardinia Planning Scheme is consistent with these sections of the *Planning and Environment Act 1987*.

2.5 Cardinia Planning Scheme Review Methodology

This Planning Scheme Review has been prepared in consideration of the following directions and guidance provided by the Department of Transport and Planning (DTP):

Ministerial directions:

- Ministerial Direction: The Form and Content of Planning Schemes.
- Ministerial Direction No. 11 Strategic Assessment of Amendments.

Planning practice notes and advice:

- A Practitioner's Guide to Victoria's Planning Schemes.
- Planning Practice Note 32 – Review of planning schemes.
- Planning Practice Note 46 – Strategic Assessment Guidelines.

Other topics based on Ministerial Directions and Practice Notes have been consulted on specific matters raised through the review as noted in the report.

2.6 Review of Planning Schemes: Planning Practice Note 32

Planning Practice Note 32 (PPN32) was released in June 2015. Although some information such as references to State Planning Policy Framework (SPPF) and Local Planning Policy Framework

² [PLANNING AND ENVIRONMENT ACT 1987 - SECT 12B Review of planning schemes](#)

(LPPF) are obsolete, the overall review process provides a general guide for the method of undertaking a review. This is summarised as follows:

- Step 1 – Scope the review
- Step 2 – Collect data
- Step 3 – Consultation
- Step 4 – Doing the review
- Step 5 – Analysis
- Step 6 – Report the review
- Step 7 – Implement the findings

The Cardinia Planning Scheme Review has been based on the process outlined in Planning Practice Note 32 (PPN32). This includes:

- Review of the previous Planning Scheme Review - 2018
- Analysis of changes to State Planning Policy.
- 2025 Stakeholder Engagement to identify key issues.
- Audit of planning scheme – Form and Content (Part A)
- Review of VCAT and Planning Panels Victoria (PPV) decisions and recommendations.
- Proposed administrative corrections and updates.

The reason it has been split into Part A (Administrative) and Part B (Policy) is because the 'new format' Planning Policy Framework (PPF) for Cardinia was only gazetted by the Minister for Planning on the 13th March 2026. This is explained in detail in Section 5.4 - Cardinia Planning Policy Framework (PPF) Translation - Amendment C271card.

Planning policy (i.e. MPS and Planning Policy Framework) guides the application and operation of the Cardinia Planning Scheme including zones, overlays and operational provisions. It is not, the reverse (i.e. it is not the application of zones and overlays that guides policy). The policy needs to be developed and updated first, and then the zones, overlays and particular provisions are guided by policy.

There are significant issues with attempting to use zones and overlays to guide policy. The most obvious is that planning scheme amendments must be authorised by the Minister for Planning prior to public exhibition. The Minister for Planning is unlikely to authorise a planning scheme amendment (e.g. changes to zones, overlays or particular provisions) which are not consistent with the Planning Policy Framework nor have the strategic justification to support it. If authorisation is not granted, the planning scheme amendment cannot occur.

By splitting the review into Part A (Administrative) and Part B (Policy), Cardinia Council officers will ensure all proposed amendments are sound. That is, they are consistent with planning policy and planning scheme amendments have sufficient strategic justification to be authorised by the Minister for Planning.

2.7 Part A (June 2026) – Summary of Consultation, Key Issues and Proposed Administrative Planning Scheme Corrections

Part A (Administrative) provides an overview of the strategic context for the review and as well as an overview of public consultation which was undertaken for the review. This includes surveys, qualitative short answer responses and workshops. Administrative changes to the planning scheme were noted through a planning scheme audit (Form and Content Audit) and stakeholder consultation.

Part A (Administrative) proposes administrative corrections to zones and overlays identified through stakeholder consultation. These are administrative corrections only and are not informed

or guided by policy. These changes are administrative updates to ordinance (text) in the following clauses of the planning scheme.

- Zones (Clauses 30)
- Overlays (Clauses 40)

Any significant changes to the substance of zones, overlays and particular provisions needs to be guided by Planning Policy Framework (PPF). This ensures that any changes to the planning scheme are consistent with state, regional and local policy.

A failure to achieve consistency with the Planning Policy Framework may cause planning scheme amendments to be rejected by State Government during the 'authorisation' phase of a planning scheme amendment.

2.8 Part B (Policy) (Mid to Late 2026) – Proposed Updates to Planning Policy Framework and Planning Scheme Amendment

Part B (Policy) will use the information from public consultation and the planning scheme audit to address substantial changes to the Planning Policy Framework (Local). This will also address issues in zones, overlays and other provisions that were raised through stakeholder engagement and other review processes outlined in this report.

The 'new format' Planning Policy Framework (PPF) was gazetted in the Cardinia Planning Scheme on March 13th 2026 (Amendment C271Card). Although the Translation was 'policy neutral' (i.e. no substantive changes to policy), the structure and format of planning policy is significantly different. This is explained in detail in Section 5.2.

In summary, the Planning Policy Framework guides the application and operation of zones, overlays and particular provisions. For this reason, there are no substantive changes to zones, overlays and/or operational provisions proposed in Part A (Administrative) of the Planning Scheme Review. The Planning Strategy and Urban Design Team at Cardinia Shire Council will continue to analyse the format changes to the PPF translation and then propose changes to the PPF. Part B (Policy) of the Planning Scheme Review will propose updates to the Local Planning Policy.

3. Previous Planning Scheme Review

3.1 Previous Planning Scheme Review

The last Planning Scheme Review was completed in 2018. At the time, the gap analysis identified the following issues:

- There was no specific section for local policy in relation to areas of Pakenham and Beaconsfield.
- The '*Cardinia Developer Landscape Guidelines*' which applied to new greenfield subdivisions was draft only and did not have any weight in the planning scheme.
- There was an absence of local policy for heritage properties.
- There was limited recognition of the importance of sustainable technology.
- There was no Significant Landscape Study for the Koo Wee Rup Swamp area.
- There was an absence of policy direction for schools and churches in the green wedge regions.
- There was a lack of strategic guidance for crop protection through the use of horticultural structures such as sheds.
- There was a lack of guidance regarding visual impacts from the siting of large sheds in green wedge regions.
- Lack of local policy for battle-axe blocks created through the subdivision process.
- Lack of reference to Infrastructure Contributions Plans (ICPs) in the Municipal Strategic Statement (MSS).
- Lack of local policy for non-residential uses in residential areas.
- Lack of policy for boundary realignments in green wedge regions.
- Lack of local policy to address land use conflict between farming and residential uses in the green wedge.
- Lack of policy for uses in the Green Wedge Zone which are required to be in conjunction with agriculture, natural systems, outdoor recreation facility, rural industry or wineries.
- Lack of guidance for any growth of townships within the green wedge regions.
- Lack of policy guidance for non-industrial uses in industrial areas (e.g. places of worship).
- Lack of policy guidance for Public Open Space Contributions for commercial and industrial areas.

In general, the previous Planning Scheme Review focused on specific local policy issues. There was almost no focus of identifying efficiencies for the planning scheme and / or evaluating the Form and Content. Although local policy issues are important, they need a practical pathway to implementation otherwise they remain as policy.

Part A (Administrative) of this review will focus on identifying process efficiencies and an audit of the integrity of Form and Content in the Cardinia Planning Scheme. This will drive increased efficiency for planning processes over the next four years. It will also ensure policy updates made in Part B (Policy) of this Planning Scheme Review will have an optimal basis for implementation.

3.2 Amendment C250card Cardinia Planning Scheme Review 2018

As a result of the 2018 Cardinia Planning Scheme Review, Planning Scheme Amendment C250card was gazetted on the 20 November 2020 and updated the Local Planning Policy Framework (LPPF) by introducing a new Municipal Strategic Statement (MSS) at Clause 21 of the Cardinia Planning Scheme, to address some of the issues identified in Section 0 - Previous Planning Scheme Review. The key topics addressed are shown in Figure 3.

Although a specific table of policy updates based on Planning Scheme Amendment C271card (Planning Policy Framework Translation) could have been produced for this review, it was considered an inefficient use of time.

This is because the Municipal Strategic Statement (MSS) and Clause 20 of Local Planning Policy Framework no longer exists in the Cardinia Planning Scheme.

This is due to the restructure and format changes required by the State Government of Victoria through Ministerial Amendment VC148 – Planning Policy Framework. This is explained in detail in Section 5.2 - Ministerial Amendment VC148 (Nov 2018) – Streamlined Planning Policy Framework (PPF).

Revised MSS	
21.01	Cardinia Shire Key Issues and Strategic Vision
21.02	Environment
21.03	Settlement and Housing
21.04	Economic Development
21.05	Infrastructure
21.06	Particular Uses and Development
21.07	Local Areas – Hills Region
21.08	Local Areas – Western Port Region

Figure 3 - Updates to Clause 21 MSS from Planning Scheme Review 2018 (Amendment C250card).

3.3 Progress since last review

There were 61 recommendations contained in the 2018 Planning Scheme Review and 56 detailed actions to update specific clauses in Clause 21 in the LPPF.

In addition to updates to existing local policy, 12 key items of further strategic work were identified. Although the planning scheme clause numbering has changed since 2018 (VC148), the list of 'further strategic work' is now located in Clause 74.02 - Further Strategic Work. The relationship between the key actions of the previous Planning Scheme Review and Further Strategic Work in 74.02 from the 2018 review are summarised in Table 1 (below).

Action #	Description of action	Identified in Clause 74.02 Further Strategic Work
11	Review the reference and incorporated documents in the Cardinia Planning Scheme and ensure they are up to date.	Completed as part of the Planning Scheme Translation C271card.

18	Include a review of the township strategies as "Further strategic work" under Clause 21.03-3 Rural Townships and under Clause 21.07 Local area plans under each township as appropriate.	Prepare Township Strategies for large rural townships where one has not yet been prepared.
30	Under Clause 21.02-5 Open space and Clause 21.03-2 Urban growth area and Clause 21.03-4 Rural townships include the review and adoption of the Developer Landscape Guidelines as further strategic work.	Finalise the draft Developer Landscape Guidelines and implement appropriate planning policy.
37	Investigate whether a single policy in relation to both the siting and design of horticultural structures and sheds could be drafted.	Prepare local policies to address the siting and design of horticultural structures, and the siting and design of large sheds in rural areas and investigate whether a single policy can address both issues.
18	Under Clause 21.06-1 Urban Design, include under further strategic work "Develop a local policy to address subdivision applications that create a battle-axe layout".	Not included in 74.02.
41	Under Clause 12.03-1, include development of a local policy for non-residential uses in residential areas based on the draft provided by Growth Area Planning under further strategic work.	Not included in 74.02.
23	In further strategic work under Clause 21.04.2 Agriculture includes an additional point as follows: Prepare a local policy to provide guidance on boundary realignments in green wedge areas.	Prepare a local policy to provide guidance on boundary realignments in green wedge areas, including policy to ensure new dwellings are associated with agricultural or horticultural uses farm.
36	Under further strategic work in Clause 21.03-4 Rural townships, include an action to: "investigate the sustainable development of towns within the green wedge, with a priority to investigate Nar Nar Goon, Tynong, Garfield and Bunyip".	Prepare Township Strategies for large rural townships where one has not yet been prepared. Develop a strategic planning process for small rural townships that will establish a basis for future planning decisions.
41	Under Clause 21.03 Settlement and Housing, include the consideration of 'Affordable Housing' in residential areas and townships, and identify the development of an 'Affordable Housing Strategy' under Further Strategic Work.	Not included in 74.02.

54	Under Clause 21.02-1, Further Strategic Work, update 'Investigating the need for development provisions such as the application of the Salinity Management Overlay over land identified as being prone to salinity', to identify land that is at risk from salinity and the investigation of an appropriate environmental overlay is required.	Not included in 74.02.
59	Under Clause 21.04-4, Further Strategic Work, update 'Considering a local policy or Design Guidelines for Industrial Development or the application of a Design and Development Overlay to ensure appropriate development of existing and future industrial land', to include a review of the industrial land on Bald Hill Road and around Purton Road to determine how these areas should be managed into the future.	Prepare a local policy providing Design Guidelines for Industrial Development and the application of a Design and Development Overlay to existing and future industrial land, including the industrial land on Bald Hill Road and around Purton Road.
60	Under Clause 21.04-4, Further Strategic Work, update 'Preparing structure plans for both the Pakenham Employment Precinct and the Cardinia Road Employment Precinct', to remove Cardinia Road Precinct Structure Plan and recognise the two precincts of the Pakenham South Employment Precinct. [Note in 2026: Pakenham South is only one PSP, not two as identified in the 2018 Planning Scheme Review.]	Prepare Precinct Structure Plans, Activity Centre Structure Plans and Infrastructure Contribution Plans for precincts within the Urban Growth Boundary where one has not been prepared.

Table 1 - Actions identified in the 2018 Planning Scheme Review and relationship to Further strategic work in Clause 74.02.

3.4 Outstanding actions since 2018 review

Table 2 provides a summary of the status of strategic work identified in Clause 74.02 further strategic work.

Further strategic work (Clause 74.02) identified in 2018 Cardinia Planning Scheme Review	Status
Preparing Township Strategies for large rural townships where one has not yet been prepared.	In progress Draft Nar Nar Goon Township Strategy (draft 2026)
Finalise the Developer Landscape Guidelines and implement appropriate planning policy.	Completed (Approved Developer Landscape Guidelines)

Prepare local policies to address the siting and design of horticultural structures, and the siting and design of large sheds in rural areas and investigate whether a single policy can address both issues.	Not Started
Prepare a local policy to provide guidance on boundary realignments in green wedge areas, including policy to ensure new dwellings are associated with agricultural or horticultural uses farm.	Commenced investigations through Green Wedge Management Plan (2026)
In consultation with the local community, prepare a policy statement for all small rural townships that will establish a basis for future strategic planning decisions in each township. Preparing Township Strategies for large rural townships where one has not yet been prepared.	Pre-commencement Review of policy instruments for implementation of planning decisions in each township.
Prepare a local policy providing Design Guidelines for Industrial Development and the application of a Design and Development Overlay to existing and future industrial land, including the industrial land on Bald Hill Road and around Purton Road.	Not Started However, this has been addressed through PSPs including Cardinia Road PSP.
Prepare Precinct Structure Plans, Activity Centre Structure Plans and Infrastructure Contribution Plans for precincts within the Urban Growth Boundary where one has not been prepared.	Completed (See Section 5 – Greenfield PSPs)

Table 2 - Status of further strategic work identified in the 2018 Planning Scheme Review.

In summary, the status of further strategic work identified in the 2018 Planning Scheme Review is as follows:

- The draft Nar Nar Goon Township Strategy (draft 2026) is in progress and has been on public exhibition and is scheduled for Council endorsement for late 2026.
- Cardinia 'Developer Landscape Guidelines' have been approved and are available on the Cardinia Shire Council website.
- Additional guidance to be provided for local policy on boundary realignments in green wedge areas and new dwellings. The Green Wedge Management Plan for Yarra Valley, Dandenong Ranges and Southern Ranges was commenced in January 2026.
- Prepare Precinct Structure Plans, Activity Centre Structure Plans and Infrastructure Contribution Plans. There were four PSPs, one Activity Centre SP and one UDF gazetted since the last Planning Scheme Review (see Section 5.8) Summary of findings
- There have been significant updates to the structure and format of the Cardinia Planning Scheme through changes to State Government planning policy. Primarily, these are:
 - VC148 - New Planning Policy Framework (PPF).
 - VC283 - Plan for Victoria and
 - Over 28 VC Amendments from State Government affecting statutory planning processes.

As of 13th March 2026 the Planning Policy Framework (PPF) is consistent with the format and structure required by State Government. This was achieved through Planning Scheme Amendment C271card – Cardinia Planning Policy Framework (PPF) Translation. This is a key strength of the Cardinia Planning Scheme.

Plan for Victoria (Amendment VC283) provides opportunities to measure delivery of new homes for Cardinia against Clause 16.01-1S – Metropolitan Housing Targets. It is recommended that:

- Planning permit approvals should be tracked and quantified for the established and greenfield areas of the municipality to understand how Cardinia is tracking against the targets for Metropolitan Melbourne (Clause 16.01-1S).
- Planning permit approvals should be tracked and quantified in the Pakenham Activity Centre Zone (ACZ) and Officer Town Centre to understand the effectiveness of the Structure Plan and Precinct Structure Plan.

There have been a large number of changes related to statutory planning in 2025 through over 28 Victorian Council (VC) Amendments. The Statutory Planning Team at Cardinia Shire Council is currently working through these changes and the implications for existing processes.

Recommendations
• Track and report annual planning permit approvals for established and greenfield areas, Pakenham ACZ and Officer Town Centre to ensure we are meeting our housing target obligations set by Plan for Victoria.

3.5 Obsolete recommendations

As discussed in Section 5.4 - Cardinia Planning Policy Framework (PPF) Translation - Amendment C271card, local policy has been integrated into the three-tiered approach to the PPF in Clauses 11-19. Although the PPF Translation attempted to integrate the 'previous format' planning scheme (prior to VC148), the specific references to Clause 21 in the 2018 Planning Scheme Review are now obsolete. Clause 21 is now vacant in the present Cardinia Planning Scheme since Amendment C271card PPF Translation (13th March 2026).

This also means further strategic work for the following policies have not been translated across.

- Prepare a local policy providing design guidelines for industrial development.
- Prepare local policies to address the siting and design of horticultural structures, and the siting and design of large sheds in rural areas.

3.6 Summary of findings

In general, the previous Planning Scheme Review focused on specific local policy issues rather than an audit of the Form and Content of the Planning Scheme and identifying process efficiencies within the planning scheme. Although local policy issues are important, they need a practical pathway to implementation, otherwise they remain as policy and are ineffective.

To address the shortcomings of the previous review, Part A (Administrative) of this review will have a particular focus on the Form and Content of the planning scheme and identify process efficiencies. This will ensure that in the future when specific local issues are identified, the planning scheme will be in a strong position to address them. Following this, Part B (Policy) will focus on specific policy issues, with a keen focus on implementation.

The previous Planning Scheme Review contained a large number of action items (56 Actions), which was more than could be achieved in a five-year period with the staff capacity and resources available. This is evidenced by the 20 items currently contained in Clause 74.02 – Further strategic work. To improve processes in the planning scheme, it is recommended:

- Part A (Administrative) of this review is based on strengths, weaknesses and opportunities of the planning scheme. This will guide recommendations which are achievable for policy updates in Part B (Policy). Examples of administrative changes can be seen in the Appendix 2, such as changing the name of Department of Sustainability and Environment to the current name Department of Energy, Environment and Climate Action (DEECA).

Recommendations
• Clause 74.02 Further strategic work needs to be rationalised to only the items that can be reasonably achieved in the period from 2026-2031.

4 Cardinia Strategic Direction and Priorities

4.1 Overview

The structure and content of the Cardinia Planning Scheme is largely set by the Victoria Planning Provisions (VPP). However, there are opportunities to tailor content to our local needs through the Planning Policy Framework. The guidance is that local policy must not duplicate or contradict any State or regional planning policy.

Locally tailored content should be consistent with the strategic direction and priorities set by Cardinia Shire Council. A summary of the Council strategic direction and priorities are shown in Figure 4 (below).

It is important to ensure the Cardinia Planning Scheme is aligned with the aspirations, strategies and operational capabilities as approved by Cardinia Shire Council so that use and development of land is consistent.



Figure 4 - Relationship between Community Vision, Council Plan and operational plans and strategies (Council Plan 2025-2029)

4.2 Community Vision 2040

The Community Vision sets aspirations to the year 2040. This was developed through a community panel process. The community vision statement was updated and endorsed by Council. The community vision addresses the following key themes:

- Acknowledgement of Traditional Owners.
- Community resilience.
- Environment.
- Sustainability.
- Infrastructure provision.
- Advocacy.

The PPF Clause 0.02 Vision needs to be updated with the Cardinia Community Vision to achieve alignment. This will be achieved through Part B (Policy) of the Cardinia Planning Scheme Review.

4.3 Previous Council Plans – 2017-2025

Although the previous Council Plan is superseded, it is important to include in this review for completeness.

2017-2021 Council Plan

The 2017-2021 Council Plan covered the following key strategic objectives:

- People
- Community
- Environment
- Economy
- Governance

Of particular note for the Strategic Planning team, were Actions 3.4 and 3.5 under the Environment Goals.

- 3.4.3 Advocate for changes in the state planning scheme which support development of local policies which reduce health-detracting environments (gaming, liquor, fast food).
- 3.5.1 Review the Municipal Strategic Statement and the Cardinia Planning Scheme regularly to ensure it continues to meet Council objectives.
- 3.5.3 Provide for the sustainable of rural townships while taking into account their existing character and community needs.
- 3.5.4 Ensure the planning of rural (green wedge) areas protects and enhances important agricultural, environmental, natural resource, infrastructure and recreational values.

2021-2025 Council Plan

The Cardinia Council Plan – 2021-2025 covered five strategic areas:

- Strong Communities.
- Liveable Places.
- Thriving Environments.
- Prosperous Economies.
- Responsible Leaders.

This was supported by strategies and initiatives which included:

- 2.2 Plan and maintain safe, inclusive and connected open spaces, places and active travel routes.
- 2.3 Plan for housing diversity that meets community needs, is affordable and delivers environmental sustainability, safety and healthy living outcomes.
- 4.1 Facilitate better planning for our agricultural land to support industry, innovation, local food economy and local job growth.
- 4.2 Plan for sustainable employment precincts to entice new industries to the region and support new business.

The key planning issues described in the Council Plan 2021-2025 have been commenced. In particular:

- Advocate for the development of Green Wedge Management Plans (this is currently scheduled for completion in 2028).
- Develop an Environmentally Sustainable Design Policy (Council has completed Planning Scheme Amendment C278card and this has been placed on hold by State Government of Victoria due to policy changes in the planning scheme).

4.4 Cardinia Council Plan 2025-2029

The Council Plan strives to reflect the community's priorities and provides a roadmap to deliver on the long-term Community Vision 2040. The Council Plan is structured around five strategic objectives:

- Thriving communities.
- Prosperous economies.
- Vibrant places.
- Responsible leaders.
- Adaptive environments.

Under each strategic objective is a series of strategies, initiatives and indicators. In general, the Community Vision needs to be reflected in the Municipal Planning Strategy (MPS). According to the MPS, the current Municipal Planning Strategy Vision is:

“Cardinia Shire will be developed in a planned manner to enable present and future generations to live healthy and productive lives and to enjoy the richness of the diverse and distinctive characteristics of the Shire.”

The strategic objectives in the Council Plan 2025-2029 need to be reflected in current Planning Policy Framework. PPF Clause 02.03 needs to be updated to reflect the strategic objectives of the Council Plan 2025-2029. This will be achieved through Part B (Policy) of the Cardinia Planning Scheme Review.

4.5 Summary of findings

The Community Vision 2040 and Council Plan 2025-2029 will be reflected in the Planning Policy Framework (Local). Specifically:

- The PPF Clause 02.02 Vision needs to be updated with the Cardinia Community Vision.
- The PPF Clause 02.03 Municipal Planning Strategy (MPS) needs to be updated to reflect the Council Plan 2025-2029.

This will be achieved through Part B (Policy) of the Cardinia Planning Scheme review. The cascading nature of the planning scheme means that updates to policy will inform the Zones, Overlays and other provisions in the planning scheme.

Recommendations
• The Community Vision 2040 and Council Plan 2025-2029 will be reflected in the Municipal Planning Strategy (MPS) and Planning Policy Framework (Local).

5 Key changes to planning policy

5.1 Planning scheme structure before introduction of Planning Policy Framework - Amendment VC148

This review has referenced major structural and format updates from Ministerial Amendment VC148. Figure 5 shows the general structure of the planning scheme before Amendment VC148.

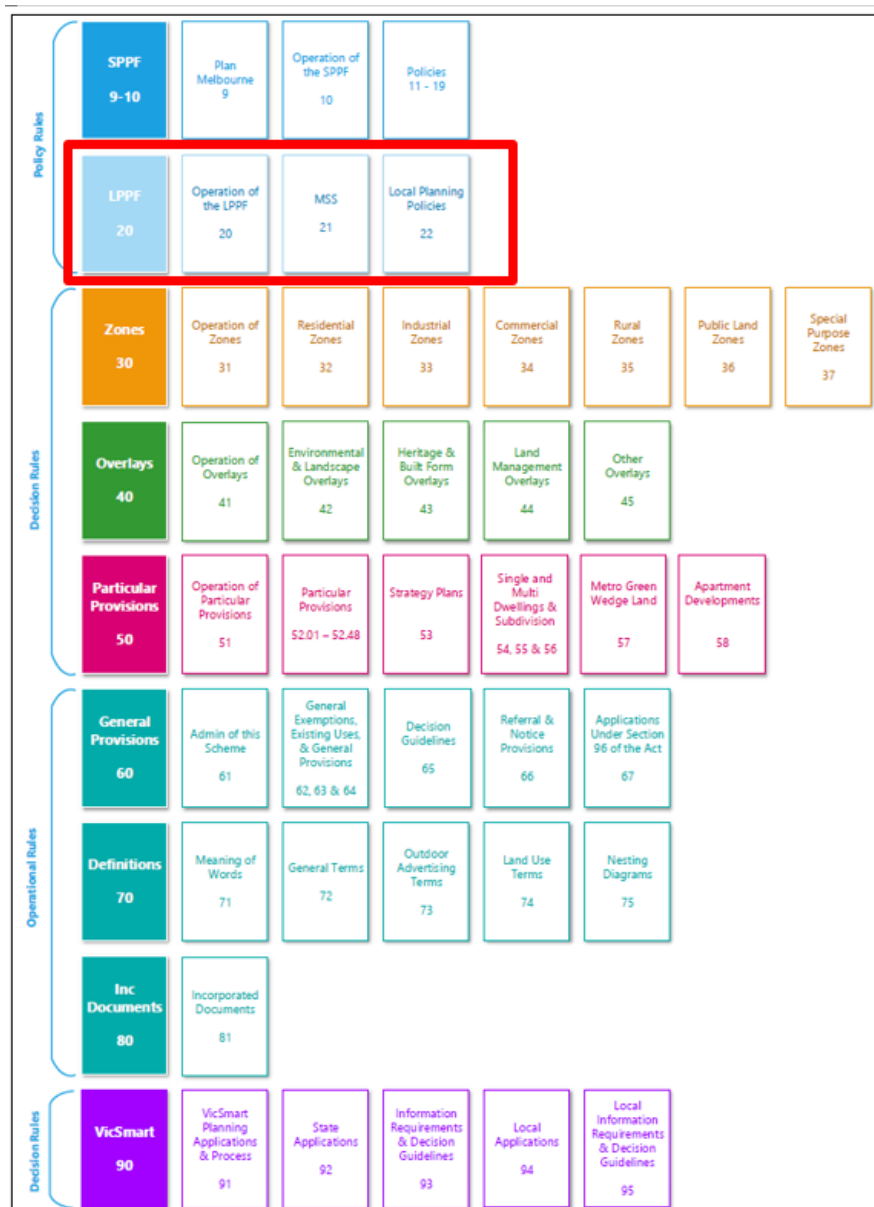


Figure 5 - Structure of Planning Scheme before Amendment VC148 in 2018.

Before Ministerial Amendment VC148, planning policy was divided into State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF). There are five key points to note from Figure 5:

- State Planning Policy Framework (SPPF) was contained in separate Clauses of 10-19 of the planning scheme.
- Clause 20 contained Local Planning Policy Framework (LPPF).
- Clause 21 contained the Municipal Strategic Statement (MSS).
- The Municipal Strategic Statement (MSS) was the foundation of local policy and it was found in LPPF.
- Clause 22 contained Local Planning Policies which were tailored to the needs of the municipality.

5.2 Ministerial Amendment VC148 (Nov 2018) – Streamlined Planning Policy Framework (PPF)

In November 2018, the State Government of Victoria made major changes to the format and structure of planning schemes through Ministerial Amendment VC148.

These changes were applied to every planning scheme in Victoria. The purpose was to simplify and modernise Victoria's planning policy. The key changes are outlined below and shown in Figure 6:

- SPPF and LPPF was combined into a new Planning Policy Framework contained in Clauses 10-19 of the planning scheme.
- Within the Planning Policy Framework, there are 9 key themes (Clauses 11-19).
- The Municipal Planning Strategy (MPS) replaced the MSS and it was changed to Clause 02.
- Clauses 20, 21 and 22 of the planning scheme were integrated into the PPF listed above.

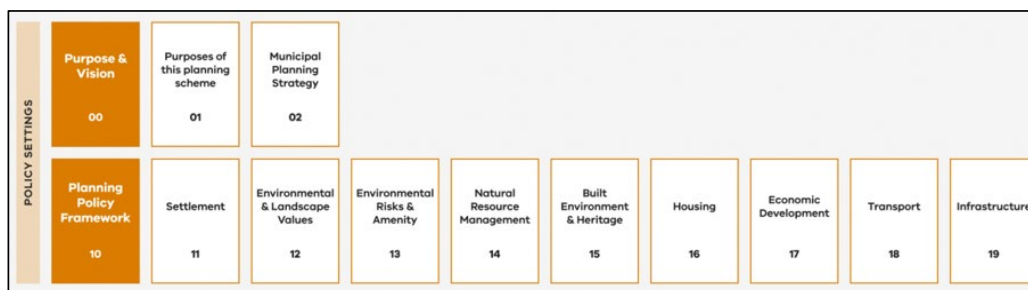


Figure 6 - Planning Policy Framework (PPF) structure after Amendment VC148.

All planning policy was placed in the same location in Clauses 10-19 of the planning scheme. A detailed overview of the PPF structure is provided in Section 5.2 - Ministerial Amendment VC148 (Nov 2018) – Streamlined Planning Policy Framework (PPF). This resulted in a three-tiered integrated policy structure shown in Figure 7.

The tiers of policy are designated with a post nominal letter following the planning scheme clause number, for example:

- S – State Planning Policy (e.g. 11.01-1S Settlement)
- R – Regional Planning Policy (e.g. 11.01-1R Green Wedges)
- L – Local Planning Policy (e.g. 11.01-1L Bunyip)

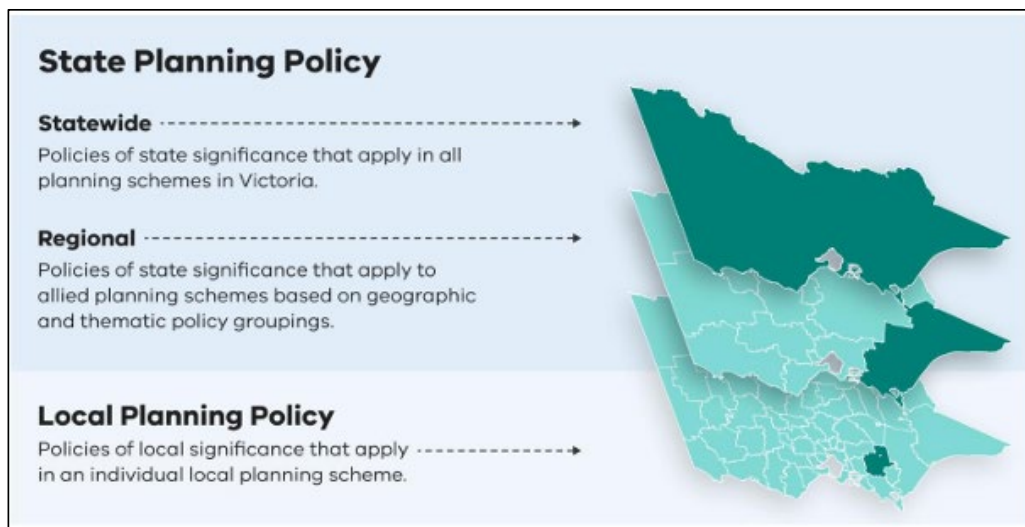


Figure 7 - Planning Policy Framework Hierarchy.

5.3 Advisory notes AN71 and AN72: Planning Policy Framework Amendment VC148

Advisory Notes AN71 and AN72 were released in 2018 by the State Government of Victoria to assist councils to understand the 'new format' of the planning scheme. Council officers at Cardinia Shire Council worked closely with Department of Transport and Planning to undertake the policy neutral translation to change it from the 'old format' to the 'new format' (VC148).

5.4 Cardinia Planning Policy Framework (PPF) Translation - Amendment C271card

'Translation' is the name used to describe changes to make the Cardinia Planning Scheme consistent with the format described in Planning Policy Framework (VC148) and AN71 and AN72.

There are a total of 79 Local Planning Schemes across Victoria. Every municipal council in the state needed to 're-format' their planning policy to accord with Ministerial Amendment VC148 – Planning Policy Framework. To do this, the Department of Transport and Planning (DTP) undertook an orderly schedule of planning scheme translations. Cardinia Shire Council was one of the final tranches of councils to translate their planning scheme.

It is important to note that the translation process needed to be 'policy neutral'. This means there could not be any substantial changes to the meaning or application of existing policy. There were also some restrictions on the word count for policy which are outlined in Ministerial Direction Form and Content of Planning Schemes. In addition, the local policy must not duplicate or contradict state or regional policy. All of this meant that old content could not be copied directly into the new format.

It was an extremely long and complex task to 'translate' the previous format of the planning scheme (For example LPPF, MSS etc.) into the new three-tiered format in a policy neutral manner. The translation was formally gazetted into the Cardinia Planning Scheme on the 13th March 2026 by the Minister for Planning.

The reason Part B (Policy) of the Planning Scheme Review has been scheduled for later in 2026 is to allow time for council officers to analyse the appropriate place for changes to local policy and ensure it does not duplicate or contradict state and regional policy.

5.5 Ministerial Direction Form and Content of Planning Schemes – Section 7 (5)

The Ministerial Direction (MD) for the Form and Content of Planning Schemes outlines the specific requirements for formatting and presentation of the planning scheme. Under the MD Form and Content, the maximum word limit (hard cap) for the Municipal Planning Strategy (MPS) is 5,000 words.

This created a complication for translation because the previous Municipal Strategic Statement (MSS) exceeded 10,000 words. Therefore, the MPS needed to be 'reduced' to meet the requirements of the Ministerial Direction.

As the PPF translation was only gazetted on the 13th March 2026, the Planning Strategy and Urban Design Team will need to review the MPS in Part B (Policy) of the Planning Scheme Review. The MPS is the foundation of local policy content and every local policy in the scheme needs to cascade from it.

The updates to policy in Part B (Policy) will ensure the Municipal Planning Strategy (MPS) is consistent with the Community Vision 2040, Council Plan 2025-2029 and other strategic directions.

5.6 Plan for Victoria - Amendment VC283

Plan for Victoria was gazetted as a Background Document in Clause 72.08 of the Cardinia Planning Scheme on the 8th September 2025. The document is basically the State's long-term blueprint for planning. It is centred around five key pillars:

- Pillar 1: Housing for all Victorians
- Pillar 2: Accessible Jobs and Services
- Pillar 3: Great Places, Suburbs and Towns
- Pillar 4: Sustainable Environments
- Pillar 5: Self Determination and caring for Country

The centrepiece of the strategy is the need to construct 2.24 million new homes across Victoria by 2051. To deliver this, housing targets were introduced into the Planning Policy Framework. These are outlined in Clause 11 - Settlement and Clause 16 - Housing of the PPF.

As a result of Ministerial Amendment - Plan for Victoria (VC283), Cardinia has a total housing target of 30,000 dwellings (Clause 16.01-1S – Housing Supply) by 2051. This is separated into Greenfield and Established areas. The housing targets are shown in Table 3.

	Housing Target	Greenfield Area Target	Established Area Target
Growth Municipalities			
Mitchell	66,000	56,000	10,000
Cardinia	30,000	21,000	9,000
Casey	87,000	58,500	28,500
Hume	79,000	53,500	25,500
Melton	109,000	104,000	5,000
Whittlesea	72,000	43,000	29,000

Table 3 - Metropolitan Melbourne Housing Targets (Clause 16.01S Housing), Map 3 (reproduced in Figure 8) in Plan for Victoria shows the areas of change for homes in Melbourne.

Plan for Victoria provides a map of future housing change across metropolitan Melbourne (Figure 8). Based on

Figure 8, the key areas of change for housing in Cardinia will be Pakenham and Officer.

Currently the only housing specifically mentioned in Clause 16.01-1L – Housing is Lang Lang. This is due to the 'policy neutral' approach to the PPF translation. The Planning Policy Framework will need to be updated to reflect the areas of expected change in accordance with Plan for Victoria.

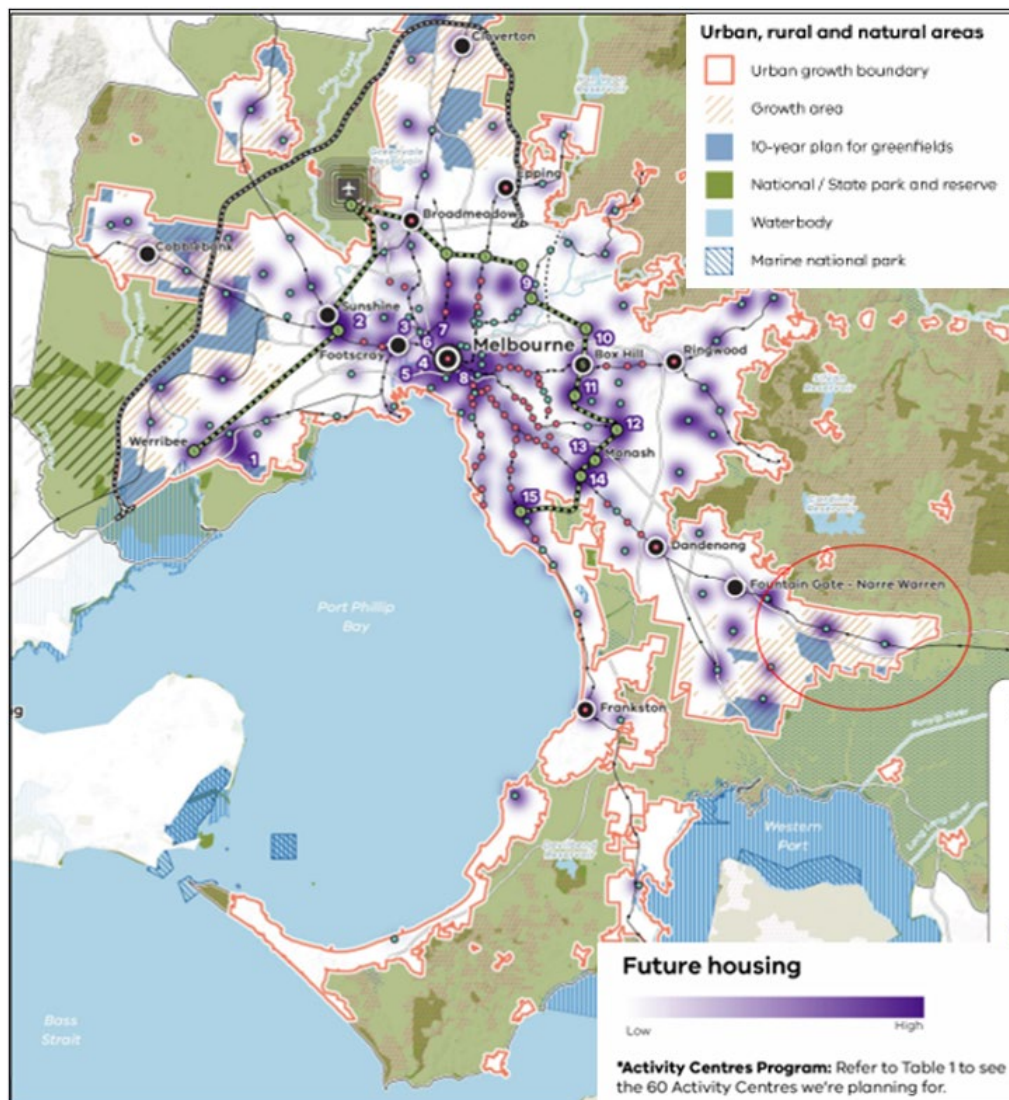


Figure 8 - Where Melbourne will change (Adapted from Map 3 - Plan for Victoria)

There is a significant opportunity for Cardinia to update Planning Policy Framework (Local) to align with Plan for Victoria. Plan for Victoria (Amendment VC283) provides opportunities to measure delivery of new homes for Cardinia. Planning permit approvals should be tracked and quantified for established and greenfield areas (Clause 16.01-1S – Metropolitan Melbourne Housing Targets). In addition, planning permit approvals in the Pakenham Activity Centre Zone (ACZ) should be tracked to evaluate the effectiveness of the Pakenham Structure Plan.

The provision of accessible jobs and services is a key pillar of Plan for Victoria. In addition to homes, another key update from Ministerial Amendment Plan for Victoria (VC283) was the incorporation of the 'Industrial and Commercial Land Classifications July 2025' in Clause 72.04. The document shows the location of specific industrial and commercial land uses across the municipality. Refer to

Figure 9 for an example of land classification around the Officer South Employment (OSE) Precinct Structure Plan.

This update is important because it provides greater certainty for employment areas to be protected and enhanced. It also allows investment to be prioritised in areas for specific land uses based on its classification as local, regional or state significance employment land.

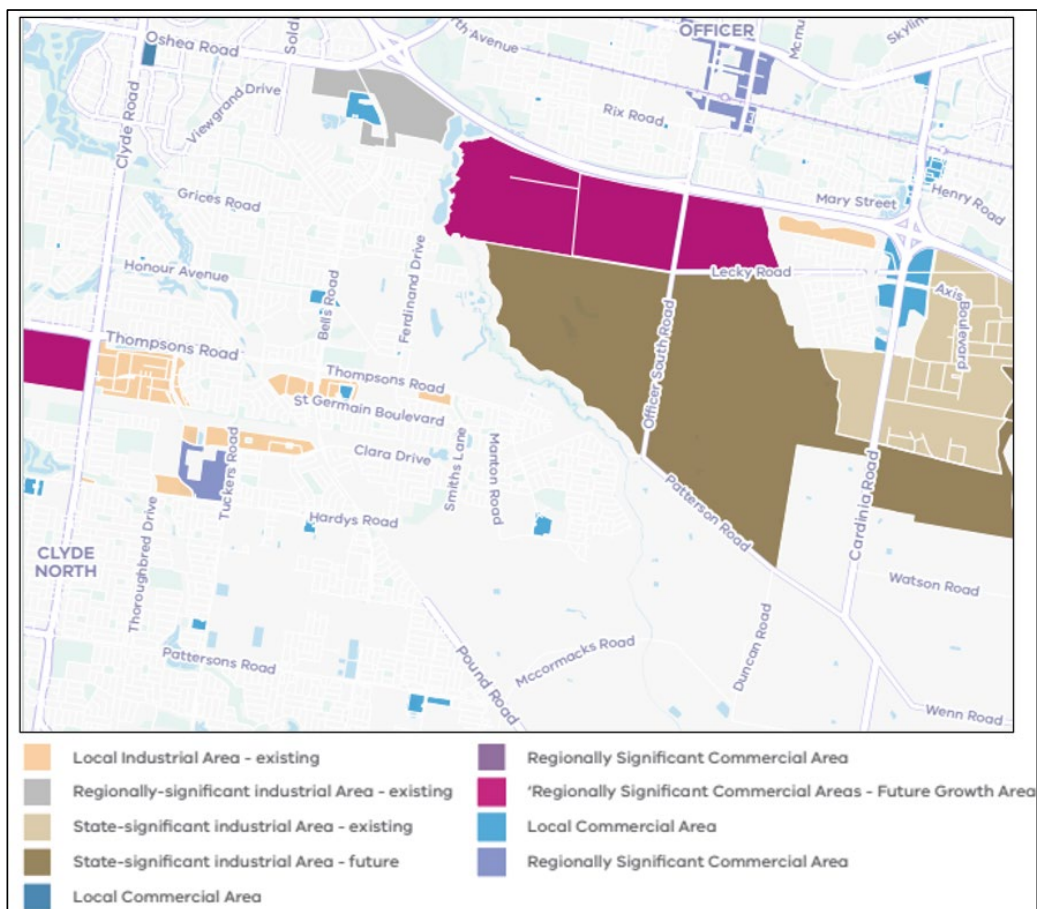


Figure 9 - Example of the Industrial and Commercial Land Classification in the Cardinia Planning Scheme (Map 11)

5.7 Extractive industry: Increase of Amenity Protections (Ministerial Amendment VC219)

The purpose of this state government amendment was to support the ongoing operation of extractive industry across Victoria and increase amenity protections for nearby accommodation. In particular:

- Protect the health and wellbeing of occupants of accommodation in rural areas that is in proximity to existing or proposed extractive industry operations.
- Ensure accommodation is appropriately sited and designed to avoid adverse amenity impacts arising from the operation of extractive industry operations.
- Recognise and protect proposed and existing extractive industry operations by preventing the encroachment of accommodation into the required operational separation distances.

In essence, the key change was that planning permit referrals are required to go to the Secretary of the Department administering the Mineral Resources (Sustainable Development) Act 1990. This is generally for any accommodation uses within 500 metres from the nearest title boundary of land on which a work authority has been applied for.

The Minister is a determining referral authority, which means that if they object, then the responsible authority must object (it is not discretionary).

The amendment is applicable to the following zones:

- Clause 35.03 (Rural Living Zone).
- Clause 35.04 (Green Wedge Zone).
- Clause 35.05 (Green Wedge A Zone).
- Clause 35.06 (Rural Conservation Zone).
- Clause 35.07 (Farming Zone).
- Clause 35.08 (Rural Activity Zone).

It is also noted that State Government also gazetted Ministerial Amendment for Extractive Industry (VC196) in 2021 to introduce a State Resource Overlay (SRO) in selected planning schemes across Victoria. The SRO is basically an overlay to protect areas of mineral, stone and other resources that have state significance. The overlays were generally applied within 250-500m of an extractive resource.

At present Cardinia is only indirectly affected by an SRO2 which has been applied to sand resources located in Nyora. The location of the overlay is shown in Figure 10 (below). The majority of this area is located in South Gippsland Shire.

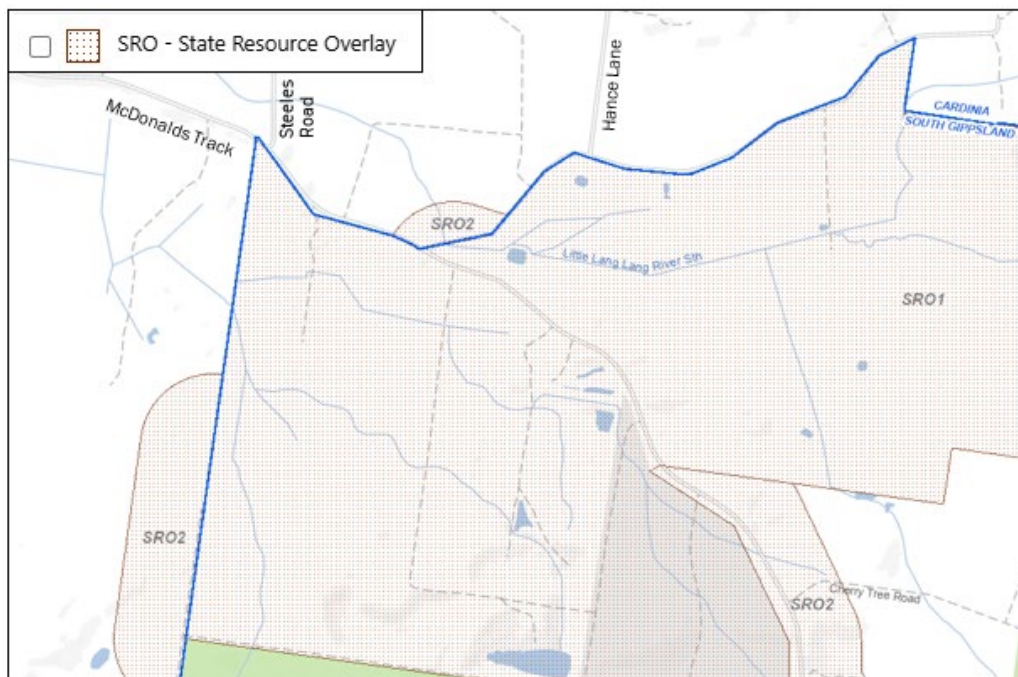


Figure 10 - Location of State Resource Overlay (SRO2) to Nyora.

There has been significant policy discussion in the past about extractive industries in Cardinia. This included specific recommendations from the planning panel for the previous Planning Scheme Review (C250card) with regards to mapping extractive industries in the planning scheme. The Extractive Industry Amendment VC219 has provided a specific planning scheme instrument to recognise and protect state significant extractive resources across Victoria. The application of these State Resource Overlays (SRO) should be considered in the context of previous submissions from Cardinia to State Government.

5.8 Victorian Council (VC) amendments gazetted in 2025

In addition to VC283 Planning Policy Framework, there were over 28 other 'Victorian Council' amendments gazetted in the planning scheme by the State Government of Victoria in 2025. In general, there has been a clear shift to enabling more housing, facilitating growth and simplifying processes. Some of the key VC amendments are listed as follows:

- VC276: New Clause 55 (ResCode) for multi-dwelling applications.
- VC282: New Clause 54 (ResCode) for single dwelling on small lots.
- VC253: Introduced the small second dwelling.
- VC288: Expands VicSmart assessment for two dwellings on a lot.
- VC289: Canopy trees in residential areas.

The Statutory Planning Team at Cardinia Shire Council is currently working through these changes and the implications for statutory processes.

5.9 Summary of findings

There have been significant updates to the structure and format of the Cardinia Planning Scheme through changes to State Government planning policy. Primarily, these are:

- VC148 - New Planning Policy Framework (PPF).
- VC283 - Plan for Victoria and
- Over 28 VC Amendments from State Government affecting statutory planning processes.

As of 13th March 2026 the Planning Policy Framework (PPF) is consistent with the format and structure required by State Government. This was achieved through Planning Scheme Amendment C271card – Cardinia Planning Policy Framework (PPF) Translation. This is a key strength of the Cardinia Planning Scheme.

Plan for Victoria (Amendment VC283) provides opportunities to measure delivery of new homes for Cardinia against Clause 16.01-1S – Metropolitan Housing Targets. It is recommended that:

- Planning permit approvals should be tracked and quantified for the established and greenfield areas of the municipality to understand how Cardinia is tracking against the targets for Metropolitan Melbourne (Clause 16.01-1S).
- Planning permit approvals should be tracked and quantified in the Pakenham Activity Centre Zone (ACZ) and Officer Town Centre to understand the effectiveness of the Structure Plan and Precinct Structure Plan.

There have been a large number of changes related to statutory planning in 2025 through over 28 Victorian Council (VC) Amendments. The Statutory Planning Team at Cardinia Shire Council is currently working through these changes and the implications for existing processes.

Recommendations
• Track and report annual planning permit approvals for established and greenfield areas, Pakenham ACZ and Officer Town Centre to ensure we are meeting our housing target obligations set by Plan for Victoria.

6 Approved strategic planning documents and amendments

6.1 Greenfield areas: Precinct Structure Plans (PSPs)

There are four greenfield PSPs gazetted since the previous Planning Scheme Review was completed. These were:

- Officer Town Centre Review (2021) - Amendment C232card
- Pakenham East PSP and ICP (2021) - Amendment C234card and Amendment C251card
- Pakenham South Employment PSP and ICP (2024) - Amendment C265card
- Officer South Employment PSP and ICP (2025) - Amendment C274card

The number of dwellings and jobs from these greenfield amendments is summarised in Table 4.

Precinct Structure Plan	Homes	Employment/ Jobs
Pakenham East PSP (2021).	7,229	1,436
Officer Town Centre Review - 2021. (Amendment C149 – Officer PSP)	(10,900)	1,509 Town Centre (5,824 Officer PSP)
Pakenham South Employment PSP (2024)	-	3,500
Officer South Employment PSP (2025)	1,613	22,013
Total (excl. Officer PSP)	9,342	26,949

Table 4 - Summary of greenfield homes and jobs planned and gazetted since the last Planning Scheme Review.

It is clear from Table 4 that significant progress has been made since the last Planning Scheme Review to unlock greenfield land through gazettal of PSPs. Although the land has been planned using the PSP process, this only unlocks the land for planning purposes. Developers and landowners are generally responsible for the timing of development. This has been identified as a significant issue in the Officer Town Centre. It is outside the scope of this review to be able to force development within PSPs. Further advocacy will be required with State Government to realise on-ground outcomes of PSPs across Cardinia.

According to the Department of Transport and Planning, there are two Precinct Structure Plans remaining in Cardinia (Figure 11). The PSPs yet to be completed are:

- Pakenham West Employment.
- Cardinia Road Employment (Part 2).

The Department released 'A 10-year Plan for Industrial Land 2025' a roadmap that plans the development of PSPs to meet demand for well-located and affordable industrial land. The plan outlines that both Pakenham West and Cardinia Road Employment (Part 2) will commence between 2026-27 and 2028-29, with completion by 2033.

At this stage Council has not received advice from the Department of Transport and Planning that a PSP is proposed to be commenced for either of these two employment areas. Based on existing forecast industrial land availability, these two remaining PSPs are not a high priority to advocate for commencement through local policy, given the total land and employment available shown in Table 4. Figure 11 shows the current status of Cardinia's PSPs.

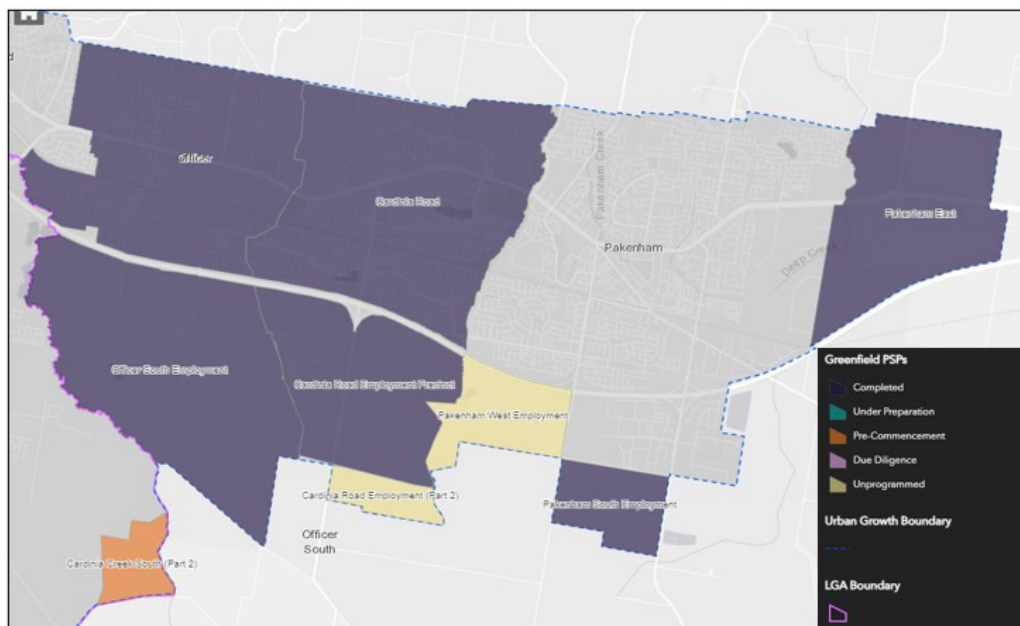


Figure 11 - Status of Greenfield Precinct Structure Plans in Cardinia Shire Council.

6.2 Activity Centres: Structure Plans and Urban Design Frameworks

Pakenham Activity Centre Zone (ACZ)

The Pakenham Structure Plan 2017 was first adopted by Council in 2015 and incorporated into the Cardinia Planning Scheme through Planning Scheme Amendment C211card in March 2017. It was reworked in 2019 and finally gazetted in 2021 through Planning Scheme Amendment C228card.

There were two key documents that formed the basis of the updated amendment:

- Pakenham Structure Plan (SP)
- Pakenham Urban Design Framework (UDF)

The structure of the Pakenham Activity Centre Zone is shown in Figure 12.

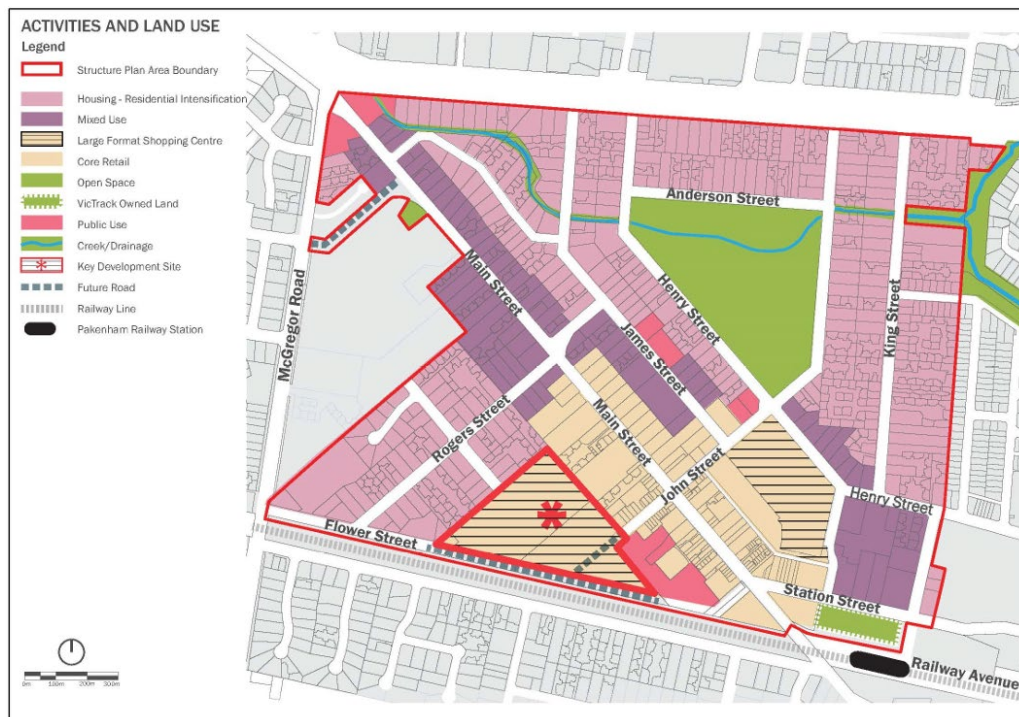


Figure 12 - Pakenham Activity Centre Zone (ACZ) – Updated 2021.

It is important to note that the Pakenham ACZ amendment was completed prior to the gazettal of Plan for Victoria (Amendment C283card). As outlined in Section 5.6 - Plan for Victoria - Amendment VC283, Pakenham ACZ is likely to be important to achieving the housing targets for established areas.

A key opportunity is to collect data on dwelling approvals to understand whether the ACZ policy instrument is working as intended. If the dwelling approvals are not in line with expectations, the ACZ, SP and UDF should be reviewed.

It is also recommended that local PPF be updated to reflect the importance of the Pakenham ACZ in achieving the Metropolitan Housing Targets contained in Clause 16.01-1S.

6.3 Overview of Township Strategies and Structure Plans

Cardinia has generally prepared a Township Strategy or Structure Plan for localities identified in the Local Planning Policy. The Township Strategies and Structure Plans provide a strategic policy framework for the future development of each township or structure plan by setting out the objectives and actions and providing clear direction on the level of change. In general, the Structure Plans have been implemented through Development Plan Overlays (DPO) and increasingly Design and Development Overlays (DDO).

There are a total of 10 current Township Strategies and/or Structure Plans in Cardinia (Nar Nar Goon is currently in draft):

- Garfield Township Strategy (August 2002).
- Cockatoo Township Strategy (March 2008) and Cockatoo Urban Design Framework (November 2007).
- Lang Lang Township Strategy (July 2009).
- Upper Beaconsfield Township Strategy (July 2009).

- Bunyip Township Strategy (September 2009).
- Emerald District Strategy (June 2009).
- Gembrook Township Strategy (June 2011).
- Beaconsfield Structure Plan (December 2013).
- Koo Wee Rup Township Strategy (October 2015).
- Pakenham Major Activity Centre Structure Plan (2021)
- Nar Nar Goon Township Strategy (draft September 2025).

Many of the strategies have reached an age where a review is warranted (generally we aim to do this every 10-15 years). The upcoming program of updates enables Council to modernise these strategy documents in a coordinated way by aligning them with new State Government policy, incorporating fresh community expectations and responding to emerging trends such as sustainability, technology and housing pressures.

Updating these strategies also creates the opportunity to explore more efficient, streamlined delivery approaches. This includes bundling similar townships together for shared strategic work, streamlining consultation processes, or targeting updates to specific themes such as neighbourhood character, accessibility, environmental resilience or economic development. This approach could maximise resources whilst ensuring that each township retains its unique identity.

6.4 Implementation of Strategies and Structure Plans

To deliver the objectives of the Township Strategies and/or Structure Plans, several planning scheme amendments were delivered in four main localities since the last Planning Scheme Review. These were in:

- Beaconsfield.
- Koo Wee Rup.
- Bunyip.
- Lang Lang.

An analysis of planning scheme amendments is provided for each of the four areas, with a particular focus on Development Plan Overlays. Findings and conclusions are explored for the effectiveness and efficiency of the planning scheme in delivering strategic planning objectives in townships and structure plan areas.

Beaconsfield

The Beaconsfield Structure Plan was approved in December 2013. The purpose of this document was to guide the growth and development of Beaconsfield over 10-15 years.

There were three key planning scheme amendments gazetted to assist delivery of objectives in the Beaconsfield Structure Plan 2013. The location of these amendments are shown in Figure 13 and Figure 14 (below). The amendments are summarised as follows:

- **Glismann Road (DP019):** The amendment rezoned land from the Rural Living Zone (RLZ) to the Neighbourhood Residential Zone (NRZ2) and applied a Development Plan Overlay (DPO19) and a Development Contributions Plan Overlay (DCPO) to the area.
- **Woodlands Grove Precinct (DP025):** The amendment deleted the Incorporated Document Beaconsfield Structure Plan, (December 2013 expired 31 December 2021), applied Schedule 25 to the Development Plan Overlay to the Woodlands Grove Precinct as shown in the Beaconsfield Structure Plan and made associated changes to the Cardinia Planning Scheme.



Figure 13 - Location of gazetted DPOs in Beaconsfield since the previous 2018 Planning Scheme Review.

- **Princes Highway Gateway and Beaconsfield Point Precincts (DD05&6)** - Implemented the key objectives of the Beaconsfield Structure Plan December 2013 (expired March 2019, updated to 30 June 2020) by applying the Design and Development Overlay (DDO) to the Princes Highway Gateway Precinct (Proposed DD05) and the Beaconsfield Point Precinct (Proposed DD06).

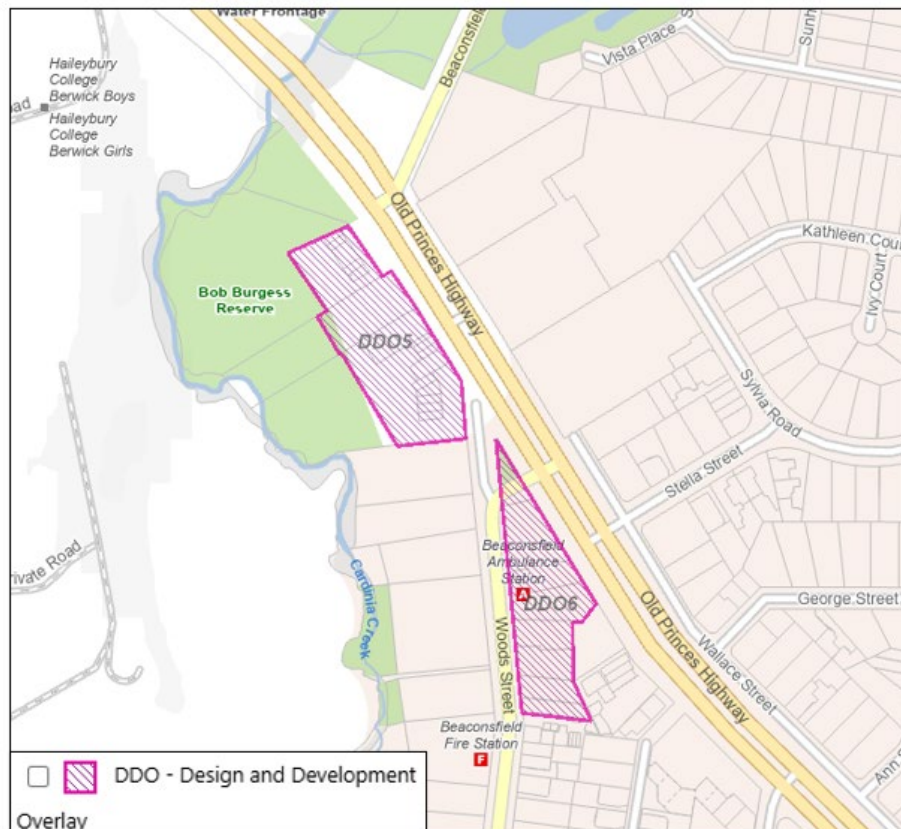


Figure 14 - Location of gazetted DPOs in Beaconsfield since the previous 2018 Planning Scheme Review.

Koo Wee Rup

The Koo Wee Rup Township Strategy was approved in October 2015. The purpose of this document was to guide growth and development in Koo Wee Rup. This included a 10-year vision which informed the key objectives for the strategy.

Since the previous review, there were five key planning scheme overlays delivered to implement the objectives of the Koo Wee Rup Township Strategy. The location of these amendments is shown in Figure 15. The amendments are summarised as follows:

- **Implementation of objectives of the Koo Wee Rup Township Strategy (DP023 & 24 and DD08 & DD09):** Implement the objectives of the Koo Wee Rup Township Strategy by introducing two Development Plan Overlay schedules and two Design and Development Overlay schedules over various areas of Koo Wee Rup township.
- **145 Rossiter Road, Koo Wee Rup (DP022):** The amendment rezoned land at 145 Rossiter Road, Koo Wee Rup from Farming Zone to Neighbourhood Residential Zone Schedule 1, applies Development Plan Overlay Schedule 22 to the land. This was identified as an investigation area in the KWR Township Strategy.

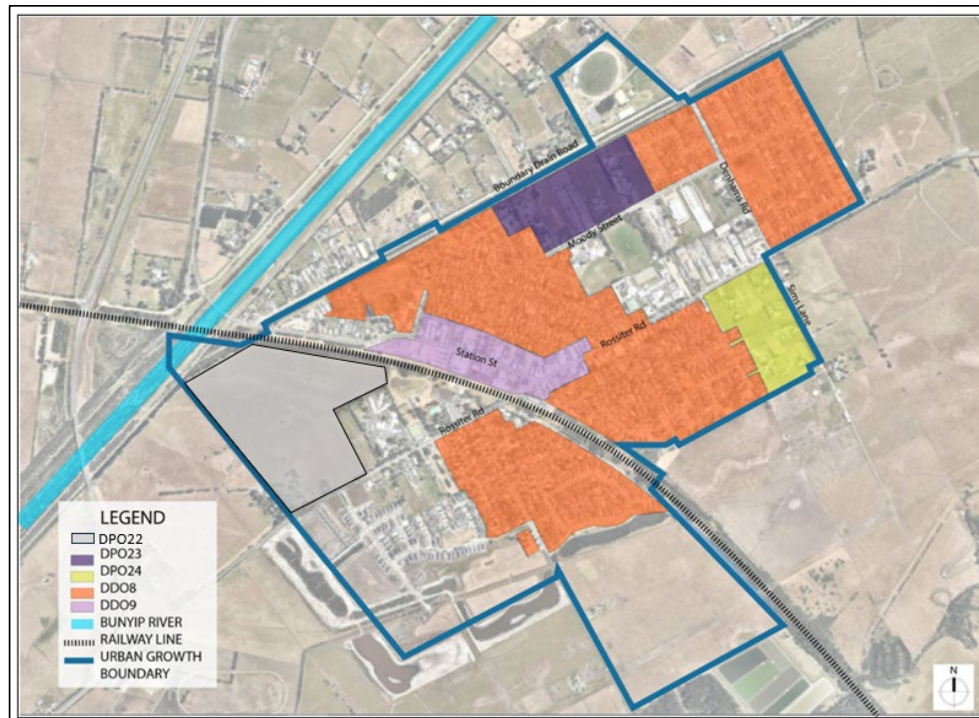


Figure 15 - Location of gazetted DPOs and DDOs in Koo Wee Rup since the previous 2018 Planning Scheme Review.

Bunyip

The Bunyip Township Strategy was approved in September 2009. The purpose of this document was to guide growth and development in Bunyip for a period of 7-10 years.

Since the previous Planning Scheme Review there were five key planning scheme overlays delivered to implement the objectives of the Bunyip Township Strategy. The location of these amendments is shown in Figure 16. The amendments are summarised as follows:

- 85 McNamara Road, Bunyip (DPO21 and DDO1):** The amendment rezoned 85 McNamara Road, Bunyip from the Farming Zone (FZ1) to the Low Density Residential Zone (LDRZ3), introduced and applied the Development Plan Overlay - Schedule 21. It also applied Design and Development Overlay - Schedule 1, to facilitate and guide residential development of the land.



Figure 16 - Location of 85 McNamara Road, Bunyip (DPO21 and DD01)

Lang Lang

The Lang Lang Township Strategy was approved in July 2009. The purpose of this document was to guide growth and development in Lang Lang. This included a 10-year vision which informed the key objectives for the strategy.

There was one gazetted planning scheme amendment which implemented the key objectives and strategies of the Lang Lang Township Strategy. The location is shown in Figure 17 (below). The amendment is summarised below.

- **Lang Lang North-West Industrial 1 Zone (DPO20):** Rezoned part of the land at 80 McDonalds Track and Westernport Road, Lang Lang from Farming Zone Schedule 1 (FZ1) to Industrial 1 Zone (IN1Z) and applies Schedule 20 to the Development Plan Overlay (DPO20).

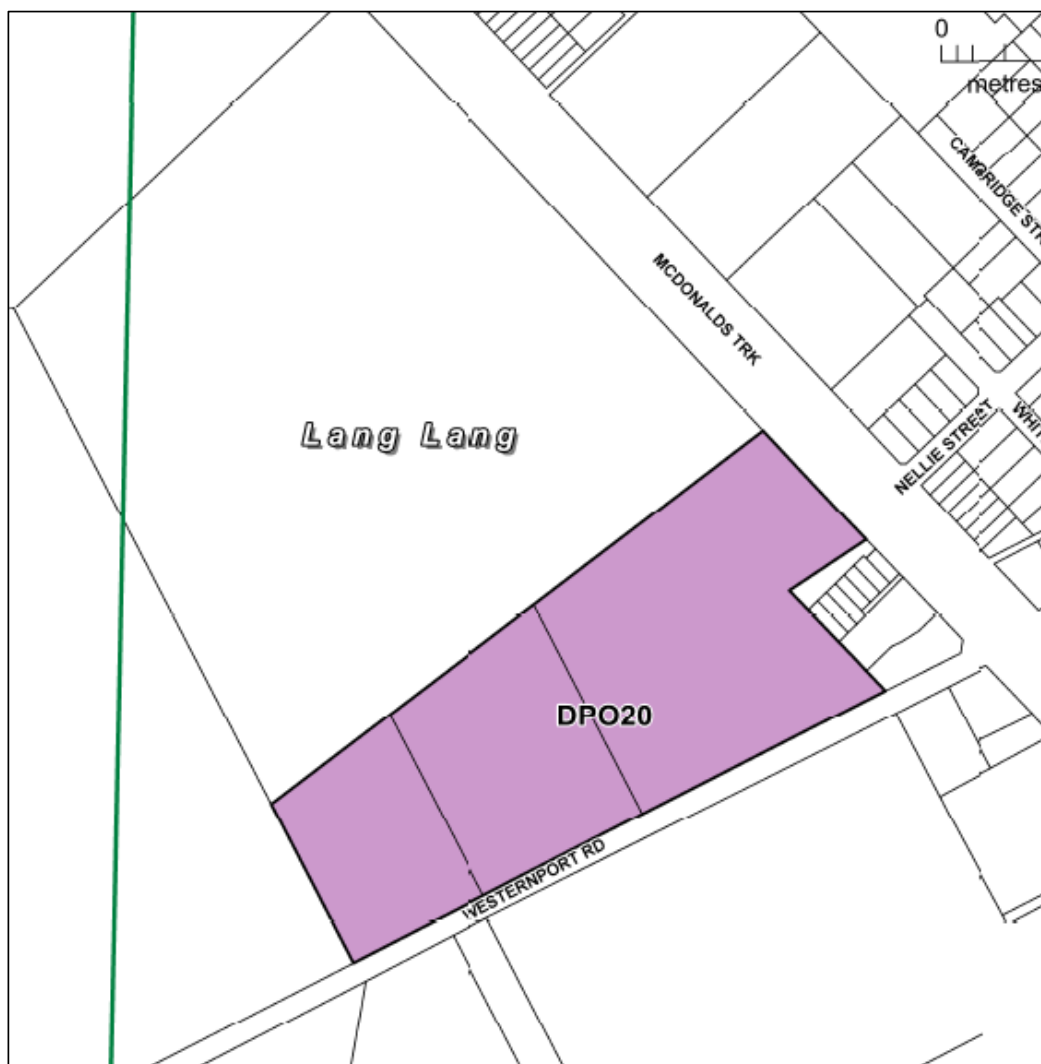


Figure 17 - Location of 80 McDonalds Track, Lang Lang

6.5 Development Plan Overlays (DPO)

In general, Development Plan Overlays (DPO) have been used as the mechanism to deliver objectives after the Township Strategy is approved. This approach has been supported as strategically justified by planning panels including Amendment C238 (Glismann Road) and C257 (Woodland Grove).

Planning Practice Note 32: Applying the Incorporated Plan and Development Plan Overlay provides guidance for operation of the overlay. In summary, a planning permit application cannot be lodged until a Development Plan (DP) is approved (except in exceptional circumstances). A DPO basically requires preparation and approval of a more detailed plan (i.e. Development Plan) after the overlay is gazetted. A summary of the current status of Development Plan Overlays gazetted since the previous Planning Scheme Review is provided in Table 5.

It should be noted that Design and Development Overlays (DDOs) don't require an additional stage of approval (i.e. Development Plan) before a planning permit application. For this reason, the DDOs have not been included in Table 5.

DPO Number	Year Gazetted	Name of Amendment	Current Status
DP019	2022 (Nov)	Glismann Road Area Development Plan, Beaconsfield (C238card)	Approved Development Plan (2026) – (Note: DP Prepared by Council.)
DP020	2019 (Oct)	80 McDonalds Track, Lang Lang (Lang Lang North-West Industrial 1 Zone) (C257card)	Development Plan yet to be Approved
DP021	2023 (June)	85 McNamara Road, Bunyip - Lot 1 LP81582 (C276card)	Development Plan yet to be Approved
DP022	2020 (July)	145 Rossiter Road, Koo Wee Rup (C235card)	Development Plan yet to be Approved
DP023	2022 (Feb)	Moody Street Koo Wee Rup Residential Precinct (C240card)	Development Plan yet to be Approved
DP024	2022 (Feb)	Sims Lane Koo Wee Rup Residential Precinct (C240card)	Development Plan yet to be Approved
DP025	2022 (May)	Woodlands Grove Precinct Development Plan Overlay (C257card)	Development Plan yet to be Approved

Table 5 - Summary of status of Development Plan Overlays gazetted since the previous Planning Scheme Review.

It is a recurring theme that once the Township or Structure Plan has been approved and the DPO gazetted, a Development Plan is not approved, so a planning permit cannot be lodged. It is interesting to note that the only Development Plan which has been approved since the previous Planning Scheme Review was actually prepared by Cardinia Council (Glismann Road Development Plan).

In general, the DPO has been overused and this has contributed to delays in the planning process through approval of Development Plans.

Table 5 shows that, in many cases, the Development Plan approval process has taken more than five years. However, Glismann Road is a recent example where Council has led the preparation of a DP to deliver outcomes. DPOs have been supported as strategically justified at the Panel, as they provide strong coordination benefits particularly around infrastructure delivery, however they also require significant resources to administer effectively after gazettal.

Efficiencies need to be found for both the preparation of Structure Plans/ Township Strategies and the approval of Development Plans through the Development Plan Overlay (DPO) process. There are five recommendations to improve the efficiency of the Development Plan process:

- There are currently 25 Development Plan Overlays in the Cardinia Planning Scheme. Some are completed and some have yet to have a Development Plan (DP) approved. To improve efficiency for delivery of Township Strategies and Structure Plans, an audit of the status of each DPO should be undertaken, with recommendations on the DPO status and how to improve the efficiency of delivery.
- To improve the efficiency of the scheme, it is recommended that alternative planning scheme instruments (that are strategically justified) are used to implement new or revised Township Strategies, instead of a Development Plan Overlay.

- The workflow and Delegation of Authority to approve Development Plans needs to be reviewed within Cardinia Shire Council. Efficiencies would be gained with a clearly defined process and Delegated Authorities for approvals.
- A Memorandum of Understanding (MOU) should be used to streamline approvals of existing DPOs. This would unlock housing and employment in strategically justified areas as far back as 2009, but have not commenced due to the cumbersome processes to approve a Development Plan and issue planning permits.
- At present, the current fees for submission of a Development Plan by a developer at Cardinia are contained in the 'Planning and Subdivisions Fees 2025-2026'. This is under the category: 'To Council's satisfaction (22 fee units)' with a fee of \$369.80. This is not sufficient to cover the time and expenses from Council officers required to review and approve the Development Plan. It is recommended to investigate efficiencies in delivery of Development Plans.

6.6 Summary of findings

Since the last Planning Scheme Review, there has been progress in greenfield, activity centre, township and structure planning scheme amendments. These have been delivering:

- Greenfield housing and employment through Precinct Structure Plans.
- Activity Centre Zone for Pakenham.
- Implementation mechanisms for Beaconsfield, Koo Wee Rup and Lang Lang.

One of the key threats to the Cardinia Planning Scheme is that the Township Strategies are ageing, with many of these being approved from 2009-2015. A more efficient way needs to be found to deliver ageing Township Strategies.

This may include bundling together similar townships to be delivered in the one strategy or a streamlined review process for previously approved strategies. This would also reduce the long-term burden of updating multiple Township Strategies for the future.

In the past, Development Plan Overlays (DPO) have been used to achieve strategic planning objectives. Significant thought needs to be given whether DPOs are still the most appropriate planning instrument in the future for Cardinia (noting previous panel commentary that DPOs are strategically justified). Although DPOs have advantages for infrastructure coordination, they are resource intensive to administer after gazettal.

Until this question of DPOs is resolved, it is recommended that no further DPOs are gazetted into the Cardinia Planning Scheme. This would provide Council with time to clear the backlog of yet to be approved DPs in the planning scheme. The list of recommendations for township strategies and Development Plan Overlays is shown below.

Recommendations
• Refine the scope, intent and delivery of Township Strategies and Structure Plans. Identify efficiencies to ensure a streamlined process for delivery.
Development Plans (DPOs) and Associated Processes
• To improve the efficiency of the scheme, it is recommended that alternative planning scheme instruments (that are strategically justified) are used to implement new or revised Township Strategies, instead of a Development Plan Overlay.
• The workflow and Delegation of Authority to approve Development Plans needs to be considered within Cardinia Shire Council. Efficiencies would be gained with a clearly defined process and subsidiarity for Delegated Authorities for approvals.

- A Memorandum of Understanding (MOU's) process should be considered between developer's and the council to deliver approved Development Plans more efficiently. This would unlock housing and employment in strategically justified areas as far back as 2009, that have not commenced due to landowners conflict with funding background technical reports and the cumbersome processes to approve a Development Plan and commence the planning permit process.
- There are currently 25 Development Plan Overlays in the Cardinia Planning Scheme. Some are completed and some have yet to have a Development Plan (DP) approved. To improve efficiency, of delivery of Township Strategies and Structure Plans, an external audit of the status of each DPO should be undertaken with recommendations to improve efficiency of delivery of each DPO based on its status.

7 Key Planning Panel Victoria and VCAT Reports

7.1 Planning Panel Victoria reports

The following is a summary of Planning Panel Victoria (PPV) reports where the Panel has made specific comments or recommendations in relation to the content or operation of the Cardinia Planning Scheme. Not every Panel Report that has been released since 2018 has been reviewed as some Panel Reports do not make any commentary on the planning scheme. The key reports are outlined below.

7.2 Pakenham Activity Centre (C228card Panel Report – June 2020)

The Pakenham Structure Plan 2017 was first adopted by Council in 2015 and incorporated into the Cardinia Planning Scheme through Amendment C211card in March 2017. It was reworked in 2019 to bring it up to date and to make it more succinct.

The Amendment sought to replace the existing Pakenham Activity Centre Incorporated Provisions, with the Pakenham with the Activity Centre Zone (ACZ). This included the Pakenham Major Activity Centre Structure Plan (February 2021) and the Pakenham Major Activity Centre Urban Design Framework (February 2021).

Key issues raised at the panel:

- Height limit controls in the ACZ.
- Drafting of discretionary vs. mandatory controls in the ACZ ordinance.
- Complexity of land use controls in the ACZ Schedule.
- Lack of improvements to public realm.

The critical issue was whether a four-storey height limit was appropriate for the Pakenham Major Activity Centre. The Council's position was that height limits were preferred and not mandatory. Submitters generally preferred higher buildings with less prescriptive requirements.

The panel did not consider that mandatory 14.5 metre and 15 metre height limits were justified. The Member stated *"...in the core of the activity centre there would seem to be limited justification for preferring low scale development."* The panel recommendation was:

- Remove the preferred height limits from Precincts 1, 2, 4, 5, and 6, and the building height requirements in relation to preferred heights.

The second issue in regard to height limits was the mandatory verses discretionary controls in ACZ ordinance. In effect, this was the use of 'must' or 'should' in the drafting of the ordinance controls. The Panel Member generally recommended that occurrences of the word 'must' be replaced with 'should' to provide greater discretion. These two recommendations had the practical effect of triggering discretion for building height guidelines for any building over 14 metres.

The third issue was that the Activity Centre Zone schedule set out overly complex land use controls. There were concerns about overly restrictive land use controls through drafting of the controls. Submitters at the hearing generally did not have concerns with the complexity of the ordinance drafting.

The fourth issue was that there were insufficient public realm improvements through the ACZ. The Panel found *"The Pakenham Structure Plan 2019 and Pakenham Major Activity Centre Urban Design Framework 2019"* are relatively silent on improvements to the public realm. The Panel considered that the Structure Plan and Urban Design Framework could be strengthened by articulating Council's view for how the public realm should be developed. In the view of the Panel the grade separation project will trigger the need to review the Structure Plan and Urban Design Framework. It is noted that these improvements have been completed through Council Plan 2021-2025.

Overall, there was broad support from the panel for greater flexibility regarding height limits and formatting of ordinance in the ACZ. This also included greater use of discretionary controls rather than mandatory controls.

The panel recommended that a review of the Structure Plan and Urban Design Framework should occur after the grade separation. As of 2026, the grade separation has been completed.

7.3 Cardinia Western Port Green Wedge Management Plan (C215card Panel Report - March 2017)

Cardinia Planning Scheme Amendment C215 (the Amendment) sought to implement the findings of the Cardinia Western Port Green Wedge Management Plan July 2016 (Management Plan).

The Management Plan divides the Cardinia Green Wedge into three precincts:

- Precinct 1 – Soil based agriculture and food production precinct.
- Precinct 2 – The coastal precinct.
- Precinct 3 – The railway precinct.

Key issues raised in submissions included:

- The need for township strategies for Nar Nar Goon and Tynong.
- A lack of guidance around appropriate locations for places of worship and schools as detailed in the draft document.
- The need to broaden the range of land uses within the green wedge to take into account the specific site characteristics of some sites.
- The content of Precinct 1 to be expanded upon to appropriately address the size and range of uses of the precinct beyond the Special Use Zone – Schedule 1 (SUZ1).
- Concerns with the location shown in the local policy for the proposed future airport.

The panel stated, *“Council should seek advice from the Department of Environment, Land, Water and Planning on the merits of preparing township strategies for Nar Nar Goon, Tynong and other green wedge settlements that at least provide guidance for infill development on existing residential land.”*

The draft Nar Nar Goon Township Strategy was prepared in September 2025 by Cardinia Shire Council. It was publicly exhibited in November/ December 2025. This process is ongoing.

The issue of Places of Worship and schools in the green wedge areas is a minor issue. This is demonstrated by recent VCAT reports such as P1661 2023 Singh v Cardinia SC (2024). The recent commencement of the Green Wedge Management in the northern parts of the Shire will provide an opportunity to provide greater clarity through a policy statement.

7.4 Development Plan Overlays - Beaconsfield (C238card and C57card Panel Reports)

The panel reports are applicable for the two DPOs listed below.

- DPO19 - Glismann Road, Beaconsfield (Amendment C238card)
- DPO25 - Woodland Grove Precinct, Beaconsfield (Amendment C257card)

In general, both DPOs were strategically justified by the Beaconsfield Structure Plan. This provides confidence that the current process of undertaking a Structure Plan followed by implementation through a DPO is justified.

7.5 Development Plan Overlays – Koo Wee Rup (C235card & 240card panel reports)

The panel reports are applicable to the two DPOs listed below.

- DPO22 – Rossiter Road, Koo Wee Rup (Amendment C235card)
- DPO23 and DPO24 – Implementing the Koo Wee Rup Township Strategy (Amendment C240card)

The amendments mentioned above followed the adoption of the *Koo Wee Rup Township Strategy* by Cardinia Shire Council in August 2013, via incorporation of the township strategy into the Cardinia Planning Scheme through Amendment C189card, and the subsequent updating of the township strategy in October 2015.

The Panel concluded the amendments were consistent with State and Local Planning Policies and are a logical step in the process of planning for the anticipated residential development of Koo Wee Rup.

In general, both DPOs were strategically justified by the Koo Wee Rup Township Strategy. This provides confidence that the current process of undertaking a township strategy followed by implementation through a DPO is strategically justified. As with Beaconsfield, any innovative implementation mechanisms for township plans and structure plans needs to be carefully considered to ensure they are strategically justified.

7.6 Local Planning Policy: Municipal Strategic Statement Review (C250card Panel Report – June 2020)

Cardinia Planning Scheme Amendment C250card sought to implement the findings of the Cardinia Planning Scheme Review 2018 by updating the Local Planning Policy Framework with a new Municipal Strategic Statement (MSS) at Clause 21 of the Cardinia Planning Scheme.

It should be noted that the Cardinia Planning Scheme has since been updated to reflect the changes in the Planning Policy Framework Amendment (VC148). The Municipal Strategic Statement (MSS) has been effectively replaced with a Municipal Planning Strategy (MPS).

In any case, the key issues raised at the panel were:

- Mapping Extractive Industries Interest Areas.
- Separation distances for sensitive uses.
- The Lakeside Boulevard Neighbourhood Activity Centre.

Recent state policy changes to extractive industries have provided a framework for areas of state significance (see Section 5.7 - Extractive industry: Increase of Amenity Protections (Ministerial Amendment VC219). Although Cardinia has not been directly affected by these policy updates, it is important to note the planning policy exists.

The panel identified treatment of activity centres as a key unresolved issue. The Panel concluded that the MSS would benefit from including a list of the Activity Centres and a map showing their location. This is an issue which is yet to be addressed through further strategic work, but could be updated through Part B (Policy) of the Planning Scheme Review.

7.7 Summary of Key Planning Panels Victoria Themes

Westernport Green Wedge Area

There were two key themes for the Westernport Green Wedge Area:

- The need for township strategies for Nar Nar Goon and Tynong.

- A lack of guidance around appropriate locations for places of worship and schools as detailed in the draft document.

Council has exhibited a draft Township Strategy for Nar Nar Goon in November/ December 2025. Strategic planning for Tynong will be consistent with local planning policy outlined in clause 02.03-1 Settlement.

The panel noted a lack of guidance for Places of Worship and schools in the Westernport Green Wedge Management Plan amendment. This lack of guidance has also been identified through VCAT P1661 2023 Singh v Cardinia SC (2024). This needs to be addressed through updates to local policy and/or the preparation of Green Wedge Management Plans (GWMP) to improve efficiency of the scheme.

Development Plan Overlays

The process of undertaking a Structure Plan or Township Strategy followed by DPOs is strategically justified in preparing amendments as shown by DPO19 and DPO25. The challenge is that there are a number of ageing strategies and Development Plans which have not been progressed since the DPO was gazetted (see Section 6.5 - Development Plan Overlays (DPO)). The challenge is to ensure the amendment is strategically justified while finding efficiencies in an increasingly resource constrained environment.

Local Policy Updates

As described in Section 5.2 - Ministerial Amendment VC148 (Nov 2018) – Streamlined Planning Policy Framework (PPF), VC148 made significant changes to planning policy framework in the Cardinia Planning Scheme. It is important to note that some of the issues identified in the previous MSS are still local policy issues. These include:

- Activity centre hierarchy and specifically the Lakeside Boulevard Neighbourhood Activity Centre.

7.8 Victorian Civil and Administrative Tribunal decisions

The following is a summary of Victorian Civil and Administrative Tribunal (VCAT) decisions where the member has made specific commentary on policies within the decision. Decisions that have not made any comment have not been included.

7.9 Officer Town Centre – Officer Holdings (VIC) Pty Ltd v Cardinia SC VCAT 42 (2026)

The Officer Town Centre Urban Design Framework (UDF) was approved by Cardinia Shire Council and Victorian Planning Authority in February 2024. Planning Practice Note 17 – Urban Design Frameworks provides guidance around the use of UDFs. According to PPN17, UDFs are *“...particularly useful for identifying areas suitable for urban consolidation, access improvement, medium-density housing and different types of mixed use development (such as the Residential Growth Zone, Commercial 1 Zone and Mixed Use Zone), in conjunction with municipal business strategies and strategies for housing and residential development.”* Officer Town Centre fits firmly in this description.

An application was made to the Victorian Civil and Administrative Tribunal to review the decision to approve the Officer Urban Design Framework. The proponent, Officer Holdings VIC owned land south of the railway line identified as ‘Core; and Local Business’ in the Officer Town Centre UDF. Although the scope of the VCAT application initially included two grounds, it was subsequently amended to one. In general terms, the applicant (Officer Holdings VIC) sought specific variations to the approved UDF to identify residential as a primary role in both the Core and Local sub-precincts of the UDF. If the amendments were not included, then the applicant submitted that the approved UDF should be considered unsatisfactory in its current form.

Cardinia Shire Council and Victorian Planning Authority agreed to some, but not all changes requested by the proponent. They also submitted the UDF was satisfactory in its current form.

The broader issue was that the Officer PSP identified the town centre to deliver a diversity of housing types and densities. The critical issue of this case was whether housing was supported in the Core; and Local Business' precincts in the UDF. It can be generally summarised that council's position was to keep the Core and Local Business sub-precincts for commercial uses.

The tribunal considered the issue of 'generally in accordance with' and flexibility in the application of the UDF. Similar to the Planning Panel for the Pakenham ACZ (Section 7.2 - Pakenham Activity Centre (C228card Panel Report – June 2020), the tribunal generally preferred greater flexibility in the interpretation of the UDF. For these reasons, the tribunal made orders to amend specific parts of the UDF to generally recognise greater housing diversity in the Core and Business sub-precincts.

There is a need for greater clarity in Planning Policy Framework (Local) for housing in the Pakenham and Officer Activity Centres. This is particularly important given the housing metropolitan housing targets identified in Plan for Victoria (Clause 16.01S).

7.10 Place of Worship in industrial zones – HCMI Inc v Cardinia SC VCAT 484 (2024)

The Victorian Civil and Administrative Tribunal (VCAT) affirmed Council's decision to refuse Planning Permit Application (T220600PA) for the use and development of land for a Place of Worship at 8/5 Fusion Circuit, Pakenham. The proposed location was within a State Significant Industrial Precinct (SSIP). The refusal grounds were:

1. The proposal is incompatible with the industrial location, sought to be protected by the IN1Z and State and local policies (Clauses 13.07-1S, 17.03-2S, 17.03-3S, 19.02-3S and 21.04-4).
2. The shortfall in car parking will adversely affect the amenity of the combined subject site.
3. The proposal does not represent the orderly planning of the area.

VCAT considered all relevant matters, and balancing the competing objectives in the planning scheme and in this case was not satisfied a net community benefit was achieved with the proposed development. It should be noted that this decision was similar in nature to the application for a Place of Workshop in the Industrial Zone 1 in Parmesvaran Family Pty Ltd v Cardinia SC [2023] VCAT 764 (13 July 2023).

These two decisions affirm Council's strategic intent for State Significant Industrial Precincts to prioritise industrial uses and avoid the approval of non-industrial land uses that will prejudice the availability of land in identified employment areas for future industrial uses.

7.11 Place of Worship in Green Wedge - P1661 2023 Singh v Cardinia SC (2024)

The Victorian Civil and Administrative Tribunal (VCAT) overturned Council's decision to refuse a Planning Permit Application T220569 for the use and development of land for a Place of Worship at 195 Dore Road, Pakenham.

The original refusal was based on objections regarding its location within green wedge and infringements upon neighbouring amenities. The site was located approximately 400 metres from the interface between the Urban Growth Boundary and green wedge region.

The Tribunal considered the balance of issues and decided that the proposed use and development would result in net community benefit. 49 conditions were placed on the planning permit.

This decision reinforces the need for further local policy guidance on the location of schools and Places of Worship in the green wedge regions of Cardinia to increase the efficiency of the

planning scheme. Preparation of the Green Wedge Management Plan is currently underway for the Yarra Valley, Dandenong Ranges and Southern Green Wedge Regions. Policy guidance could be included as part of the preparation of this plan.

7.12 Dwelling in the Westernport Green Wedge Region - Cooksley v Cardinia SC VCAT P63 (2025)

The Victorian Civil and Administrative Tribunal (VCAT) affirmed Council's decision to refuse an application (T240177) for the use and development of land at 80 O'Briens Road, Yannathan, for a dwelling, outbuildings, and associated works.

The Tribunal considered two key issues:

1. Whether the use and development of the land for a dwelling was appropriate within the green wedge and agricultural context, and
2. Whether the flood risk was acceptable.

In its decision, VCAT strongly supported Council's position, stating that while the loss of 0.7 hectares of productive land may appear minor, it is the cumulative impact of such losses that undermines the agricultural integrity of the green wedge. The Member emphasised that this incremental erosion of agricultural land base should guide decision-making in GWZ1 areas.

VCAT found that the proposal did not represent an orderly planning outcome and was inconsistent with the Planning Scheme's directions for the site and surrounding area. VCAT concluded that a fair and balanced reading of the Planning Scheme does not support dwellings in this location and agreed with Council that the proposal was not an acceptable outcome.

"...while the loss of small amounts of productive land may seem minor, perhaps even trivial to some, it is the cumulative effect of continually nibbling away at the agricultural land base in small chunks and the consequences which should drive decision making, particularly in the GWZ1," the Member said.

The issue is primarily the cumulative loss of agricultural land caused by development in the Westernport Green Wedge Region. Once a dwelling is constructed, its use as such will remain in place for many years and risks producing long term issues on continued agricultural production on surrounding land. A dwelling comes with expectations for amenity protection and in an area where agricultural production is supported under the GWZ1, creates an expectation that is unrealistic to protect given the working nature of agriculture in the area.

7.13 Dwelling in the Rural Conservation Zone - Southern Ranges Green Wedge region - Jennings v Cardinia SC VCAT 567 (2025)

The Victorian Civil and Administrative Tribunal (VCAT) affirmed Council's decision to refuse a permit application (T210341) at 209 Berglund Road, Beaconsfield Upper. The proposal was for the use and development of the land for a dwelling, outbuilding (garage), and associated works, including the removal of native vegetation.

The Tribunal considered three key issues:

1. The site is outside the urban boundary of Beaconsfield Upper, and residential development in such areas is generally discouraged unless there is significant environmental or community benefit.
2. The extent of vegetation removal on the site, and the impact on the biodiversity and landscape character of the area.
3. The bushfire risk of the area. The proposal included measures to manage this risk, such as defensible space and construction standards.

VCAT agreed with Council that a fair and balanced reading of the planning scheme reveals that dwellings are not expressly encouraged in this location. *"There are a lot of hurdles to overcome*

before a dwelling can be considered appropriate for this site. It is self-evident that the nature of planning controls and policy settings that apply to this land provide a strong conservation emphasis. The language of these provisions speak to the need to conserve, protect, enhance, and maintain the landscape setting," the Member said.

In regards to the presence of dwellings on nearby land, the Member said that past decisions do not justify a dwelling on the subject lot. *"Just because there has been historical housing development on nearby lots does not mean that new development considered under the current planning regime is automatically supportable,"* they said.

In response to the applicant's environmental report noting that the proposed removal of vegetation: *"There should be no automatic assumption that vegetation loss is necessary to achieve a development outcome...As I am not satisfied that a dwelling is consistent with the purpose of the zone, the loss of vegetation, including the endangered Green Scentbarks, will be avoided."*

The key issue is the pressure for development of dwellings in the Yarra Valley, Dandenong Ranges and Southern Ranges Green Wedge Region, particularly in the Rural Conservation Zone (RCZ). VCAT affirmed Council's decision that the use and development of the land for a dwelling is inconsistent with the purpose of the RCZ and policy which seeks to prevent additional residential development outside township boundaries.

7.14 Summary of VCAT themes

The above decisions indicate key themes for VCAT decisions in Cardinia. These are summarised as:

- Places of Worship in Industrial Zones (particularly State Significant Industrial Precincts).
- Places of Worship in green wedge regions.
- Development of dwellings in the Westernport Green Wedge Region, especially the Special Use Zone (SUZ1).
- Development of dwellings in the RCZ of the Yarra Valley, Dandenong Ranges and Southern Ranges Green Wedge Regions.

7.15 Summary of findings

Across the PPV reports, several consistent themes emerged that provide valuable guidance for strengthening the Cardinia Planning Scheme. These reports affirm that the strategic foundations underpinning Structure Plans, Township Strategies and association DPOs are generally sound and well-justified, however, at the same time, they highlight the importance of progressing strategic work, particularly for the ageing Township Strategies and ensuring that local policy provides clear direction on complex issues such as land use in the green wedge areas, activity centre planning and the protection of industrial land.

VCAT decisions reinforce these themes by consistently supporting strong policy positions where Council's intent is clear, well-articulated and aligned with the Planning Policy Framework. This includes firm support for protecting agricultural land in the green wedge, ensuring land use compatibility in industrial precincts and maintaining environmental values in sensitive landscapes.

These insights will play a critical role in shaping the policy updates to be developed in Part B (Policy) of the Planning Scheme Review, ensuring that Cardinia's planning framework remains robust responsive to evolving land-use pressures.

Recommendations
Township Strategies
Refine the scope, intent and delivery of Township Strategies and Structure Plans. Identify efficiencies to ensure a streamlined process for delivery.
Policy
Continue to strengthen Green Wedge Policy for non-urban uses and develop policy for the location of Places of Worship and schools. This work should be integrated into the work currently underway for the preparation of the Yarra Valley & Dandenong Ranges and Southern Ranges Green Wedge Management Plan and use for all green wedge areas.
Continue to protect and prioritise industrial land in State Significant Industrial Precincts for jobs through updates to local policy.

Stakeholder Consultation

7.16 Overview

Stakeholder consultation was undertaken with community, professionals and councillors from June – October 2025. The purpose of the consultation was to understand the concerns and strategic visions from users of the Cardinia Planning Scheme.

The consultation is summarised as follows:

- An online survey open from October to December 2025. Surveys were conducted for four groups:
 - Community.
 - Planning professionals
 - Cardinia Council officers.
 - Councillors.
- 4 x in-person drop-in sessions at four locations including: Officer, Lang Lang, Garfield and Emerald.
- 2-hour Councillor workshop.
- Letters sent to key referral authorities including Melbourne Water and other key organisations and agencies.

The response to the questions was tabled into a consultation report by an external consultant, ASDF research.

7.17 Councillor feedback

Early engagement with councillors was considered a high priority in developing the Planning Scheme Review. Council officers developed a survey in conjunction with ASDF research to gather key opinions and insights from the councillors between October to November 2025.

The survey was distributed as an online anonymous survey, and councillors were invited to participate through their portal as well as through direct emails. The survey asked councillors to rank eight key themes (Green Wedge, Environment, Housing, Commercial, Industrial, Heritage, Community and Transport) and subthemes in each category, as well as providing free space for comments. Figure 18 shows the ranking of topics by the councillors and Figure 19 shows the top 15 most important policy issues.

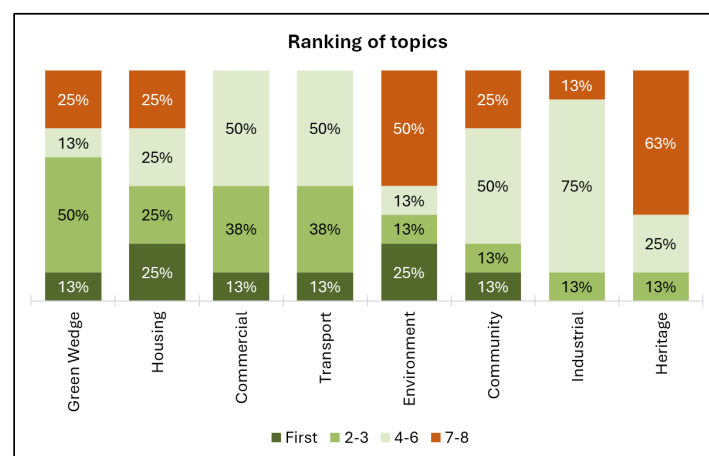


Figure 18 - Ranking of Topics by Councillors (ASDF Report, 2026)

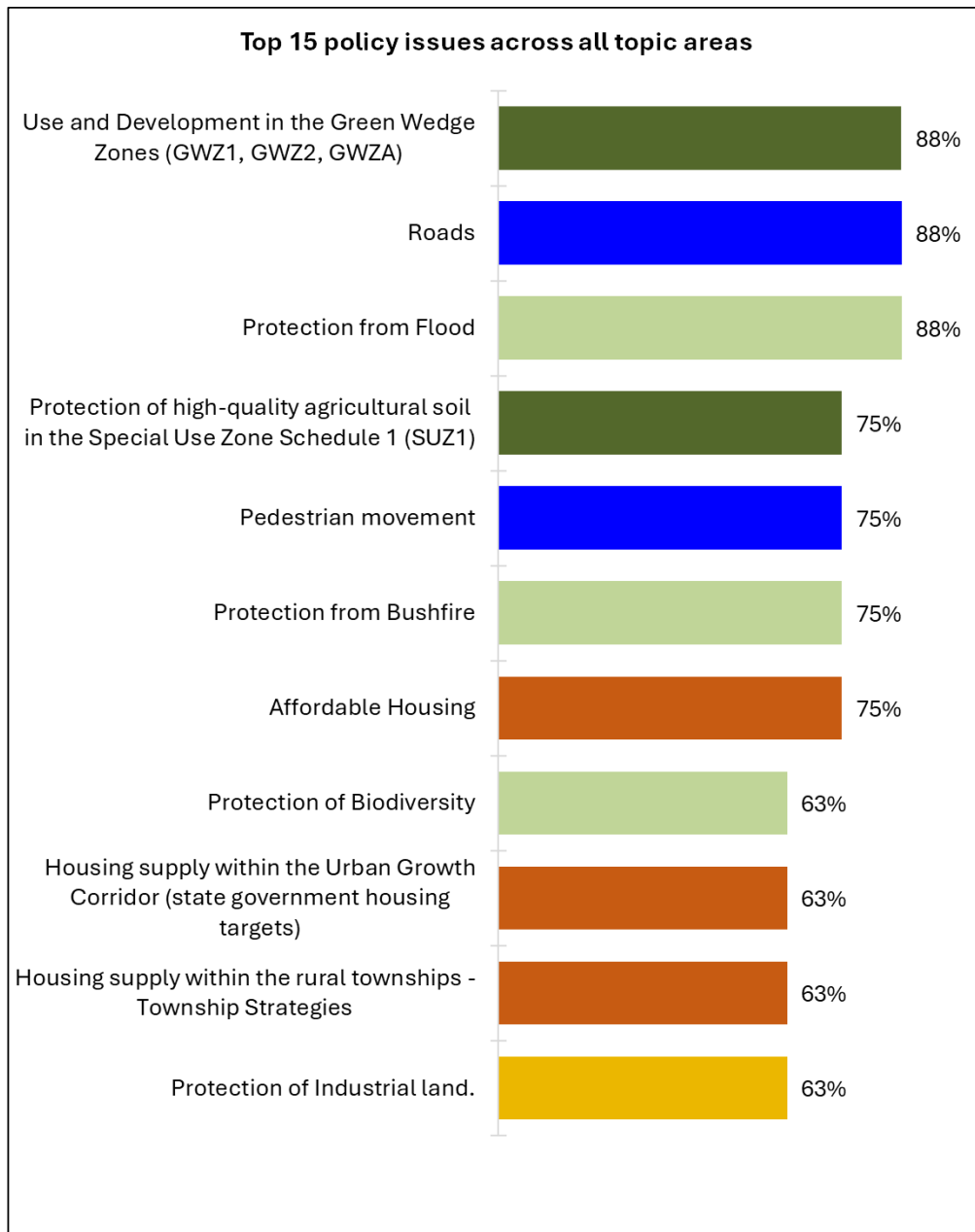


Figure 19 - Specific policy issues – top 11 selected across all 8 topics (ASDF Report, 2026)

Green Wedge

Green wedge planning policy issues were one of the key priorities raised by councillors in the survey. These included issues regarding:

- Land use (such as inappropriate lot sizes, land banking and changes in policies)
- Farming issues (such as economic viability, farming type and generational change)
- Better protections:
 - Protect passive recreation and biodiversity
 - Protection of high-quality agricultural soils, which were perceived as an irreplaceable asset, that nonetheless posed challenges with what could be an acceptable land use.

Many councillors suggested that a Farmer Advisory Group be established to begin to resolve these issues. This has since been completed, as part of Cardinia Shire Council's 2026 Agricultural Audit.

Housing

Housing was considered an important issue among councillors, with affordable housing being a stand-out issue.

- Affordable housing (as well as social housing) needs to be located centrally such as in Pakenham, Officer and Beaconsfield.
- There is need a better mix of housing types to suite people at different life stages, as well as people with disabilities and mental health needs.
- For housing located in the growth corridor, some councillors felt that there was a lack of long-term funding or certainty about where this growth will occur, and that there is a need to ensure that infrastructure can meet this demand.
- For housing in our rural localities, many requested clarification on whether growth was allowed to occur, particularly for townships in the green wedge and the importance that any growth would need to meet the existing character of the town and not result in overdevelopment of the town centre, as well as being supported by infrastructure.

Commercial

Activity centres, tourism, the arts and township strategies were seen as key commercial planning policy issues.

- Pakenham was considered a key policy site, with many councillors requesting that there be revisions to the structure plan. This includes expansion of commercial areas, increasing the height limit inside the Metropolitan Activity Centre (MAC) boundary and the need to develop a sense of character as it becomes a regional centre.
- Other councillors placed importance on tourism and the arts, such as its potential to contribute to economic growth and the possibility for more small-scale public arts, performances and open-studio events.
- Councillors suggested many ideas for future opportunities such as better urban design, grants, public art, and ensuring that future commercial districts are better planned to support their future workers.

Transport

Pedestrian movement and roads were stand-out issues that came through in the transport section.

- Of particular note were the roads in new suburbs, with some considering them to be too narrow, making on-street parking difficult and that overall Council needs to have more control on the order of roads and footpaths being built in new estates.
- Other specifically mentioned locations include the Officer Bypass, safety mitigations for McMullen, Tivendale and Starling Roads and the duplication of Racecourse Road.
- For pedestrian movement, many were concerned about the need for better footpaths, particularly in the Hills areas, slower road speeds, better lighting as well as mention of the proposed railway town trails.

Environment

Prevention and protection from natural disasters like bushfires and floods were key issues in this category.

- In regard to floods, many councillors were concerned about how housing continues to be built on flood plains, and that retarding basins are not sufficient.
- In the case of an emergency, information shared is not always accurate and some areas have a lack of evacuation routes. Similar concerns were raised about bushfire, in addition to thoughts that the Beaconsfield reservoir needs to be fully operational and that fuel reduction allowances (such as burn days) are too restrictive.
- In regard to biodiversity, there was strong recognition of the interconnectedness of ecosystem-agricultural-planning-community-health and that biodiversity should be a source of identity and pride for the Shire, with better protections for native flora and fauna needed.

Community

The type of open space and the available community facilities were the top two issues identified in relation to planning for community.

- Many were concerned about equity across the Shire with some areas perceiving to get priority over others.
- There was also importance placed on community facilities with the need for youth hubs and mixed-use spaces that are co-designed with the community and connected to local flora and fauna.
- Open space for recreation was also considered to be important issue with written comments suggesting the need for more informal space, wider waterway corridors and better environmental elements.

Industrial

Over half of councillors indicated that protection of industrial land was a key planning issue with written comments suggesting that the perceived issues were the need to allow for sensible leniency in planning applications (such as for retail).

- For extractive industries, written comments covered topics such as transport, compensation, end-of-life planning and for royalties to be reinvested into the community.
- Other councillors wanted to explore opportunities for light industry in some rural townships such as Gembrook.
- There were many suggestions put forth for future opportunities under this topic, including but not limited to, solar farms, transport corridors for heavy industries, local employment quotas and guidance documentation for extractive industry implementation.

Heritage

Based on survey responses, heritage was not considered as important relative to other topics. Heritage is still important for the following reasons:

- For post-colonial contact heritage, written comments suggested that there should be clearer guidance, better storytelling and the importance of preserving heritage character.
- It was acknowledged that aboriginal cultural heritage is a legislative requirement during planning scheme amendments and planning permits.

7.18 Community, professionals and internal staff feedback

In addition to the survey sent to the councillors, a survey was design for the community; professionals who use the Cardinia Planning Scheme, as well for internal staff. In total 100 responses were received and analysed. Figure 20 shows how community respondents have interacted with the planning scheme.

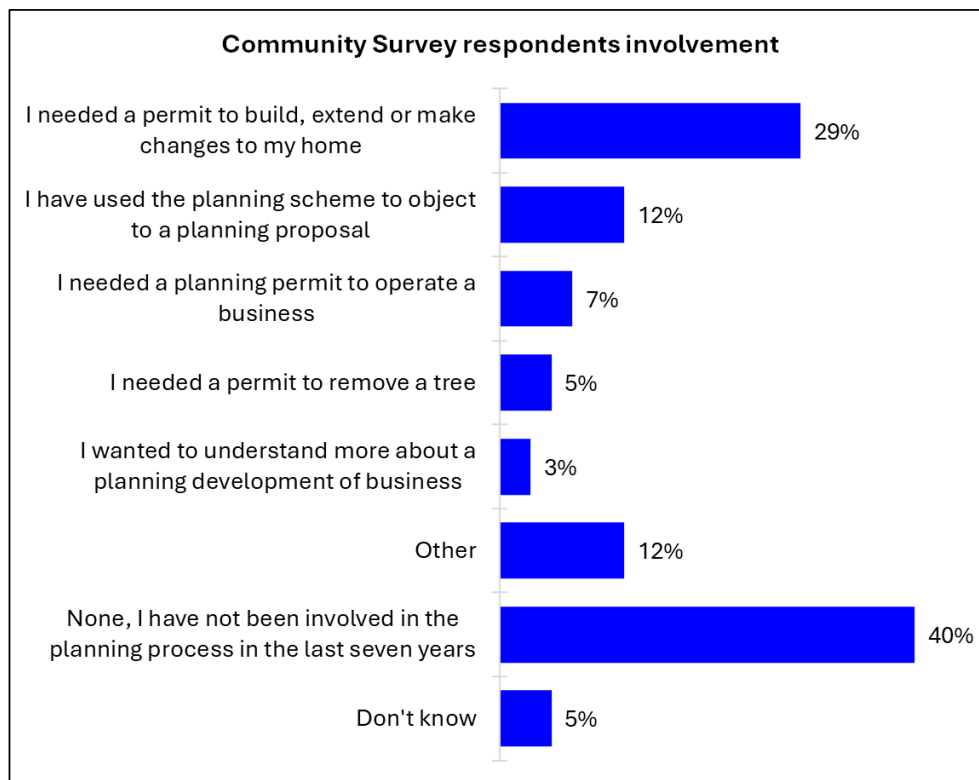


Figure 20 - Community survey respondent involvement in planning applications or enquiries

What are the top current and emerging issues for land use and development in Cardinia Shire?

For this question there were a wide variety of responses, with the main themes being:

- Inappropriate requirements for dwelling approvals
- Timelines / Communication
- Environment (such as protecting biodiversity and extreme weather events)
- Growth / Land supply

- Administrative burden
- Transport (such as road access & parking)
- Lot sizes
- Employment
- Protection of agricultural land
- Utilities (consideration of gas and water supply and access)

Community feedback

What could Council be doing better?

Less than a third of community survey respondents said that Council was doing well under each of the planning themes (refer to Figure 21). The themes rated by the highest proportion of community respondents as needing improvement were transport and movement (78%), community infrastructure (67%) and green wedge (64%).

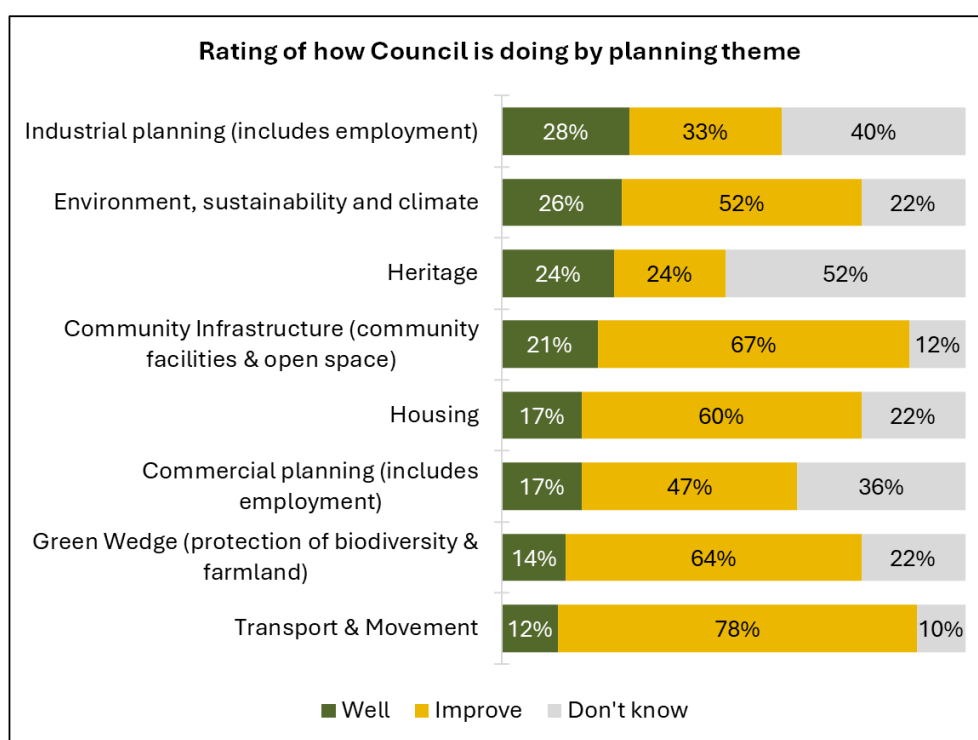


Figure 21 - Survey results of how Council is doing by theme

Professional feedback

What are the impacts of recent State Government Planning Reforms?

The most common impacts of the State Government of Victoria Planning Reforms on professionals who completed this survey was planning document preparation and time spent reviewing work. However, 44% of professional respondents indicated that their work hadn't been impacted by any of these reforms. The comments are summarised below:

- Many felt that the time spent preparing planning documents has significantly increased due to policy changes and the increased level of detail required.

- In addition, the time spent reviewing work and reports has increased.
- In terms of pre-application meetings, the time that it takes to book one with Council is too long of a wait.
- Resourcing and costs have increased.
- Additional training is required to stay on top of regulation changes made by the State Government.

In terms of the main planning themes in the Shire, professionals ranked housing as being the most important, followed by green wedge and the environment. Similar to councillors, professionals also ranked heritage as being least important relative to other issues (see Figure 22).

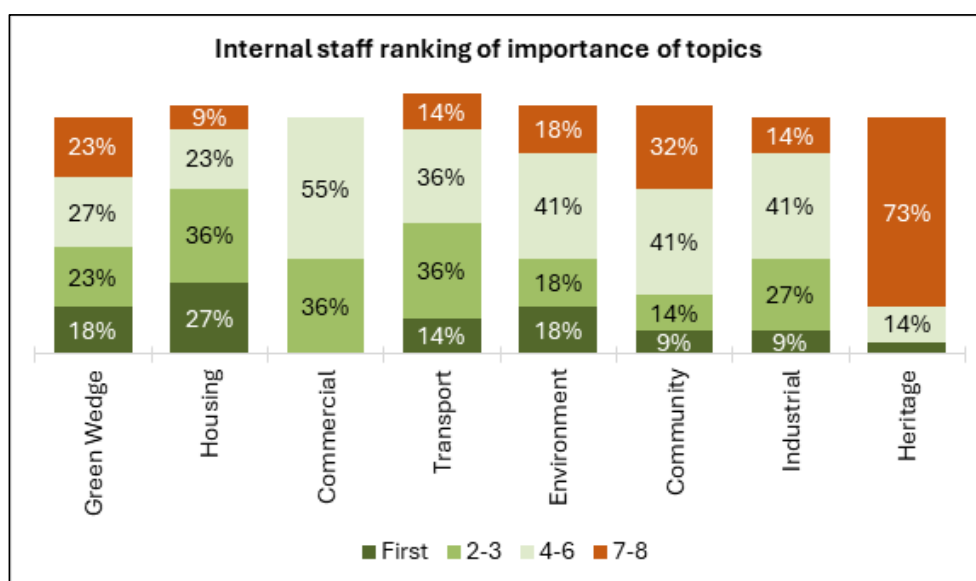


Figure 22 - Ranking of importance of topics – Cardinia (Internal) Staff

Reasons for Internal Staff ranking the way that they did, included:

- Green wedge: Biodiversity and farmland are irreplaceable and there is a need to prevent urban sprawl and land banking to support jobs and protect the food bowl.
- Housing: There is a shortage of housing in the right locations, and better infrastructure and planning is needed to support it. However, others indicated that the free market should largely drive housing instead of the planning scheme and that a focus on housing comes at a detriment of other areas.
- Commercial: Tourism and town centres are key opportunities to support economic development close to growing populations.
- Transport: Acknowledgement that residents often have issues with transport and that a good, connected transport system that allows for active and public transport connects the community together.
- Environment: Many felt that environment should be the starting point for all decisions, and that the planning scheme should better consider extreme weather events when planning for population growth whilst also considering the need to protect the environment and rural setting.

- **Community Infrastructure:** This was considered a key priority for some with recognition of the need to provide more spaces for the growing population, however others noted that this is internal work and not necessarily related to the planning scheme.
- **Industrial:** Industrial land was considered to be critical to the future economy and that zoning needs to be more flexible for changes over time and to manage land use conflicts.
- **Heritage:** Of those that did place importance on heritage, many noted that post-colonial heritage sites need to be updated as overlays were still in places where the heritage value has been lost.

What recommendations would you give to improve the Planning Scheme and Cardinia's Planning Process and Procedures?

Among the community and professional surveys, 100 responses were received under these questions, and the feedback is summarised below.

- Improve knowledge, accessibility and response times
- Improve communication
- Reduce the level of detail / red tape required
- Changes to policy are required
- Complete strategic work for future growth
- Improve website
- Listen to community feedback
- Improve equality in decision-making
- Collaborate more with neighbouring councils, professionals and other organisations

Internal staff feedback

Changes to zones

Several internal staff recommended specific changes to planning zones. These included:

- Changes to prohibited uses in INZ1.
- Changes to land use terms in SUZ1.
- GWZ and RCZ schedules should better define how earthworks triggers are defined and require rethinking on how section two uses limit argi-business opportunities.
- Changes to land use terms in UGZ1 & 2.
- Implementing township strategies as schedules to the NRZ and GRZ.
- ACZ is not fit for purpose and is too complex and vague, which is inhibiting growth.

Recommended changes to overlays

Several internal staff recommended specific changes to planning overlays. These included:

- Townships need neighbourhood character assessments to assist with new codified housing requirements.
- The Significant Landscape Overlay (SLO) currently has no permit trigger for vegetation removal which is a major error.
- Environmental Significance Overlay (ESO) / Vegetation Protection Overlay (VPO)/ Significant Landscape Overlay (SLO) should specify requirements for replacement plantings.

- In DDO1, it's not clear if new dwellings would be exempt or if all buildings must be an extension of a dwelling to be exempt.

Conclusion

Overall feedback from the community, professionals, and internal staff highlights that Cardinia's Planning Scheme is under increasing pressure due to complexity, resourcing constraints and evolving policy expectations.

While many respondents recognised the importance of planning in Cardinia's future, common themes emerged around the need for clearer policy direction when it comes to contentious issues (such as the green wedge, housing and the environment), improving clarity in ambiguous wording, better training for staff, and reducing the administrative burden for applicants.

This feedback will inform the recommendations in Part B (Policy) of the Planning Scheme Review and local policy updates. By responding and improving efficiencies in the planning scheme, it will remain current and responsive to community needs.

7.19 Organisations and agencies

In December 2025, Council officers wrote to 338 organisations, agencies and community groups requesting for them to review the planning policy framework in the Cardinia Planning Scheme. Notification was also sent to both the Bunurong and Wurundjeri Land Councils however no response was received.

Puffing Billy Railway

Puffing Billy is a tourist railway line that runs from Belgrave, through Menzies Creek in Yarra Ranges Shire, Emerald, Lakeside (at Emerald Lake Park), Cockatoo, to Gembrook within Cardinia Shire. In recent time, patronage has significantly increased with more than 400,000 visitors per year travelling on the train.

As a key stakeholder in the Hills area, Puffing Billy responded with extensive feedback when asked to review the planning policy framework. Most of their concerns were centred around how they are referred to in Clause 02 which will be dealt with in Part B (Policy) of the planning scheme Review. They also expressed a deep desire to be more involved with the planning and policy development at Cardinia which will form part of Council's ongoing work in the Hills areas.

Emerald Village Association (EVA)

The Emerald Village Association is a volunteer-run community group which aims to support the Emerald community through advocacy, events and the local newsletter. In their submission, they argued that with some exceptions, the majority of the current planning scheme contents are acceptable and instead they requested further strategic work be done to update the Emerald Township Strategy and Urban Design Framework. They also raised issues around supporting economic growth, the importance of diverse housing in appropriate locations and pedestrian infrastructure. Finally, they submitted a list of corrections to the following zones: TRZ2, PUZ7, PPRZ, PCRZ and RCZ. These are primarily mapping changes, that do not form part of administrative changes which is the scope of Part A (Administrative), and thus these suggestions will inform Part B (Policy) of the Planning Scheme Review.

Emerald Scout Centre

The Emerald Scouts Association is a member of Scouts Victoria and provides programs for the youth aged 5 to 26. In their submission, they noted that the Scout Centre is located on unreserved Crownland adjoining the Hogan Park Bushland Reserve. Both the Bushland Reserve and the Scout Centre are zoned Public Conservation Resource Zone (PCRZ). Although this is appropriate for the bushland reserve, it is inappropriate for the Scout Centre and a better zoning

would be Public Park Recreation Zone (PPRZ). This is outside the scope of Part A (Administrative) of this review.

V/Line

V/Line operates regional rail and coach services in Victoria, and in Cardinia Shire it manages the Traralgon line which passes through the railway towns of Nar Nar Goon, Tynong, Garfield and Bunyip. V/line's response in January 2026, primarily centred around Clause 11.01-1L which is the Bunyip Township Strategy where it is proposed to promote 'infill' development in Main Street and High Street, as well as low density residential areas that will abut the rail corridor. V/line representatives were primarily concerned about how the railway will interact with new developments including issues related to safety, noise, stormwater, environment, lighting and glare. Overall V/line requested, along with VicTrack, greater involvement in the planning process.

Melbourne Water

Melbourne Water provided limited feedback on the current planning scheme. They acknowledged the PPF translation work being done and how it can strengthen waterway corridor outcomes. Although out of scope for the Planning Scheme Review, they noted the ongoing flood modelling work being done across the municipality as well as the coast inundation modelling being done for the Western Port Region.

Parklea Developments

Parklea is a major landholder and developer in Cardinia Shire. They engaged a planning consultant to prepare a submission for the Planning Scheme Review. Many of their concerns were centred around Clause 02 and Clause 11 which were part of the PPF translation and is out of scope for Part A (Administrative). They also recommended that new Township Strategies be developed for townships that currently don't have one (such as Nar Nar Goon) and that Township Strategies have a timeframe for review (e.g. every ten years). They also strongly advocated that Council does a review of the Cardinia Road Employment Precinct Structure Plan.

Department of Transport and Planning (DTP)

The Head, Transport for Victoria (TfV) is a statutory authority established by S64A of the Transport Integration Act 2010 responsible for coordinating, providing, operating and maintaining the public transport system, the freight rail network and the road system. The department did not raise many issues in their submission, however wanted to note the following:

- Council should review zoning maps to ensure alignment of TRZ2 accurately applies to land.
- Any Schedules in Clause 45.01, 66.04 and 66.06 should be updated to replace outdated references to 'VicRoads', 'Roads Corporation' or 'Public Transport Development Authority' with the 'Head, Transport for Victoria', as applicable.

Department of Energy, Environment and Climate Action (DEECA)

DEECA is a State Government Department responsible for various matters related to climate change, the environment and energy. They are a determining referral authority for applications under Schedule 2 of Clause 45.01 (Cardinia Creek Parklands) and Schedule 3 of Clause 42.01. For the Public Acquisition Overlay (PAO) they requested to remain the referral authority for this provision however upon completion of these acquisitions this PAO could be removed. For Clause 42.01 DEECA also requested to remain the referral authority. Finally, DEECA noted that there is ongoing strategic work being undertaken by the State Government to protect state-significant water and power infrastructure. If this work goes ahead, they would also be a referral authority for these types of applications.

Conclusion

The feedback received from several organisations and agencies demonstrates the significant role that external stakeholders play in shaping the effectiveness and responsiveness of the Cardinia Planning Scheme. Across the submissions, there was strong support for clearer planning policy and a consistent request for earlier and more collaborative engagement in planning processes.

Many submitters emphasised the need for accurate policy references, improved clarity around zones and overlays and the need for further strategic work in updating Township Strategies. The insights gained through this engagement will directly inform both the administrative corrections in Part A (Administrative) and the more substantive policy updates to be delivered in Part B (Policy), ensuring that the planning scheme is accurate, functional and aligned with the needs of the organisations that rely on it.

7.20 Emerging issues identified

As part of the survey that was sent out to the councillors, community, professionals and internal staff, respondents were asked to share ideas about what are the most important “Future” land uses and development issues to be addressed in the Shire. This provides an opportunity to reflect not just on how the planning scheme is functioning today, but also how the planning scheme will be able to adapt and respond to the challenges of the future. Some of the many ideas are listed below:

- Smart farm hubs (such as hydroponics, education hubs, and international seminars / research labs where local schools, businesses and farmers innovate together).
- Managing the increased risk of extreme weather events and natural disasters.
- The future of Artificial Intelligence (AI) in planning.
- Planning for future technologies and the conflicts that they may create (e.g. circular waste systems, data centres, renewable energy).
- Encouraging greater connection to Traditional Owners and Country.
- Planning infrastructure for different modes of future transport (such as smaller, on-demand e-Buses or autonomous cars).

7.21 Summary of findings

Stakeholder consultation revealed strong engagement from councillors, community members, professionals, internal staff and external organisations, highlighting both the strengths of the current planning framework and clear areas requiring improvement. Across all stakeholder groups, several consistent themes emerged:

- Clarity and contemporary policy direction is needed, particularly in relation to green wedge management, environmental protection, transport and township character. Many respondents strongly emphasised the need to update ageing township strategies and align local policy with recent State planning reforms
- Operational and process inefficiencies were frequently raised, including communication delays, the complexity of current planning requirements, inconsistent policy interpretation and outdated provisions. Professionals and community members highlighted the administrative burden with existing processes while internal staff noted pressures from regulatory changes and resourcing constraints
- Infrastructure, transport and environmental risks, including bushfire, flooding and biodiversity decline, were identified as key areas where planning policy must strengthen its response. These issues were consistently raised by councillors, the community and staff
- External organisations and agencies highlighted the need for accurate mapping, updated name and policy references and earlier engagement in planning processes. Their feedback

contained several specific corrections for Part A (Administrative) and broader policy matters for Part B (Policy).

- Emerging issues, such as climate change adaptation, agricultural innovation, future transport technologies, AI in planning and deeper engagement with Traditional Owners were recognised as growing strategic priorities requiring forward-thinking policy responses.

Overall, the feedback confirms that while the Cardinia Planning Scheme has solid foundations, it requires significant refinement, clearer policy direction and improved operational efficiency to remain responsive to community needs and to new State Government policy settings. These insights will form a critical evidence base to guide administrative updates in Part A (Administrative) and shape the more substantive policy reforms planned for Part B (Policy).

8 Audit and Assessment of the Current Scheme

8.1 Ministerial direction form and content of planning schemes

One of the key requirements of a Planning Scheme Review outlined in 12B of the PE87 is that it must be consistent with the Form and Content guidelines. The following section assesses the current Planning Scheme against these requirements and makes suggestions to resolve any inconsistencies.

8.2 Methodology

All schedules in each zone and overlay were checked against the corresponding form and content guideline in the Ministerial direction 7 (5) PE87. Attention was paid to overall formatting, listed objectives, and documents that were referenced. Any inconsistencies were logged in a spreadsheet, with fields detailing the location, description of the error and reasoning as to why it doesn't comply. This will form the basis of a future planning scheme amendment to ensure compliance and consistency.

8.3 Zones

All zones were checked in accordance with 7 (5) MD. These are shown in *Table 6* below. The key issues are:

- Several schedules are missing the required schedule number. These need a number in order to improve functionality for users.
- There are several font and formatting issues throughout the zones. These issues should be fixed to improve clarity in the planning scheme for all users.
- Some schedules are missing mention of required aspects such as reticulated sewerage (32.03) or waterway setbacks (35.03 & 35.07). It is important to update this through a planning scheme amendment to ensure that the planning scheme is compliant with the latest requirements.
- The design objectives are missing from 32.07 and 32.09, which is a strategic gap which should be addressed in order to achieve good design outcomes for the Shire.

Schedule name	Changes required if relevant	Complies or not
Clause 32.03 Low Density Residential Zone	Requires specification on whether the site is connected to reticulated sewerage	Policy Neutral Amendment
Clause 32.04 Mixed Use Zone	Missing Schedule Number	Policy Neutral Amendment
Clause 32.07 Residential Growth Zone	Design objectives need to be developed	Further Strategic Work
	Currently missing name of area	
Clause 32.08 General Residential Zone		Complies
Clause 32.09 Neighbourhood Residential Zone	Design objectives need to be developed (Schedule 1)	Further Strategic Work
	Currently missing name of area (Schedule 1)	

Clause 33.01 Industrial 1 Zone		Complies
Clause 34.01 Commercial 1 Zone		Complies
Clause 35.03 Rural Living Zone	Missing "Minimum setback from a waterway, wetlands or designated flood plain (metres)"	Further Strategic Work
Clause 35.05 Green Wedge A Zone		Complies
Clause 35.06 Rural Conservation Zone		Complies
Clause 35.07 Farming Zone	Missing "Minimum setback from a waterway, wetlands or designated flood plain (metres)"	Further Strategic Work
Clause 36.01 Public Use Zone		Complies
Clause 36.02 Public Park and Recreation Zone		Complies
Clause 36.03 Public Conservation and Resource Zone		Complies
Clause 37.01 Special Use Zone	Fix Font and Formatting	Policy Neutral Amendment
	Reorder Subheadings	
Clause 37.02 Comprehensive Development Zone	Reduce Number of Purposes	Policy Neutral Amendment
	Fix Font and Formatting	
	Insert local structure plan (Schedule 1)	
Schedule To Clause 37.03 Urban Floodway Zone		Complies
Clause 37.07 Urban Growth Zone	Fix font and Formatting in Some Schedules	Policy Neutral Amendment
Clause 37.08 Activity Centre Zone	Too many objectives	Further Strategic Work

Table 6 - Form and Content Review for Zones in the Cardinia Planning Scheme

8.4 Overlays

All overlays were checked in accordance with 7 (5) MD. These are shown in Table 7. The key issues were:

- Although the number of objectives is generally consistent, there are some overlays which have more dot points than allowable under the MD 7 (5). These need to be condensed to be made consistent with the form and content guidelines.
- Several schedules are missing the required schedule number. These need a number in order to improve functionality for users.

- Several schedules are missing references to the relevant Development Plan or Incorporated Plan. It is important that this be rectified to ensure clarity on strategic directions.

Schedule Name	Comments	Complies or not
Clause 42.01 Environmental Significance Overlay	All schedules have too many objectives and need to be condensed	Further Strategic Work
	Schedule 7 is missing a name	
Clause 42.02 Vegetation Protection Overlay		Complies
Clause 42.03 Significant Landscape Overlay		Complies
Clause 43.01 Heritage Overlay		Complies
Clause 43.02 Design and Development Overlay	Schedule 3 has too many objectives	Further Strategic Work
Clause 43.03 Incorporated Plan Overlay	Does not include the reference to the incorporated plan	Policy Neutral Amendment
Clause 43.04 Development Plan Overlay	Schedule 10 & 11, 13 are missing name of the development plan	Policy Neutral Amendment
	Schedule 14 should be removed as it is expired	
Clause 44.01 Erosion Management Overlay	Missing schedule number	Policy Neutral Amendment
Clause 44.03 Floodway Overlay	Missing schedule number	Policy Neutral Amendment
Clause 44.04 Land Subject To Inundation Overlay	Missing schedule number	Policy Neutral Amendment
Clause 44.05 Special Building Overlay	Missing schedule number	Policy Neutral Amendment
Clause 44.06 Bushfire Management Overlay		Complies
Clause 44.07 State Resource Overlay		Complies
Clause 45.01 Public Acquisition Overlay		Complies
Clause 45.05 Restructure Overlay		Complies
Clause 45.06 Development Contributions Plan Overlay		Complies

Clause 45.09 Parking Overlay		Complies
Clause 45.11 Infrastructure Contributions Overlay		Complies
Clause 45.12 Specific Controls Overlay		Complies

Table 7 - Form and Content Review for Overlays in the Cardinia Planning Scheme

8.5 Particular provisions

Schedule name	Comments	Complies or not
Clause 51.01 Specific Sites and Exclusions		Complies
Clause 51.02 Metropolitan Green Wedge Land: Core Planning Provisions		Complies
Schedule To Clause 52.02 Easements, Restrictions and Reserves		Complies
Schedule To Clause 52.05 Signs		Complies
Schedule To Clause 52.16 Native Vegetation Precinct Plan		Complies
Schedule To Clause 52.17 Native Vegetation		Complies
Schedule To Clause 52.28 Gaming	There are too many objectives (7) which need to be condensed to 5.	Further Strategic Work
Schedule To Clause 52.32 Wind Energy Facility		Complies
Schedule To Clause 52.33 Post Boxes and Dry Stone Walls		Complies
Schedule To Clause 53.01 Public Open Space Contribution and Subdivision		Complies
Schedule To Clause 53.06 Live Music Entertainment Venues		Complies
Schedule To Clause 53.15 Statement of Underlying Provisions		Complies

Schedule To Clause 59.15 Local Vicsmart Applications	Currently it does not contain any content. Should either be removed or further strategic work implemented	Further Strategic Work
Schedule 1 To Clause 59.16 Information Requirements and Decision Guidelines for Local Vicsmart Applications		Complies

Table 8 - Form and Content Review for Particular Provisions in the Cardinia Planning Scheme

8.6 General provisions

Schedule Name	Comments	Complies or not
Schedule To Clause 66.04 Referral of Permit Applications Under Local Provisions		Complies
Schedule To Clause 66.06 Notice of Permit Applications Under Local Provisions		Complies

8.7 Operational provisions

Schedule Name	Comments	Complies or not
Schedule To Clause 72.01 Responsible Authority for This Planning Scheme		Complies
Schedule To Clause 72.02 What Area Is Covered by This Planning Scheme?		Complies
Schedule To Clause 72.03 What Does This Planning Scheme Consist Of?		Complies
Schedule To Clause 72.04 Incorporated Documents		Complies
Schedule To Clause 72.05 When Did This Planning Scheme Begin?		Complies
Schedule To Clause 72.08 Background Documents		Complies
Schedule To Clause 74.01 Application of Zones, Overlays and Provisions		Complies
Schedule To Clause 74.02 Further Strategic Work		Complies

Table 9 - Form and Content Review for Operational Provisions in the Cardinia Planning Scheme

8.8 Summary of findings

The audit identified that updates are required to the Form and Content of the Cardinia Planning Scheme to ensure it is consistent with the Ministerial Direction. These changes will ensure the ongoing integrity and consistency of the scheme with the Victoria Planning Provisions.

As a high priority, it is recommended to undertake administrative changes correct non-compliant schedules (High Priority). The following zones and overlays would be affected by this amendment.

- Clause 32.03 Low Density Residential Zone
- Clause 32.04 Mixed Use Zone
- Clause 32.07 Residential Growth Zone
- Clause 32.09 Neighbourhood Residential Zone
- Clause 35.03 Rural Living Zone
- Clause 35.07 Farming Zone
- Clause 37.01 Special Use Zone
- Clause 37.02 Comprehensive Development Zone
- Clause 37.07 Urban Growth Zone
- Clause 37.08 Activity Centre Zone
- Clause 42.01 Environmental Significance Overlay
- Clause 42.02 Vegetation Protection Overlay
- Clause 43.02 Design And Development Overlay
- Clause 43.03 Incorporated Plan Overlay
- Clause 43.04 Development Plan Overlay
- Clause 44.01 Erosion Management Overlay
- Clause 44.03 Floodway Overlay
- Clause 44.04 Land Subject To Inundation Overlay
- Clause 44.05 Special Building Overlay
- Schedule To Clause 52.28 Gaming
- Schedule To Clause 59.15 Local Vicsmart Applications

To prevent any further deviations from the Form and Content Guidelines, it is recommended that Council commit to using the most recent standardized formatting templates for future amendments. This ensures that we continue to meet the Form and Content Guidelines. Alongside this, internal quality assurance checks should be put in place for future updates prior to going, as well as engaging State Government Authorities early on for guidance in ambiguous cases.

It is strongly recommended to implement these changes in order for Council to not only meet our legislative requirements under the Planning and Environment Act, but also to improve the experience for all users of the planning scheme by increasing clarity, legibility and internal consistency.

Recommendations

- Proceed with an Amendment to resolve Form and Content and administrative inconsistencies.

9 Proposed Administrative Corrections and Updates to Zones and Overlays

9.1 Introduction

Stakeholder engagement was undertaken internally and externally, and administrative errors were identified in the Cardinia Planning Scheme. It is recommended an administrative planning scheme amendment is undertaken to correct these errors.

These administrative corrections have only been considered for the errors which do not change the operation or application of the zones or overlays shown in Figure 23. This is limited to the following issues:

- Text or words in the ordinance which are incorrect.
- Previous planning scheme updates which inadvertently removed key words.

As described in Section 2 - Background, planning policy must cascade to guide zones and overlays. Therefore, substantial changes to zones and overlays cannot occur until the relevant planning policy is updated through Part B (Policy) of the Planning Scheme Review.

Zones 30	No content 31	Residential Zones 32	Industrial Zones 33	Commercial Zones 34	Rural Zones 35	Public Land Zones 36	Special Purpose Zones 37
Overlays 40	No content 41	Environmental & Landscape Overlays 42	Heritage & Built Form Overlays 43	Land Management Overlays 44	Other Overlays 45		

Figure 23 - Clauses of the Cardinia Planning Scheme which are within scope of administrative corrections through Part A (Administrative) of the Planning Scheme Review.

As a result, a number of gaps in the planning scheme were identified. A summary of the required changes is included in Appendix 2.

The gaps listed here are only those considered relevant for inclusion into the planning scheme either through inclusion as policy or being flagged as further strategic work within the MSS. Some of the issues raised have also been identified in the review of other documents within the report and therefore are not repeated.

9.2 Environmental Significance Overlay (ES0)

Issue	Proposed solution
Schedules to the overlays duplicate exemptions for approximately 232 species that are already exempt in the base overlay table of exemption from being: <i>Noxious weeds – Vegetation that is a noxious weed subject to a declaration under section 58 or section 58A of the Catchment and Land Protection Act 1994 (except Australian Dodder, Cuscuta australis).</i>	Remove duplicated exemptions from overlay schedules because the base schedule already provides these exemptions. Duplication adds no regulatory benefit, creates unnecessary complexity, and increases the risk of inconsistency
Weed in exemption table utilises offensive language using name <i>Wandering Jew</i> up to 9 times throughout scheme as highlighted below. Referring to this common name is no longer utilised as it can be considered <u>antisemitic</u> .	Delete reference to Jew and redraft weed to refer to weed as <i>Wandering Trad</i> which is a neutral name commonly used.
Several of the older ES0, VPO, SLO schedules were drafted before the current bushfire planning framework matured. As a result, they often repeat exemptions already provided under Clause 52.12 – Bushfire Protection: Exemptions, which creates unnecessary duplication and confusion for applicants and assessors	Delete all references to Clause 52.12 in overlays.
ES03 mapping anomaly (internally referred to as Pacman ES03 along Brunt Road) ES03 located here no longer protects Significant River Red Gum.	Delete existing ES03 from Existing Map 11 - Remove ES03 from areas where it currently applies unnecessarily, reducing regulatory burden on private landowners. Apply New ES03 Overlay - Apply ES03 over the proposed Brunt Road area to protect a botanically significant River Red Gum with a DBH (Diameter at Breast Height) of 150 cm. - The proposed extent of overlay has been determined by Environment Officers using AS4970–2025 (Protection of Trees on Development Sites) and will cover the full Tree Protection Zone (TPZ) which is 15 metres radius. - This ensures robust recognition and protection for the tree while limiting ES03 application to Council-managed land only.
ES07 has not been given a name	ES07 should be given a name – possibly Urban Conservation Area. This naming is consistent with Casey planning scheme ES06 which has an identical statement of environmental significant. Another name more specific could include Melbourne Strategic Assessment Biodiversity Conservation Strategy conservation area.

9.3 Vegetation Protection Overlay (VPO)

Issue	Proposed solution
Schedules to the overlays duplicate exemptions for approximately 232 species that are already exempt in the base overlay table of exemption from being: <i>Noxious weeds – Vegetation that is a noxious weed subject to a declaration under section 58 or section 58A of the Catchment and Land Protection Act 1994 (except Australian Dodder, Cuscuta australis).</i>	Remove duplicated exemptions from the overlay schedules because the base schedule already provides these exemptions. Duplication adds no regulatory benefit, creates unnecessary complexity, and increases the risk of inconsistency
Weed in exemption table utilises offensive language using name <i>Wandering Jew</i> up to 9 times throughout scheme as highlighted below. Referring to this common name is no longer utilised as it can be considered <u>antisemitic</u> .	Delete reference to Jew and redraft weed to refer to weed as <i>Wandering Trad</i> which is a neutral name commonly used.
Several of the older ESO, VPO, SLO schedules were drafted before the current bushfire planning framework matured. As a result, they often repeat exemptions already provided under Clause 52.12 – Bushfire Protection: Exemptions, which creates unnecessary duplication and confusion for applicants and assessors	Delete all references to Clause 52.12 in overlays.

9.4 Significant Landscape Overlay (SLO)

Issue	Proposed solution
Schedules to the overlays duplicate exemptions for approximately 232 species that are already exempt in the base overlay table of exemption from being: <i>Noxious weeds – Vegetation that is a noxious weed subject to a declaration under section 58 or section 58A of the Catchment and Land Protection Act 1994 (except Australian Dodder, Cuscuta australis).</i>	Remove duplicated exemptions from overlay schedules because the base schedule already provides these exemptions. Duplication adds no regulatory benefit, creates unnecessary complexity, and increases the risk of inconsistency
Weed in exemption table utilises offensive language using name <i>Wandering Jew</i> up to 9 times throughout scheme as highlighted below. Referring to this common name is no longer utilised as it can be considered <u>antisemitic</u> .	Delete reference to Jew and redraft weed to refer to weed as <i>Wandering Trad</i> which is a neutral name commonly used.
Several of the older ESO, VPO, SLO schedules were drafted before the current bushfire planning framework matured. As a result, they often repeat exemptions already provided under Clause 52.12 – Bushfire Protection: Exemptions, which creates unnecessary duplication and confusion for applicants and assessors	Delete all references to Clause 52.12 in overlays.

Clause 42.03 Significant Landscape Overlay – Schedule 1 (SLO1) has been drafted in a way that creates ambiguity regarding vegetation removal permit requirements. The rewording introduced by Amendment C184 removed explicit wording that previously confirmed a permit was required, leading to potential misinterpretation. Investigation revealed that there was no identified strategic justification to remove the planning permit requirement. As a consequence the schedule fails to meet one of the key purposes and intent of the SLO1 which is to protect vegetation for its landscape and environmental qualities	Corrective amendment to explicitly include <i>a permit is required to remove, lop or destroy any vegetation</i>. Restoring the requirement ensures consistency with the objectives of Clause 42.03 and corrects an error introduced by C184card.
42.03 Lang Lang / Heath Hill - identical issue to SLO1 identified above	Corrective amendment to explicitly include <i>a planning permit is required to remove, lop or destroy any vegetation</i>. This action corrects erroneous errors introduced by Amendment C184card.
Schedule 7 to Clause 42.03 Significant Landscape overlay Stokes Croft Planting, Emerald. 1. Weed List Table Not Enforceable The current drafting of the overlay schedule does not give statutory effect to the weed list table. While the table is included, it is not linked to permit triggers, meaning it does not influence assessment as intended. 2. Species Conflict Between Statement of Significance and Weed List Two species appear both in the Statement of Significance and the weed list, creating an internal inconsistency. This undermines clarity and could lead to confusion about whether these species should be protected or controlled.	Redraft schedule to give effect to intended weed exemption however do not include species in weed list that occur as part of the statement of significance.

9.5 Other zones, overlays and provisions

Issue	Proposed solution
Schedule to Clause 43.04 Development Plan Overlay Outdated References to department names, policies and expiration dates	1. DPO5: Department name to Department of Energy, Environment and Climate Action (DEECA): 2. DPO10 Department name to Department of Energy, Environment and Climate Action (DEECA): 3. DPO11: Policy updated to <i>Guidelines for the removal, destruction or lopping of native vegetation</i> (DECCA 2025). 4. DPO12 Department name to Department of Energy, Environment and Climate Action (DEECA) x 2: 5. DPO13: Department name to Department of Energy, Environment and Climate Action (DEECA) & updated to <i>Guidelines for the removal, destruction or lopping of native vegetation</i> (DECCA 2025). 6. DPO15 - & updated to <i>Guidelines for the removal, destruction or lopping of native vegetation</i> (DECCA 2025). 7. DPO16- Department name to Department of Energy, Environment and Climate Action (DEECA) 8. DPO17 Department name to Department of Energy, Environment and Climate Action (DEECA) 9. DPO18- Department name to Department of Energy, Environment and Climate Action (DEECA) & updated to <i>Guidelines for the removal, destruction or lopping of native vegetation</i> (DECCA 2025). 10. DPO23 Department name to Department of Energy, Environment and Climate Action (DEEC
Schedule 14 to Clause 43.04 Development Plan Overlay. This schedule expired 26 January 2014	This schedule has expired and should be removed from the planning scheme. Council has submitted planning scheme amendment C283card (Fix-up Amendment) to the Minister for Planning for approval. Amendment C283card proposes to remove this expired schedule.
Schedule to Clause 51.02 Metropolitan Green Wedge: Core Planning Provisions There are issues where the zone prohibits certain uses which are inconsistent with the purpose of the Special Use Zones. For example: Schedule to Clause 7 of Clause 37.01 Special Use Zone South East Food Production, export and employment note. (Clause 51.02-2 prohibits certain uses permitted under SUZ7 such as industry, manufacturing sales, office etc).	Although in the example given there are certain existing use rights in certain instances however consideration should be given to adding these to Clause 1 of Schedule to Clause 51.02 Land where core planning provisions do not apply.

Schedule to Clause 52.17 Native Vegetation Certain items in 1.0 Scheduled Area are already complete so the exemption is no longer relevant. • All land in a Public Acquisition Overlay or a Transport Zone 2 or a Transport Zone 3 for the Pakenham Bypass • Land in the Cardinia Reservoir Park, Emerald • Land in a Transport Zone 1 for the Cardinia Road Railway Station and associated facilities	Delete aforementioned exemptions.
Schedule to Clause 66.04 Referral of permit application under local provisions Outdated reference to department	Update Department name to Department of Energy, Environment and Climate Action (DEECA).

9.6 Summary of findings

It is recommended that further strategic work be undertaken to address the concerns raised by the Environment and Heritage Team and the Statutory Planning Team. This could be done in two parts, first a policy neutral fix-up amendment to resolve minor inconsistencies, and secondly a broader piece of strategic work to address environmental and climate change issues within the planning scheme. The following zones and overlays would be affected by the amendment:

- 42.01 Environmental Significance Overlay
- 42.02 Vegetation Protection Overlay
- 42.03 Significant Landscape Overlay
- 43.04 Development Plan Overlay
- 51.02 Metropolitan Green Wedge: Core Planning Provisions
- 52.17 Native Vegetation
- 66.04 Referral of permit application under local provisions

Refer to Appendix 2 for the marked up schedules showing proposed changes.

Recommendations
• Proceed with a Fix-Up Amendment to resolve these administrative issues. As detailed in Appendix 2.

10 Key Policy Issues to be Addressed in Planning Policy Framework (PPF) in Part B (Policy)

10.1 Overview

Part A (Administrative) of the planning scheme review proposes administrative changes and corrections to be made to the planning scheme. This specifically excludes any changes to PPF.

Part B (Policy) will focus on tailoring local policy content to our needs. This specifically includes changes to the MPS and PPF. This will include proposed changes to the following Clauses: Purpose and Vision (Clauses 00, 01), Municipal Planning Strategy (Clause 02) and Planning Policy Framework (Clause 11-19). The key areas of change for Part B (Policy) – Cardinia Planning Scheme Review are visually shown in Figure 24.

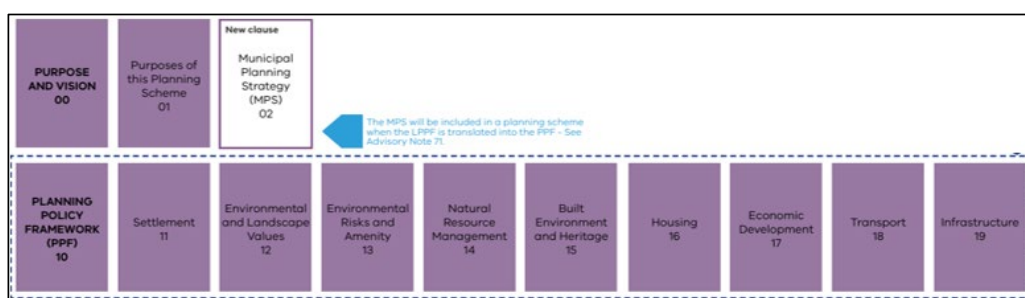


Figure 24 - Overview of Planning Scheme Policy Settings

10.2 Basis for policy updates

Specific comments and suggestions for local policy updates have been provided through written submissions, survey responses, community drop-in sessions and workshops (see Section 8- Stakeholder). This information needs to be compared with State policy. Further analysis will be provided in Part B (Policy) for each issue to determine whether:

- The proposal is consistent with state and regional planning policy (see
- Figure 7 - Planning Policy Framework Hierarchy.).
- The proposal is consistent with council directions and strategic planning (see Section 3.6)
- The proposal is consistent with policy directions from VCAT Tribunal and PPV decisions and recommendations (see Section 7)
- Key Planning Panel Victoria and VCAT Reports).
- Approved planning scheme amendments and other Strategic Planning documents.
- Ministerial Direction on the Form and Content of Planning Schemes.

A large number of issues were raised during community consultation (see Section 8). Due to resourcing constraints, not every issue can be addressed through Part B of the Planning Scheme Review.

There are a number of issues that planning can play a role in; however, it is important to realise that planning is not always able to provide the whole solution and there are often a number of other agencies or levels of government that need to be involved to devise robust solutions. In this case, further advocacy will be recommended to achieve the desired local objectives.

The key issues are identified in the following sections. A brief commentary is provided to outline a scope of changes and likely planning scheme clauses to be considered in Part B (Policy).

10.3 Municipal Planning Strategy

Clause 02 – MPS is the bedrock of the Cardinia Planning Scheme. It contains a high-level summary of local planning policy which is cascaded into the PPF and then informs the application of zones, overlays and particular provisions. It is essential to get the MPS right so that policy is aligned and the scheme operates efficiently (Figure 25).

One of the key gaps that needs to be addressed is integration of the Community Vision and Council Plan 2025-2029 objectives into the MPS. This is generally described in Section 3.6 - Summary of findings

In general, the previous Planning Scheme Review focused on specific local policy issues rather than an audit of the Form and Content of the Planning Scheme and identifying process efficiencies within the planning scheme. Although local policy issues are important, they need a practical pathway to implementation, otherwise they remain as policy and are ineffective.

To address the shortcomings of the previous review, Part A (Administrative) of this review will have a particular focus on the Form and Content of the planning scheme and identify process efficiencies. This will ensure that in the future when specific local issues are identified, the planning scheme will be in a strong position to address them. Following this, Part B (Policy) will focus on specific policy issues, with a keen focus on implementation.

The previous Planning Scheme Review contained a large number of action items (56 Actions), which was more than could be achieved in a five-year period with the staff capacity and resources available. This is evidenced by the 20 items currently contained in Clause 74.02 – Further strategic work. To improve processes in the planning scheme, it is recommended:

- Part A (Administrative) of this review is based on strengths, weaknesses and opportunities of the planning scheme. This will guide recommendations which are achievable for policy updates in Part B (Policy). Examples of administrative changes can be seen in the Appendix 2, such as changing the name of Department of Sustainability and Environment to the current name Department of Energy, Environment and Climate Action (DEECA).

Recommendations
• Clause 74.02 Further strategic work needs to be rationalised to only the items that can be reasonably achieved in the period from 2026-2031.

According to the Form and Content (Ministerial Direction), there is a limit of 5,000 words for the MPS. This does create challenges (i.e. not everything can be included), but it also means a focus on key issues is maintained.

The Vision at 02.02 must be updated to consistent with the Community Vision 2024.

There are five pillars of the Council Plan 2025-2029:

- Strong Communities
- Liveable Places

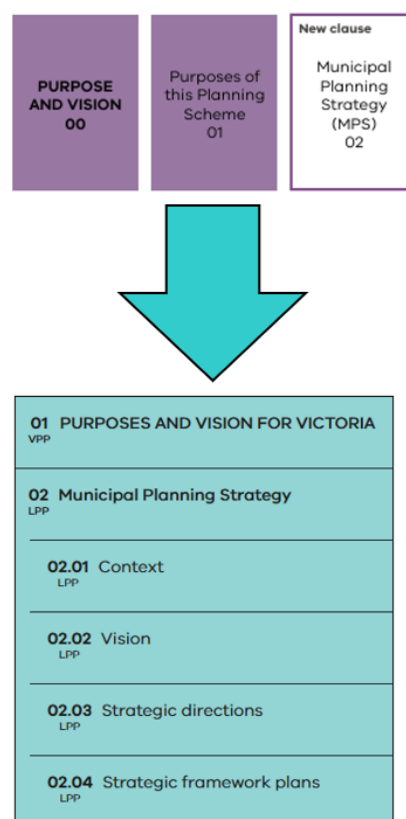


Figure 25 - Overview of MPS and PPF in the Cardinia Planning Scheme

- Thriving Environments
- Prosperous economies
- Responsible leaders

The Strategic Directions and the Strategic Framework Plans must be updated under the headings 02.03 and 02.04 of PPF to reflect the five pillars, above.

10.4 Green wedges

Green Wedges received the highest volume of feedback from stakeholder engagement and it was consistently raised as the most important issue (see Section 8 - Stakeholder). Specific issues raised included:

- Farming (economic viability, farming type and generational change).
- Protection of high-quality agricultural soils (especially in the Koo Wee Rup region).
- Pressure for development of urban uses.
- Inappropriate lot sizes.

There are three Green Wedge Regions in Cardinia (shown in Figure 25 and Figure 26):

- Southern Ranges (e.g. Pakenham, Tynong North and Bunyip North).
- Yarra Valley and Dandenong Ranges (e.g. Cockatoo and Gembrook and part of Emerald).
- Westernport (e.g. Koo Wee Rup, Lang Lang and Tynong).

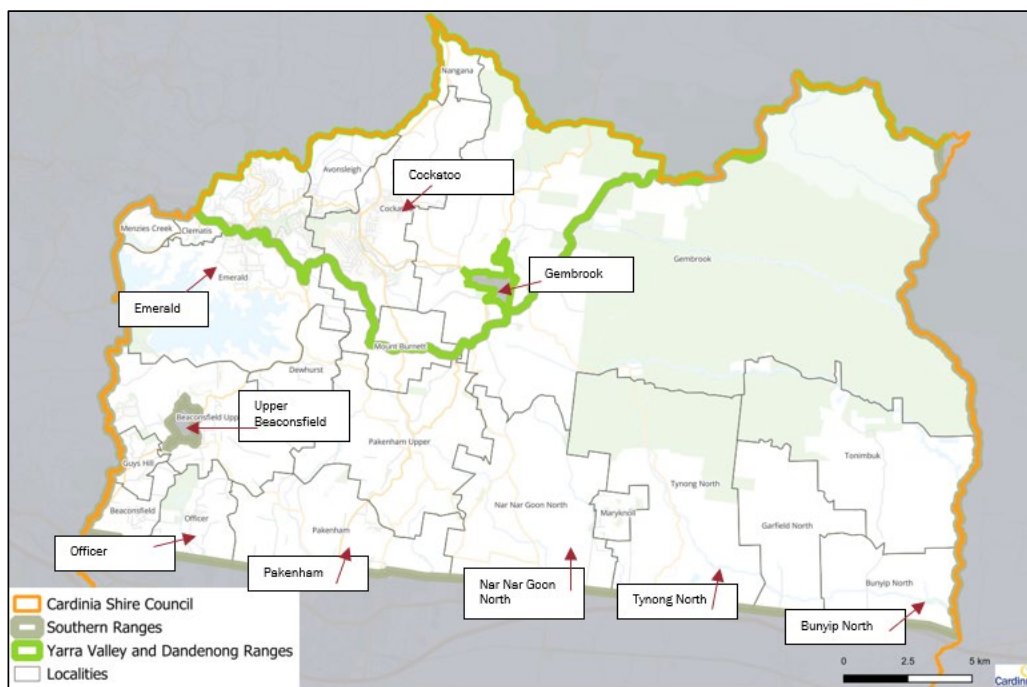


Figure 26 Yarra Valley, Dandenong Ranges and Southern Ranges Green Wedge Region

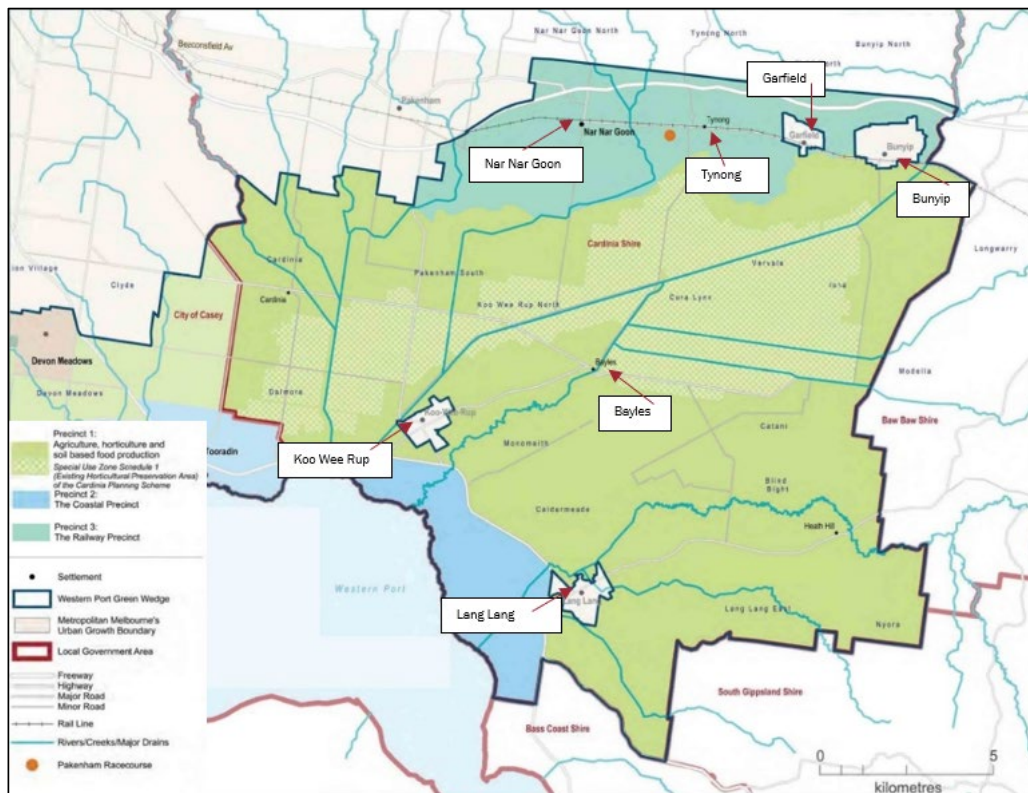


Figure 27 Westernport Green Wedge Region

State PPF is very strong with respect to green wedges. The purpose is outlined in Clause 51.02 – Metropolitan Green Wedge Land: Core Planning Provisions. This is listed as follows:

- To protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values.
- To protect productive agricultural land from incompatible uses and development.
- To ensure that the scale of use is compatible with the non-urban character of metropolitan green wedge land.
- To encourage the location of urban activities in urban areas.
- To provide transitional arrangements for permit applications made to the responsible authority before 19 May 2004.
- To provide deeming provisions for metropolitan green wedge land.

Local planning policy must not contradict State planning policy. This is likely to create points of friction between some stakeholders that advocate for increased development; and the State policy purposes to protect green wedge land from incompatible uses and development. This is likely to be one of the areas of the planning scheme hierarchy (Figure 7) where State policy will override the desire of some stakeholder feedback for greater development and subdivision in green wedge areas.

Legislation for green wedges is contained in Part 3AA of the Planning and Environment Act 1987. Section 46AG requires ratification by Parliament for planning scheme amendments which would

have the effect of subdividing lots into more lots or smaller lots than allowed under the planning scheme as it was generally before commencement of Part 3AA.

In simple terms, this means that changes to zones in green wedge areas (e.g. GWZ, RCZ, SUZ) that have the effect of subdividing lots into more lots or smaller lots would require ratification by both houses of Parliament. Therefore, many of the issues regarding inappropriate lot sizes and development raised in stakeholder engagement are likely to be outside the scope of Cardinia Shire Council and would require a policy change from State Government.

We have already seen this conflict between development and green wedges in multiple VCAT cases outlined in Section 7 - Victorian Civil and Administrative Tribunal Decisions. In general, the tribunal has sided with Council to object to increased development based on the strength of State planning policy.

In terms of local policy, the MPS addresses green wedges in:

- 02.03-1 Settlement (Western Port Green Wedge only)
- 02.03-7 Economic development (Western Port Green Wedge only)

Much of the MPS (local policy) related to green wedges only covers the Westernport Green Wedge area. In some ways this is to be expected because the Westernport Green Wedge Management Plan has been approved (May 2017), but the Yarra Valley & Dandenong Ranges and Southern Ranges Green Wedge Management Plans have not been prepared. They are scheduled for completion mid-2028 under Council Plan 2025-2029.

It is a policy gap in the MPS that the Yarra Valley & Dandenong Ranges and Southern Ranges Green Wedge Management Plans are not addressed. Once the GWMP is completed, greater policy clarity will ensure values are protected and development is directed into specific areas consistent with State Policy.

Moving down to the PPF, specific planning policy for green wedges is found in multiple areas and the Particular Provisions. This is shown visually in Figure 27 below. After approval of the Yarra Valley & Dandenong Ranges and Southern Ranges Green Wedge Management Plan, Clauses 12, 13 and 14 would be updated to reflect the policies and strategies contained in the plans.

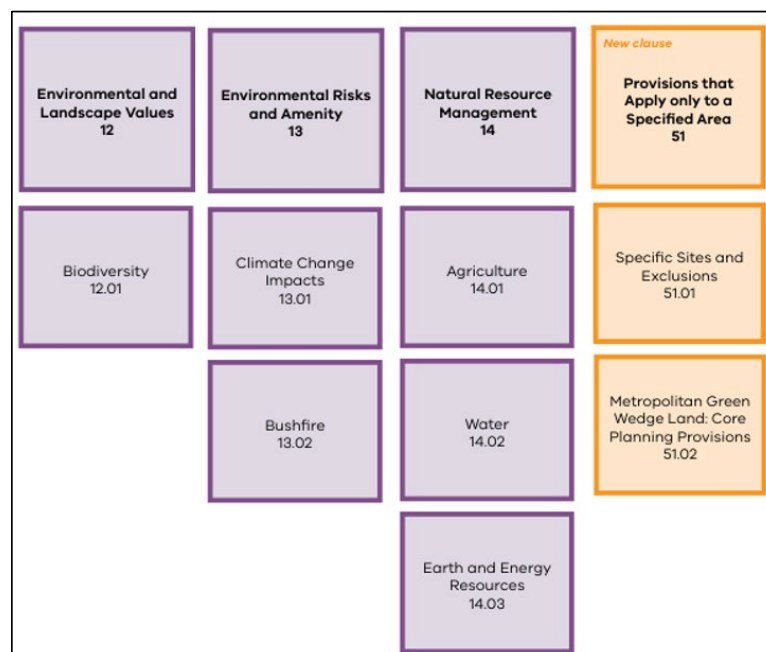


Figure 28 - Planning Policy Framework (PPF) for Green Wedges

10.5 Agriculture

Based on the significant volume of feedback received, planning policy for agriculture is discussed in a separate section to green wedges. Although it is noted that there are significant overlaps.

One of the themes raised through stakeholder consultation was centred on the definition of 'productive agricultural land'. Through stakeholder engagement council officers heard the following issues:

- The historical use of pesticides has had a detrimental impact on agriculture, particularly across the Yarra Valley & Dandenong Ranges Green Wedge Region (Figure 25).
- The presence of pest species such as Potato Cyst Nematode (PCN) has had a detrimental impact on agriculture, particularly across the Yarra Valley & Dandenong Ranges Green Wedge Region (Figure 25).
- There is some disagreement regarding the definition of 'productive agricultural land' in the Special Use Zone 1 (SUZ1) – Horticultural Preservation. The SUZ1 has been applied to soils of high agricultural value across the Westernport Green Wedge Region. These areas are shaded green in Figure 26.

Local policy for agriculture is addressed primarily through Clause 02.03-4 of the MPS (Natural Resource Management) and Clause 14.01-1L (Protection of Agricultural Land) and 14.01-2L (Sustainable agricultural land use) (see Figure 27).

Special Use Zone 1 (SUZ1) – Westernport Green Wedge Region

As discussed in green wedges (Section 11.4), changes to the mapped extent of Zones such as SUZ1 that have the effect of subdividing lots into more lots or smaller lots would likely require ratification by both houses of Parliament.

The current minimum lot size in SUZ1 is at least 25 hectares. Therefore, any proposed changes to the SUZ1 would need to be strategically justified (i.e. changes to soil would likely need to be re-mapped) and retain a minimum lot size of 25 hectares unless there were changes to State Policy. This would require significant time and resources to undertake these investigations.

To address the themes raised in stakeholder engagement in the short term, it would be more prudent to review the table of uses contained in the SUZ1. Innovative farming techniques could be addressed in an updated table of uses provided they are consistent with the Victoria Planning Provisions (VPP). This would allow themes of the SUZ1 – Horticultural Soils to be addressed in a timely way through the Planning Scheme Review, while efficiently using resources.

Yarra Valley & Dandenong Ranges Green Wedge Region

The issues regarding agriculture in the Yarra Valley & Dandenong Ranges Green Wedge Region are complex. We heard agricultural themes around economic viability, farming type and generational change. It will require a range of policy initiatives and strategies to address these complex issues. Some of these initiatives will need to be identified in Clause 74.02 – Further Strategic Work.

In addition to items identified in the Council Plan 2025-2029 – Prosperous Economies, Cardinia Shire Council has commenced preparation of:

- Agribusiness Audit Report 2025 (available on the Creating Cardinia website).
- Food and Agribusiness Advisory Committee.
- Food and Agribusiness Strategy (due for consultation in 2026).
- Yarra Valley & Dandenong Ranges Green Wedge Management Plan (due for completion June 2028).

The results of the above will be very important to guide the policy response to complex agricultural issues identified through stakeholder engagement.

Similar to the SUZ1, any proposed changes to the mapped extent of Zones (e.g. GWZ, RCZ) that have the effect of subdividing lots into more lots or smaller lots would likely require ratification by both houses of Parliament (See Section 11.4). This is not currently supported by State Policy.

Overall, innovative solutions, consistent with State Planning Policy will need to be considered to achieve the desired agricultural outcomes.

10.6 Housing

Plan for Victoria sets housing targets for each local municipal area as part of its contribution to deliver 2.24 million homes over the next 30 years.

Plan for Victoria's housing targets were implemented in the Planning Policy Framework through Amendment VC283 in September 2025 which led to updates to Clause 11 (Settlement) and Clause 16 (Housing).

Cardinia's housing targets (Plan for Victoria) are summarised as follows:

- Established Areas – 9,000 dwellings
- Greenfield Areas (Growth Corridor) – 21,000 dwellings

The MPS provides the strategic directions for housing in Clause 02.03-6. This is largely focused on greenfield areas (growth corridor) and rural townships. There is no mention of the role and purpose of the Pakenham Activity Centre and its role in providing housing in the municipality. The MPS needs to be updated to make it consistent with Plan for Victoria and the Metropolitan Housing Targets.

Clause 16.01-1L contains PPF for Housing (Figure 28). There is no specific mention of the Pakenham Activity Centre. This creates a vagueness about where the housing targets will be delivered in Cardinia for Established and Greenfield areas. More specific policy would drive outcomes for provision of more housing in well-located areas of the municipality.

It is also recommended that planning permit activity and planning permit approvals are quantified and tracked for both greenfield and established areas. This would provide data to inform how Cardinia is tracking towards 16.01-S Housing supply. This may trigger the need for further strategic work to drive outcomes for housing delivery in well-located areas of the municipality.



Figure 29 - Planning Policy Framework (PPF) for Housing

10.7 Pakenham and Officer Town Centres

Plan for Victoria (Amendment VC283) made significant changes to the Planning Policy Framework for Activity Centres. The Pakenham Structure Plan (SP) and Urban Design Framework (UDF) were gazetted in 2021 – which is before Plan for Victoria.

The MPS outlines strategic objectives for Activity Centres in 02.01 Settlement and provides a map in 02.04-04 Cardinia Activity Centres. Officer and Pakenham are both classified as Major Activity Centres. Housing is identified in 02.02-6.

Clause 02.03-2 needs to be updated to reflect the state policy updates from Plan for Victoria. Clause 11.03-1L provides the policy settings for Activity Centres. Data obtained from planning permit approvals in the past five years will also be useful to understand whether the ACZ is achieving its aims. The vision for the Pakenham Activity Centre may need to be clarified in Clause 11.03-L (Figure 29).

In addition, there needs to be greater clarity about economic drivers of success in Pakenham. At present the overall commercial vision of land use in the ACZ is unclear and the schedules are too rigid to allow innovation and the market to decide use. This issue with rigid schedules was identified at the planning panel, but submitters generally didn't see this matter as an issue at the time (see Section 7.2 - Pakenham Activity Centre (C228card Panel Report – June 2020). The schedules for the ACZ could follow MPS and PPF policy updates.



Figure 30 - Planning Policy Framework (PPF) for Housing

10.8 Flood hazard

Flood hazard was identified as a significant issue through stakeholder engagement. This fits under the broader category of 'Environment' in stakeholder consultation.

Planning policy related to flood plains is contained in Clause 13 – Environmental Risks and Amenity (Figure 31). This includes references to State policy documents including:

- Victorian Floodplain Management Strategy (Department of Environment, Land, Water and Planning, 2016)

The MPS outlines policy related to environmental risk and amenity at 02.03-3. Clause 13.03-1L contains the local policy for floodplain management. There is currently only one local strategy item listed in this clause:

- Support the maintenance and upgrade of levee banks in the Koo Wee Rup Flood Protection District, particularly along the Bunyip Main Drain.

There is currently a disconnect in the planning scheme between the MPS at 02.03 and local PPF contained in Clause 13.03-L. There is a significant opportunity to update 13.03-1L to better capture the flood hazard identified through stakeholder consultation and better align it to the MPS. However, any updates need to be undertaken in consultation with Melbourne Water as the Floodplain Management and Drainage Authority for the Port Phillip and Westernport Region.

Melbourne Water is currently undertaking a project to update flood mapping across Cardinia. The results of this mapping will provide a better understanding of the 1 in 100-year flood extents for both riverine (waterways) and overland (underground pipes) flooding.

Local planning policy (13.03-1L) should be updated to reflect the flood hazard from both riverine and overland flooding across the municipality. These policy changes and Melbourne Water flood mapping may be used to guide changes to the application of the Land Subject to Inundation Overlay (Clause 44.04 - LSI) and Special Building Overlay (Clause 44.05 - SBO). This would then influence planning permit triggers for use and development in flood prone areas and provide a more flood resilient community in the long-term.



Figure 32 - Planning Policy Framework (PPF) for Flooding

10.9 Tourism and recreation

Stakeholder engagement identified tourism and to a lesser extent recreation as key policy issues for Cardinia. Written submissions provided a clear pathway for updates. Clause 17.04 contains planning policy related to tourism (Figure 32).

The MPS largely addresses tourism policy in Clause 02.03-7 – Economic Development. Gumbuya World, Pakenham Racecourse and tourism in rural townships are identified in the MPS.

Clause 17.04-1L (Tourism) currently includes 10 objectives for tourism in Cardinia. The key themes concentrate on:

- Puffing Billy Tourist Railway.
- Emerald Lake Park.
- Hills Townships.

There is a disconnect between the tourism opportunities identified in the MPS and Clause 17.04.04-L. In particular, there needs to be greater focus on Gumbuya World, Racecourses in the municipality and the Odyssey Trail (rural township tourism). Extensive stakeholder feedback has been gathered and this would be used to update Clause 17.04-1L - Tourism in Part B (Policy) – Planning Scheme Review.

Updates to PPF are essential to inform planning scheme instruments such as the Significant Landscape Overlay – Schedule 1 Puffing Billy Tourist Railway Scenic Corridor (Clause 42.03). This would drive Cardinia as a competitive tourism destination for both local and international visitors with policy guiding the direction.



Figure 33 - Planning Policy Framework (PPF) for Tourism

10.10 Extractive Industries

Extractive industries were a consistent topic raised in the stakeholder engagement process, with issues identified around landscape, transport, employment and protection of sensitive uses.

The MPS considers natural resource management in Clause 02.03-4 which encompasses both extractive industries, and also the protection of agricultural soil. It acknowledges significant sand resources in the Lang Lang to Grantville Region and sets a strategic direction for extractive industries to *“protect sand and stone resources and existing extractive industry operations from development that may impact on their viability”*.

In the PPF, there are six key strategies that relate to the protection of sand resources in the Lang Lang area that seek to facilitate extraction while mitigating the external impacts to the surrounding area (Figure 33).

As discussed in Section 5.7, there have been two recent State Government amendments which affect extractive industries and sensitive uses. The State Extractive Resource Areas (VC196) and Increase of Amenity Protections (VC219). VC196 applied a State Resource Overlay (SRO) as a buffer (generally 250 metres to 500 metres) around selected pilot areas of state significant extractive industries. A permit referral is required to the Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990 as a determining referral authority.

The Increase of Amenity Protections (Amendment VC219) was gazetted in 2022 and introduced a permit requirement for accommodation, building and works associated with accommodation located within 500 m from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.

Clause 14.03-1L-02 (Figure 33) needs to be updated to be consistent with the updated state policy identified above. In addition, the delivery of the Lang Lang Bypass should be identified consistent with transport of extractive industries in a way that protects the amenity of the area and minimises the impact on surrounding areas.

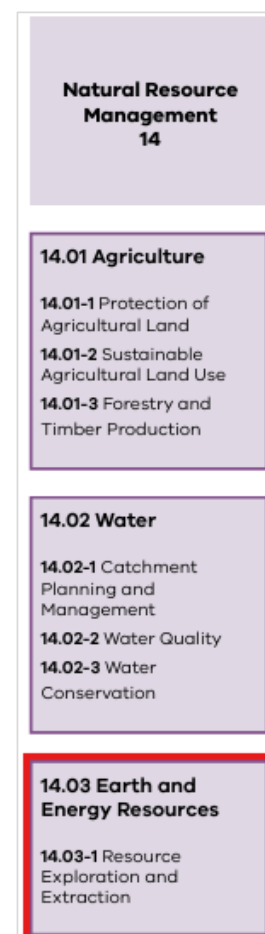


Figure 34 - Planning Policy Framework (PPF) for Extractive Industries

11.11 Employment and jobs

One of the issues identified through stakeholder consultation was the future of jobs in the municipality. This was driven by concerns about Artificial Intelligence but also competing land uses (e.g. Battery Energy Storage Systems) within industrial precincts. There was a strong desire to see manufacturing and jobs delivered in State Significant Industrial Precincts (SSIP). This is critical for Cardinia because the Officer South Employment PSP has recently been gazetted (2025) and aims to provide 22,016 jobs in the SSIP.

State planning policy updates through Plan for Victoria (VC283) includes the Classification of Industrial and Commercial Land Use which will help drive these outcomes, but it needs greater local policy support. Recent appeals to the Tribunal have tried to overturn Council's refusal of non-industrial uses in industrial areas. An example of this is discussed in Section 7.9 - Officer Town Centre – Officer Holdings (VIC) Pty Ltd v Cardinia SC VCAT 42 (2026)

The Officer Town Centre Urban Design Framework (UDF) was approved by Cardinia Shire Council and Victorian Planning Authority in February 2024. Planning Practice Note 17 – Urban Design Frameworks provides guidance around the use of UDFs. According to PPN17, UDFs are “...particularly useful for identifying areas suitable for urban consolidation, access improvement, medium-density housing and different types of mixed use development (such as the Residential Growth Zone, Commercial 1 Zone and Mixed Use Zone), in conjunction with municipal business strategies and strategies for housing and residential development.” Officer Town Centre fits firmly in this description.

An application was made to the Victorian Civil and Administrative Tribunal to review the decision to approve the Officer Urban Design Framework. The proponent, Officer Holdings VIC owned land south of the railway line identified as 'Core; and Local Business' in the Officer Town Centre UDF. Although the scope of the VCAT application initially included two grounds, it was subsequently amended to one. In general terms, the applicant (Officer Holdings VIC) sought specific variations to the approved UDF to identify residential as a primary role in both the Core and Local sub-precincts of the UDF. If the amendments were not included, then the applicant submitted that the approved UDF should be considered unsatisfactory in its current form.

Cardinia Shire Council and Victorian Planning Authority agreed to some, but not all changes requested by the proponent. They also submitted the UDF was satisfactory in its current form.

The broader issue was that the Officer PSP identified the town centre to deliver a diversity of housing types and densities. The critical issue of this case was whether housing was supported in the Core; and Local Business' precincts in the UDF. It can be generally summarised that council's position was to keep the Core and Local Business sub-precincts for commercial uses.

The tribunal considered the issue of 'generally in accordance with' and flexibility in the application of the UDF. Similar to the Planning Panel for the Pakenham ACZ (Section 7.2 - Pakenham Activity Centre (C228card Panel Report – June 2020), the tribunal generally preferred greater flexibility in the interpretation of the UDF. For these reasons, the tribunal made orders to amend specific parts of the UDF to generally recognise greater housing diversity in the Core and Business sub-precincts.

There is a need for greater clarity in Planning Policy Framework (Local) for housing in the Pakenham and Officer Activity Centres. This is particularly important given the housing metropolitan housing targets identified in Plan for Victoria (Clause 16.01S).



Figure 35 - Planning Policy Framework (PPF) for Industry and Employment

Place of Worship in industrial zones – HCMI Inc v Cardinia SC VCAT 484 (2024). This shows that there is increasing pressure for non-industrial uses in SSIP, which don't deliver jobs.

Clause 02.03-7 Economic Development and 02.04-5 of the MPS provides local policy guidance for Cardinia Employment Areas. These clauses should be updated to reflect the strategic objectives of the Council Plan 2025-2029 related to Prosperous Economies. This should also reflect the importance of commercial areas of the Pakenham and Officer Activity Centres for jobs.

In the MPS, a greater emphasis should be placed on the role of State Significant Industrial Precincts (SSIP). An additional local policy should be considered in 17.03-3L to outline the critical importance of SSIP for jobs (Figure 34).

By strengthening the local PPF, we will lead a focus on delivering real jobs in the SSIP. This will help insulate against the future risk of non-industrial uses, which will drive agglomeration of industries and a competitive economic advantage over other metropolitan councils in Melbourne.

The effective implementation of employment policy would also reduce the number of Cardinia residents leaving the municipality for work. This is likely to decrease the pressure on roads and enhance 'Thriving Communities' (Council Plan 2025-2029) with less time spent travelling to and from work.

11.12 Transport and infrastructure

Stakeholder engagement identified transport and infrastructure as key policy issues. Roads were a consistent theme throughout submissions. Feedback focused specifically on the following items:

- Road widths in new suburbs and availability (or not) of on-street parking in new suburbs.
- Footpaths and limitations for active transport.
- Public transport.
- Road safety and the need for slower speeds on roads.
- The South-East regional airport.

Infrastructure provision in greenfield areas will become particularly important because Officer South Employment (OSE) PSP contains 'Staging Plans' based on infrastructure provision. PSP staging should be reflected in local policy under infrastructure (Clause 19). Infrastructure Contribution Plans (ICPs) should also be recognised in PPF for recently gazetted PSPs.

The MPS outlines policy in relation to transport in Clause 02.03-8 – Transport and 02.03-9 Infrastructure. Although there is significant local content already, it should be updated with strategic objectives from the Council Plan 2025 and also stakeholder feedback.

These changes will flow into PPF in Clause 18.01 Integrated Transport and Clause 18.02 Movement Networks (Figure 35). In particular Clause 18.01-3L Pedestrian and Bicycle networks. The Cardinia Bicycle and Pedestrian strategy is currently in the process of review, and the updates to the strategy will feed into PPF.

The planning policy for local roads is located in Clause 18.02-4L. There is currently only one strategy, so there is an opportunity to update this with the result of stakeholder engagement. Some issues like the width of roads in greenfield areas are more difficult to address because they are set by the cross-sections in the relevant PSPs. Changes to the PSP may require a planning scheme amendment which is very time and resource intensive.

The South-East regional airport received some feedback through stakeholder consultation. Clause 18.02-7L outlines local policy. This should be reviewed in the context of Plan for Victoria and other policy updates.

There are some transport issues which are outside the scope of the Planning Scheme Review. This includes the speed limits on roads.

The responsibility for many of these operational items is shared between Department of Transport and Planning (state roads) and Cardinia Shire Council (local roads). Specific advocacy may be required with state government to improve road safety – which may include review of speed limits.



Figure 36 – Planning Policy Framework (PPF) for Transport and Infrastructure

11.13 Summary of findings

Stakeholder consultation identified a large number of local policy issues. This shows that the community is very engaged in the planning process. The following recommendations are made for updating policy:

- The Green Wedge Management Plan commenced in January 2026. This will provide greater clarity for the vision, values and future land use in the Yarra Valley, Dandenong Ranges and Southern Ranges Green Wedge regions.
- Key policy issues were identified through stakeholder engagement and policy review. These will be addressed through Part B (Policy) of the Planning Scheme Review to be delivered in mid to late 2026.

Recommendations
• Complete the Green Wedge Management Plan to ensure better planning policy for the Yarra Valley & Dandenong Ranges and Southern Ranges Green Wedge Region
• Update the PPF to reflect new and emerging tourism opportunities.

12 Conclusion

The Cardinia Planning Scheme Review – Part A (Administrative) highlights both the strengths, opportunities and threats of the current planning framework. This ensures that the planning scheme remains contemporary, effective and is aligned with State policy and community expectations. Significant structural reforms introduced through the Planning Policy Framework (Amendment VC148) and the corresponding recent gazettal of the PPF Translation (C271card) have modernised the Cardinia Planning Scheme. This has resulted in a timely opportunity for Cardinia Shire Council to assess our local planning provisions and streamline administrative processes.

Through extensive consultation with councillors, community members, professionals, internal staff and key agencies, this review has identified a consistent call for clearer policy direction, improved procedural efficiency and enhanced responsiveness to emerging issues such as housing affordability, climate resilience and the role of the Green Wedge Zones. The audit of zones, overlays and planning ordinance provisions has revealed numerous form and content inconsistencies, that affect the clarity and usability of the planning scheme. Addressing these through a targeted Fix-up Planning Scheme Amendment will be essential in maintaining statutory integrity and supporting strong decision-making.

Part A (Administrative) has also underscored the importance of progressing broader strategic work. The implementation of Plan for Victoria in 2025 emphasises the need for Cardinia to closely monitor housing delivery across greenfield areas (growth corridor areas) and established areas to ensure alignment with the State housing targets. Ageing township strategies, refining the ongoing role of Development Plan Overlays, and increasing pressures on agricultural land all provide a strong basis for the work that will continue in Part B (Policy).

Overall, this review confirms that while the planning scheme is fundamentally sound, it must evolve to meet the demands of rapid growth, environmental challenges and community aspirations. The findings of Part A (Administrative) provide a strong foundation for the policy updates to follow. This will ensure that the Cardinia planning scheme remains clear, resilient and robust for the years ahead.

13 Summary of recommendations

Summary of recommendations	
Recommendation 1	Proceed with an Amendment to resolve Form and Content and administrative inconsistencies. As shown in Appendix 2.
Recommendation 2	Clause 74.02 Further strategic work needs to be rationalised to only the items that can be reasonably achieved in the period from 2026-2031.
Recommendation 3	The Community Vision 2040 and Council Plan 2025-2029 will be reflected in the Municipal Planning Strategy (MPS) and Planning Policy Framework (Local).
Recommendation 4	Continue to protect and prioritise industrial land in State Significant Industrial Precincts (SSIP) for jobs through updates to local policy.
Recommendation 5	Track and report annual planning permit dwelling approvals for established and greenfield areas, Pakenham ACZ and Officer Town Centre to ensure we are meeting our housing target obligations set by Plan for Victoria.
Recommendation 6	Refine the scope, intent and delivery of Township Strategies and Structure Plans. Identify efficiencies to ensure a streamlined process for delivery.
Recommendation 7	There are currently 25 Development Plan Overlays in the Cardinia Planning Scheme. Some are completed and some have yet to have a Development Plan (DP) approved. To improve efficiency, of delivery of Township Strategies and Structure Plans, an audit of the status of each DPO should be undertaken with recommendations to improve efficiency of delivery of each DPO based on its status.
Recommendation 8	To improve the efficiency of the scheme, it is recommended that alternative planning scheme instruments should be investigated to implement the objectives of new or revised Township Strategies, instead of Development Plan Overlays.
Recommendation 9	The workflow and Delegation of Authority to approve Development Plans needs to be reviewed. Efficiencies would be gained with a clearly defined process and subsidiarity for Delegated Authorities for approvals.
Recommendation 10	A Memorandum of Understanding (MOU's) process should be considered between developer's and the council to deliver approved Development Plans more efficiently. This would unlock housing and employment in strategically justified areas as far back as 2009, that have not commenced due to landowners conflict with funding background technical reports and the cumbersome processes to approve a Development Plan and commence the planning permit process.
Recommendation 11	Continue to strengthen green wedge policy for non-urban uses and develop policy for the location of Places of Worship and schools. This work could be integrated into the work currently underway for preparation of the Yarra Valley & Dandenong Ranges and Southern Ranges Green Wedge Management Plan.
Recommendation 12	Update the PPF to reflect new and emerging tourism opportunities.

14 Glossary of terms

Green Wedge: The non-urban areas of metropolitan Melbourne that lie outside the Urban Growth Boundary, as described in a metropolitan fringe local government-planning scheme. The green wedge areas were originally set aside in the 1970s to conserve rural activities and significant natural features from Melbourne's outward growth.

Infrastructure Contribution Plan (ICP): Infrastructure contributions help fund essential works and services for new communities including roads, parks, local sports grounds and community facilities such as kindergartens and childcare facilities.

Local Planning Policy Framework (LPPF): Sets a local and regional strategic policy for a municipality in a Planning Scheme. It comprises the MSS and specific local planning policies. The LPPF must not operate inconsistently with the State policy in the PPF and should where possible demonstrate how broader state planning policies will be achieved or implemented in a local context.

Overlays: Land covered by an overlay has been identified as having a unique feature or requiring special attention in the planning process. Overlays, which form part of planning schemes, include the Heritage Overlay, Land Subject to Inundation Overlay, and the Environmental Significance Overlay. Not all land is required to have an overlay applied.

Planning Policy Framework (PPF): Every planning scheme includes the PPF. The PPF was recently implemented by the State government via planning scheme amendment VC148. The PPF replaced the State Planning Policy Framework (SPPF) in all planning schemes. The framework comprises general principles for land use and development in Victoria and specific policies dealing with settlement, environment, housing, economic development, infrastructure and particular uses and development. To ensure integrated decision-making, planning authorities and responsible authorities must take account of and give effect to the general principles and specific policies contained in the PPF.

Planning Scheme: A statutory document, which sets out objectives, policies and provisions for the use, development and protection of land in the area to which it applies.

Planning Panels: A planning panel allows the public to participate in the planning and environmental decision-making process. They independently assess planning proposals by considering submissions, conducting hearings and preparing reports. Planning panels are only advisors and make recommendations. The final decision is left to the appropriate statutory bodies, or the Minister for Planning.

Precinct Structure Plan (PSP): Detailed master plans for future growth corridor developments, informed by growth corridor plans. The plans identify alignments of transport routes, town centres, open space networks, densities of residential areas, and areas for industry and employment.

State Planning Policy Framework (SPPF): Until recently, every planning scheme included the SPPF. The SPPF was recently replaced with the new Planning Policy Framework (PPF) introduced to all Victorian planning schemes via Amendment VC148.

Translation (also PPF Translation): The process to change the policy framework (PPF) to accord with Amendment VC148.

Urban Design Guidelines (UDG): These are a set of principles applied to the development of the vision that is generally about making places that are safer, more liveable, attractive and more sustainable.

Urban Growth Boundary (UGB): The Urban Growth Boundary (UGB) indicates the long-term limits of urban development and where non-urban values and land uses should prevail in metropolitan Melbourne.

Victorian Civil and Administrative Tribunal (VCAT): VCAT is a tribunal that hears and decides civil and administrative legal cases in the State of Victoria, Australia.

Victorian Planning Provisions (VPP): The VPP is a document containing a comprehensive set of planning provisions for Victoria. It is not a planning scheme and does not apply to any land. It is a state-wide reference used as required to construct a planning scheme. It is a statutory device to ensure that consistent provisions for various matters are maintained across Victoria and that the construction and layout of planning schemes is always the same.

Zones: Zones are applied to land to outline the types of use and development permitted on the land.

15 Appendix

Appendix 1 – Summary of PPF (Clauses 11-19)

Settlement 11	Environmental and Landscape Values 12	Environmental Risks and Amenity 13	Natural Resource Management 14	Built Environment and Heritage 15	Housing 16	Economic Development 17	Transport 18	Infrastructure 19
11.01 Victoria 11.01-1 Settlement 11.02 Managing Growth 11.02-1 Supply of Urban Land 11.02-2 Structure Planning 11.02-3 Sequencing of Development 11.03 Planning for Places 11.03-1 Activity Centres 11.03-2 Growth Areas 11.03-3 Peri-urban Areas 11.03-4 Coastal Settlement 11.03-5 Distinctive Areas and Landscapes 11.03-6 Regional and Local Places	12.01 Biodiversity 12.01-1 Protection of Biodiversity 12.01-2 Native Vegetation Management 12.02 Coastal Areas 12.02-1 Protection of Coastal Areas 12.02-2 Coastal Crown Land 12.02-3 Bays 12.03 Water Bodies and Wetlands 12.03-1 River Corridors, Waterways, Lakes and Wetlands 12.04 Alpine Areas 12.04-1 Sustainable Development in Alpine Areas 12.05 Significant Environments and Landscapes 12.05-1 Environmentally Sensitive Areas 12.05-2 Landscapes	13.01 Climate Change Impacts 13.01-1 Natural Hazards and Climate Change 13.01-2 Coastal Inundation and Erosion 13.02 Bushfire 13.02-1 Bushfire Planning 13.03 Floodplains 13.03-1 Floodplain Management 13.04 Soil Degradation 13.04-1 Contaminated and Potentially Contaminated Land 13.04-2 Erosion and Landslip 13.04-3 Salinity 13.05 Noise 13.05-1 Noise Abatement 13.06 Air Quality 13.06-1 Air Quality Management 13.07 Amenity 13.07-1 Land Use Compatibility	14.01 Agriculture 14.01-1 Protection of Agricultural Land 14.01-2 Sustainable Agricultural Land Use 14.01-3 Forestry and Timber Production 14.02 Water 14.02-1 Catchment Planning and Management 14.02-2 Water Quality 14.02-3 Water Conservation 14.03 Earth and Energy Resources 14.03-1 Resource Exploration and Extraction 14.04 Water 14.04-1 Catchment Planning and Management 14.04-2 Water Quality 14.04-3 Water Conservation	15.01 Built Environment 15.01-1 Urban Design 15.01-2 Building Design 15.01-3 Subdivision Design 15.01-4 Healthy Neighbourhoods 15.01-5 Neighbourhood Character 15.01-6 Design for Rural Areas 15.02 Sustainable Development 15.02-1 Energy and Resource Efficiency 15.03 Heritage 15.03-1 Heritage Conservation 15.03-2 Aboriginal Cultural Heritage	16.01 Residential Development 16.01-1 Integrated Housing 16.01-2 Location of Residential Development 16.01-3 Housing Diversity 16.01-4 Housing Affordability 16.01-5 Rural Residential Development 16.01-6 Crisis Accommodation and Community Care Units 16.01-7 Residential Aged Care Facilities	17.01 Employment 17.01-1 Diversified Economy 17.01-2 Innovation and Research 17.02 Commercial 17.02-1 Business 17.02-2 Out-of-centre Development 17.03 Industry 17.03-1 Industrial Land Supply 17.03-2 Industrial Development Siting 17.03-3 State Significant Industrial Land 17.04 Tourism 17.04-1 Facilitating Tourism 17.04-2 Coastal and Maritime Tourism and Recreation	18.01 Integrated Transport 18.01-1 Land Use and Transport Planning 18.01-2 Transport System 18.02 Movement Networks 18.02-1 Sustainable Personal Transport 18.02-2 Public Transport 18.02-3 Road System 18.02-4 Car Parking 18.03 Ports 18.03-1 Planning for Ports 18.03-2 Planning for Port Environs 18.04 Airports 18.04-1 Planning for Airports and Airfields 18.05 Freight 18.05-1 Freight Links	19.01 Energy 19.01-1 Energy Supply 19.01-2 Renewable Energy 19.01-3 Pipeline Infrastructure 19.02 Community Infrastructure 19.02-1 Health Facilities 19.02-2 Education Facilities 19.02-3 Cultural Facilities 19.02-4 Social and Cultural Infrastructure 19.02-5 Emergency Services 19.02-6 Open Space 19.03 Development Infrastructure 19.03-1 Development and Infrastructure Contribution Plans 19.03-2 Infrastructure Design and Provision 19.03-3 Water Supply, Sewage and Drainage 19.03-4 Stormwater 19.03-5 Telecommunications 19.03-6 Waste and Resource Recovery

Appendix 2 – Track Changes Schedules to Zones and Overlays in the Cardinia Planning Scheme

1. Schedule 1 To Clause 42.01 Environmental Significance Overlay (Northern Hills)
2. Schedule 2 To Clause 42.01 Environmental Significance Overlay (Western Port Coastal Wetland Areas)
3. Schedule 4 To Clause 42.01 Environmental Significance Overlay (Pakenham North Ridge)
4. Schedule 7 To Clause 42.01 Environmental Significance Overlay
5. Schedule 1 To Clause 42.02 Vegetation Protection Overlay (Low Density Residential)
6. Schedule 2 To Clause 42.02 Vegetation Protection Overlay (Hills Townships)
7. Schedule 3 To Clause 42.02 Vegetation Protection Overlay (Vegetation Control for Emerald Town Centre)
8. Schedule 1 To Clause 42.03 Significant Landscape Overlay (Puffing Billy Tourist Railway Scenic Corridor)
9. Schedule 3 To Clause 42.03 Significant Landscape Overlay (Lang Lang / Heath Hill)
10. Schedule 5 To Clause 43.04 Development Plan Overlay (Pakenham North-East Residential Precinct)
11. Schedule 10 To Clause 43.04 Development Plan Overlay
12. Schedule 11 To Clause 43.04 Development Plan Overlay
13. Schedule 12 To Clause 43.04 Development Plan Overlay (Rossiter Road, Koo Wee Rup)
14. Schedule 13 To Clause 43.04 Development Plan Overlay
15. Schedule 15 To Clause 43.04 Development Plan Overlay (Lot 1, TP 711091S, Nash Road, Bunyip)
16. Schedule 16 To Clause 43.04 Development Plan Overlay (Cardinia Motor Recreation and Education Park)
17. Schedule 17 To Clause 43.04 Development Plan Overlay (52 James Street Lang Lang)
18. Schedule 18 To Clause 43.04 Development Plan Overlay (Lot A PS527923L & Lot S2 (Part) PS5279230L Gainsborough Avenue, Lang Lang)
19. Schedule 23 To Clause 43.04 Development Plan Overlay (Moody Street Koo Wee Rup Residential Precinct)
20. Schedule To Clause 52.17 Native Vegetation



Cardinia Shire Council
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Email: mail@cardinia.vic.gov.au
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National Relay Service (NRS)
TTY: 133 677 (ask for 1300 787 624)
Speak and Listen (speech-to-speech relay): 1300 555 727 (ask for 1300 787 624)



Translator Interpretation Service
131 450 (ask for 1300 787 624)



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SCHEDULE 1 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

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NORTHERN HILLS

Statement of environmental significance

The hills to the northern part of the municipality (generally to the north of the Princes Highway) is an area with significant landscape and environmental values. The area is characterised by a geology of Devonian Granitic and Sulrian Sediment origin, moderate to steep slopes, and areas of remnant vegetation. These characteristics contribute to environmental values including landscape quality, water quality, and habitat of botanical and zoological significance. These characteristics are also a significant factor in terms of environmental hazards including erosion and fire risk.

The vegetation supports the ecological processes and biodiversity of this area by forming core habitat areas within a complex network of biolink wildlife corridors. Sites containing threatened flora and fauna are defined as being of botanical and zoological significance. Development within and around these sites need to be appropriately managed to ensure the long term protection, enhancement and sustainability of these ecological processes and the maintenance of biodiversity.

2.0 Environmental objective to be achieved

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To protect and enhance the significant environmental and landscape values in the northern hills area including the retention and enhancement of indigenous vegetation.

To ensure that the siting and design of buildings and works does not adversely impact on environmental values including the diverse and interesting landscape, areas of remnant vegetation, hollow bearing trees, habitat of botanical and zoological significance and water quality and quantity.

To ensure that the siting and design of buildings and works addresses environmental hazards including slope, erosion and fire risk, the protection of view lines and maintenance of vegetation as the predominant feature of the landscape.

To protect and enhance biolinks across the landscape and ensure that vegetation is suitable for maintaining the health of species, communities and ecological processes, including the prevention of the incremental loss of vegetation.

3.0 Permit requirement

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A permit is not required to construct a building or construct or carry out works provided all of the following requirements are met:

- Building materials must be non-reflective or subdued colours which complement the environment to the satisfaction of the responsible authority.
- The height of any dwelling must not exceed 7 metres above natural ground level and the height of all other buildings must not exceed 4 metres above natural ground level.
- The works must not involve the excavation of land exceeding 1 metre or filling of land exceeding 1 metre and any disturbed area must be stabilised by engineering works or revegetation to prevent erosion.
- The slope of the land on which the buildings or works are undertaken must not exceed 20%.
- The buildings and works must not result in the removal or destruction of native vegetation (including trees, shrubs, herbs, sedges and grasses) within an area of botanical or zoological significance as shown on the mapped information provided by the Department of Sustainability and Environment, with the exception of Sweet Pittosporum (*Pittosporum undulatum*).

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- If the building is an extension to an existing dwelling that is less than 50 percent of the floor area of the existing building.
- If the building is an outbuilding ancillary to a dwelling, the gross floor area of all outbuildings on the land must not exceed 120 square metres.
- If the building is in a Green Wedge or Rural Conservation Zone and is associated with the existing use of the land for the purposes of agriculture, the gross floor area of the building must not exceed 160 square metres.
- If a building envelope is registered on the plan of subdivision, any building must be located within the building envelope.

~~In addition to the exemptions under Clause 52.12 (Bushfire protection exemptions), a permit is not required to remove, destroy or lop any vegetation if:~~

Commented [EM1]: Response from Environment Team

- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction, or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is undertaken with the written consent of the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- The vegetation is seedlings or regrowth less than 5 years old, the land has previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- The vegetation is to be removed, destroyed or lopped by cutting only to obtain reasonable amounts of wood for personal use by the owner or occupier of the land. Personal use is wood used for firewood, the construction of fences on the same land and hobbies such as craft. This exemption does not apply to:
 - Standing living and dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above natural ground level.
 - Living native vegetation on contiguous land in the same ownership with an area less than 10 hectares.
- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
- It is within 6 metres of an existing dwelling on a lot less than 0.4 hectares.
- It is necessary for the works associated with the normal operation of Puffing Billy Tourist Railway as defined in the Schedule to the Public Use Zone under Clause 36.01 of this Planning Scheme.
- The vegetation is to be pruned or lopped (but not removed) as part of normal domestic or horticultural practice for the species.
- ~~The vegetation is an environmental weed contained in the table below; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay) and there is no condition listed in the table:~~

Commented [EM2]: Response from Environment Team

Botanical name	Common name	Condition
<i>Acacia baileyana</i>	Cootamundra Wattle	

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Botanical-name	Common-name	Condition
<i>Acacia-decurrens</i>	Early Black Wattle	
<i>Acacia-elata</i>	Cedar Wattle	
<i>Acacia-floribunda</i>	White Sallow Wattle	
<i>Acacia-longifolia</i>	Coast/Sallow Wattle	
<i>Acacia-saligna</i>	Golden Wreath Wattle	
<i>Acacia-sophorae</i>	Coastal Wattle	
<i>Acer spp.</i>	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Agapanthus praecox-orientalis</i>	African Lily	
<i>Allium triquetrum</i>	Angled Onion	
<i>Alstromeria aurea</i>	Peruvian Lily	
<i>Amaryllis belladonna</i>	Belladonna Lily	
<i>Anredera cordifolia</i>	Madeira vine	
<i>Anthoxanthum odoratum</i>	Sweet Vernal Grass	
<i>Arbutus unedo</i>	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Arctotheca calendula</i>	Cape Weed	
<i>Asparagus asparagoides</i>	Bridal Creeper	
<i>Asparagus scandens</i>	Asparagus Fern	
<i>Berberis darwinii</i>	Darwin's Berberry	

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<i>Briza-minor</i>	Shivery Grass	
<i>Briza-maxima</i>	Quaking Grass	
<i>Buddleia-variabilis</i>	Butterfly Bush	
<i>Calicotome-spinosa</i>	Spiny broom	
Botanical name	Common name	Condition
<i>Castanea spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum-elegans</i>	Red Cestrum	
<i>Chamaecytisus-palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides-monilifera</i>	Boneseed	
<i>Chrysanthemum-maximum</i>	Shasta Daisy	
<i>Cirsium-vulgare</i>	Spear thistle	
<i>Conium-maculatum</i>	Hemlock	
<i>Convolvulus spp.</i>	Bindweeds	
<i>Conyza-bonariensis</i>	Tall Fleabane	
<i>Coprosma-repens</i>	Mirror Bush	
<i>Coprosma-repens</i>	Tuapata	
<i>Coprosma-robusta</i>	Karamu	
<i>Cornus-capitata</i>	Evergreen Dogwood	
<i>Cortaderia-selloana</i>	Pampas Grass	

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<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crocosmia x crocosmiifolia</i>	Montbretia	
<i>Cytisus palmensis</i>	Tree Lucerne	
<i>Cytisus scoparius</i>	English Broom	
<i>Cynodon dactylon</i>	Couch grass	
<i>Cyperus eragrostis</i>	Drain Flat Sedge	
<i>Delairea odorata</i>	Cape Ivy	
Botanical name	Common name	Condition
<i>Dipogon lignosus</i>	Common Dipogon (Dolichos)	
<i>Dodonea viscosa</i>	Sticky Hop-Bush	
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	
<i>Ehrharta longiflora</i>	Annual Veldt grass	
<i>Erica baccans</i>	Berry-flower Heath	
<i>Erica lusitanica</i>	Spanish Heath	
<i>Euryops abrotanifolius</i>	Euryops	
<i>Foeniculum vulgare</i>	Fennel	
<i>Fraxinus angustifolia</i>	Narrow-leafed Ash	
<i>Fraxinus ornus</i>	Manna Ash	

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<i>Fraxinus oxycarpa</i>	Caucasian Ash	
<i>Galium aparine</i>	Cleavers	
<i>Genista linifolia</i>	Flax-Leaf Broom	
<i>Genista monspessulana</i>	Cape/Montpellier Broom	
<i>Hakea salicifolia</i>	Willow Hakea	
<i>Hakea suaveolens</i>	Sweet Hakea	
<i>Hedra helix</i>	English Ivy	
<i>Holcus lanatus</i>	Yorkshire Fog	
<i>Hypericum androsaemum</i>	Tutsan	
<i>Hypericum perforatum</i>	St. John's Wort	
<i>Hypericum tetrapterum</i>	St. Peter's Wort	
<i>Ilex aquifolium</i>	Holly	
<i>Ipomoea indica</i>	Morning Glory	
Botanical name	Common name	Condition
<i>Lathyrus latifolius</i>	Sweet Pea	
<i>Leycesteria Formosa</i>	Himilayan Honeysuckle	
<i>Lingustrum lucidum</i>	Broad-Leaved Privet	
<i>Ligustrum vulgare</i>	Privet	
<i>Lonicera japonica</i>	Japanese Honeysuckle	
<i>Malus spp</i>	Apple	
<i>Melaleuca armillaris</i>	Giant Honey Myrtle	
<i>Melaleuca hypericifolia</i>	Honey Myrtle	

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<i>Myosotis sylvatica</i>	Common Forget-me-not	
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	
<i>Myrsiphyllum asparagoides</i>	Smilax	
<i>Oenothera stricta</i>	Common Evening Primrose	
<i>Opuntia aurantiaca</i>	Prickly Pear	
<i>Oxalis pes-caprae</i>	Sour sob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp. aff. mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpyllifera</i>	Alkante	
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Botanical name	Common name	Condition
<i>Pittosporum crassifolium</i>	Karo	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygala myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	

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<i>Prunus-cerasifera</i>	Cherry-Plum	Diameter at 1.3 metres above natural-ground-level must not exceed 40 centimetres
<i>Prunus-laurocerasus</i>	Cherry-Laurel	
<i>Prunus-lusitanica</i>	Portugal-Laurel	
<i>Prunus-spp.</i>	Plum	Does not include <i>Prunus-cerasifera</i> (Cherry-Plum)
<i>Psoralea-pinnata</i>	Bloukeur (Pinnate-Scurf-Pea)	
<i>Pyracantha-spp.</i>	Firethorns	
<i>Quercus-spp.</i>	Oak	Diameter at 1.3 metres above natural-ground-level must not exceed 40 centimetres
<i>Ranunculus-repens</i>	Creeping-Buttercup	
<i>Rhamnus-alaternus</i>	Italian-Buckthorn	
<i>Ricinus-communis</i>	Castor-Oil-Plant	
<i>Robinia-pseudacacia</i>	Black-Locust	
<i>Romulea-rosea-var-australis</i>	Onion-Grass	
<i>Rosa-rubiginosa</i>	Sweet-Briar	
<i>Rubus-fruticosus-spp.-agg.</i>	Blackberry	
<i>Salix-babylonica</i>	Weeping-willow	Diameter at 1.3 metres above natural-ground-level must not exceed 40 centimetres
<i>Salix-spp.</i>	Weeping-willow	Diameter at 1.3 metres above natural-ground-level must not exceed 40 centimetres
<i>Salpichroa-origanifolia</i>	Pampas-Lily-of-the-Valley	
Botanical-name	Common-name	Condition
<i>Senecio-jacobaea</i>	Ragwort	
<i>See-Cape-Wattle</i>	False-Wattle	
<i>Solanum-linnaeanum</i>	Apple-of-Sodom	

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<i>Solanum mauritianum</i>	Tree Tobacco
<i>Solanum nigrum</i>	Black Nightshade
<i>Solanum pseudocapsicum</i>	Madeira Winter Cherry
<i>Sollya heterophylla</i>	Blue-bell Creeper
<i>Spartina anglica</i>	Common Cord-grass
<i>Tradescantia fluminensis</i>	Wandering Jew/Trad
<i>Trapaolum majus</i>	Nasturtium
<i>Ulex europaeus</i>	Gorse
<i>Verbascum thapsus</i>	Great Mullein
<i>Viburnum tinus</i>	Laurestinus
<i>Vinca major</i>	Blue Periwinkle
<i>Viola odorata</i>	Fragrant Violet
<i>Viola riviniana</i>	Wood Violet
<i>Watsonia borbonica</i>	Rosy Watsonia
<i>Watsonia meriana var. bulbilifera</i>	Bulbil Watsonia
<i>Zantedeschia aethiopica</i>	White Arum Lily

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Application requirements

The following application requirements apply to an application for a permit under 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Buildings and works:

- The location of any existing buildings and works.
- Details of elevations, including external colours, materials and finishes.
- The location of any existing vegetation and any vegetation proposed to be removed.
- Details of the location and extent of any earthworks.

To remove, destroy or lop native vegetation:

- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
-

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A description of the vegetation including the understorey to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.

- Location of any hollow bearing trees.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
 - Avoid the removal of vegetation, where possible.
 - Minimise the removal of vegetation.
 - Appropriately replace and/ or compensate the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defensible space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defensible space in conjunction with an application under the Bushfire Management Overlay.
- An environmental assessment report prepared by a suitably qualified person and to the satisfaction of the responsible authority.

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10/06/2021

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Decision guidelines

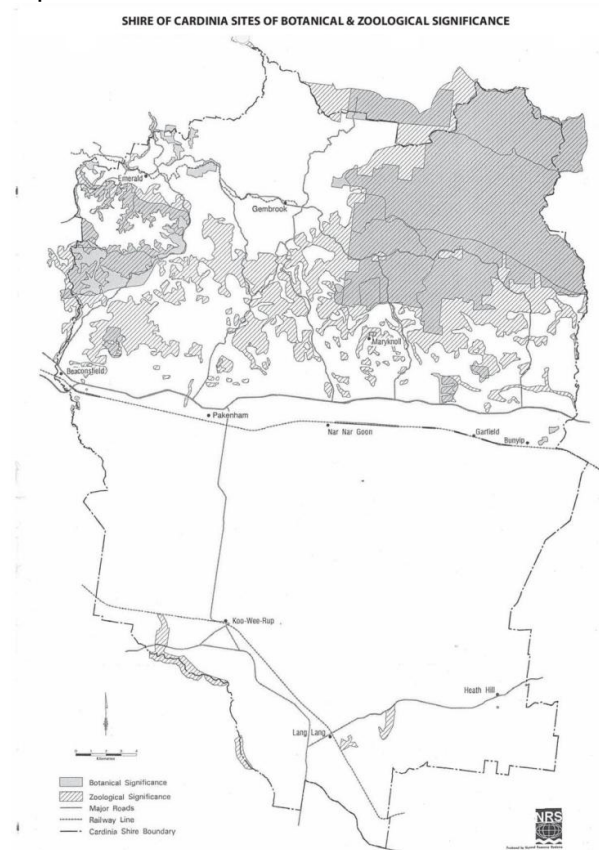
The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the removal of any vegetation has been avoided and/or minimised.
- The Land Capability Study for the Cardinia Shire (February 1997).
- The protection and enhancement of the natural environment and character of the area.
- The retention, protection and enhancement of remnant vegetation and habitat, and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The impact of any buildings and works on areas of remnant vegetation, and habitat of botanical and zoological significance and threatened species.
- The impact of proposed buildings and works on the landscape character of the area, including prominent ridgelines and significant views.
- Whether the siting, height, scale, materials, colours and form of the proposed buildings and works have been designed to have the least visual impact on the environment and landscape.
- The availability of other alternative sites, alternative building designs or alternative construction practices for the proposed buildings and works that minimise cut and fill and would better meet the environmental objectives of this schedule, having regard to the size and topography of the land, retention of vegetation and the form and nature of the proposed buildings and works.
- Measures to address environmental hazards or constraints including slope, erosion, drainage, salinity and fire.

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The protection of waterways and water quality through the appropriate management of effluent disposal, erosion and sediment pollution.

Map 1 to Schedule 1 to Clause 42.01



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Page

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10/06/2021
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SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

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WESTERN PORT COASTAL WETLAND AREAS

Statement of environmental significance

Saltmarsh and mangrove communities co-exist along the northern shores of Western Port. On a global scale, mangroves tend to occupy tropical regions, while the saltmarsh occupy temperate regions, therefore their co-existence in Western Port is environmentally significant.

The mangrove and saltmarsh communities also provide feeding, roosting and breeding habitats for many species of waterbirds, including migratory waders protected under the international RAMSAR agreement, as well as being a nursery area for fish and as a primary food source.

The native vegetation along the coast plays an important role in protecting the coastline by stabilising the soil from coastal erosion which contributes to poor water quality within the bay. Native vegetation also plays a role in providing habitat for threatened species. The retention of vegetation within this area is vital to minimising the disturbance of acid sulphate soils.

2.0 Environmental objective to be achieved

10/06/2021
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To protect the environmentally significant features of Western Port.

To ensure that use and development of land is compatible with the ecological values of Western Port including the protection and replanting of indigenous vegetation.

To ensure that any new development is sensitively designed and sited to reinforce the existing environmental characteristics of the area.

To protect the coastline from erosion and ensure that development avoids the disturbance of coastal acid sulphate soils.

3.0 Permit requirement

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A permit is not required to remove, destroy or lop any vegetation if:

- The vegetation is dead as a result of natural circumstances or as a result of the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is undertaken with the written consent of the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- The vegetation is seedlings or regrowth less than 5 years old, the land has been previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- The vegetation is to be removed, destroyed or lopped by cutting only to obtain reasonable amounts of wood for personal use by the owner or occupier of the land. Personal use is wood used for firewood, the construction of fences on the same land, and hobbies such as craft. This exemption does not apply to:
 - Standing living and dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
 - Living native vegetation on contiguous land in the same ownership with an area less than 10 hectares.

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- It is the removal of any vegetation from an existing dam wall where the vegetation is impacting on the structural stability of the dam wall.
- It is within 6 metres of an existing dwelling on a lot less than 0.4 hectares.
- The vegetation is required to be pruned or lopped (but not removed or destroyed) as part of normal domestic or horticultural practice for the species.
- The vegetation is an environmental weed contained in the table below; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay) and there is no condition listed in the table:

Commented [EM1]: Response from Environment Team

Botanical name	Common name	Condition
<i>Acacia baileyana</i>	Cootamundra Wattle	
<i>Acacia decurrens</i>	Early Black Wattle	
<i>Acacia elata</i>	Cedar Wattle	
<i>Acacia floribunda</i>	White Sallow Wattle	
<i>Acacia saligna</i>	Golden Wreath Wattle	
<i>Acer spp.</i>	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Agapanthus praecox orientalis</i>	African Lily	
<i>Allium triquetrum</i>	Angled Onion	
<i>Alstromeria aurea</i>	Peruvian Lily	
<i>Amaryllis belladonna</i>	Belladonna Lily	
<i>Anredera cordifolia</i>	Madeira vine	
<i>Anthoxanthum odoratum</i>	Sweet Vernal Grass	
<i>Arbutus unedo</i>	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Arctotheca calendula</i>	Cape Weed	
<i>Asparagus asparagoides</i>	Bridal Creeper	

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<i>Asparagus-scandens</i>	Asparagus Fern	
<i>Berberis-darwinii</i>	Darwin's Berberry	
<i>Briza-minor</i>	Shivery Grass	
<i>Briza-maxima</i>	Quaking Grass	
<i>Buddleia-variabilis</i>	Butterfly Bush	
Botanical name	Common name	Condition
<i>Calicotome-spinosa</i>	Spiny broom	
<i>Castanea-spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum-elegans</i>	Red Cestrum	
<i>Chamaecytisus-palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides-monilifera</i>	Boneseed	
<i>Chrysanthemum-maximum</i>	Shasta Daisy	
<i>Cirsium-vulgare</i>	Spear thistle	
<i>Conium-maculatum</i>	Hemlock	
<i>Convolvulus-spp.</i>	Bindweeds	
<i>Conyza-bonariensis</i>	Tall Fleabane	
<i>Coprosma-repens</i>	Mirror Bush	
<i>Coprosma-repens</i>	Tuapata	
<i>Coprosma-robusta</i>	Karamu	

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<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crocosmia x crocosmiifolia</i>	Montbretia	
<i>Cytisus palmensis</i>	Tree Lucerne	
<i>Cytisus scoparius</i>	English Broom	
<i>Cynodon dactylon</i>	Couch grass	
<i>Cyperus eragrostis</i>	Drain Flat Sedge	
Botanical name	Common name	Condition
<i>Delairea odorata</i>	Cape Ivy	
<i>Dipogon lignosus</i>	Common Dipogon (Dolichos)	
<i>Dodonea viscosa</i>	Sticky Hop Bush	
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	
<i>Ehrharta longiflora</i>	Annual Veldt grass	
<i>Erica baccans</i>	Berry flower Heath	
<i>Erica lusitanica</i>	Spanish Heath	
<i>Euryops abrotanifolius</i>	Euryops	
<i>Foeniculum vulgare</i>	Fennel	

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<i>Fraxinus angustifolia</i>	Narrow-leaved-Ash	
<i>Fraxinus ornus</i>	Manna-Ash	
<i>Fraxinus oxycarpa</i>	Caucasian-Ash	
<i>Galium aparine</i>	Cleavers	
<i>Genista linifolia</i>	Flax-Leaf-Broom	
<i>Genista monspessulana</i>	Cape/Montpellier-Broom	
<i>Hakea salicifolia</i>	Willow Hakea	
<i>Hakea suaveolens</i>	Sweet Hakea	
<i>Hedra helix</i>	English-Ivy	
<i>Holcus lanatus</i>	Yorkshire-Fog	
<i>Hypericum androsaemum</i>	Tutsan	
<i>Hypericum perforatum</i>	St-John's-Wort	
<i>Hypericum tetrapterum</i>	St-Peter's-Wort	
<i>Ilex aquifolium</i>	Holly	
Botanical name	Common name	Condition
<i>Ipomoea indica</i>	Morning-Glory	
<i>Lathyrus latifolius</i>	Sweet-Pea	
<i>Leycesteria-Formosa</i>	Himilayan Honeysuckle	
<i>Lingustrum lucidum</i>	Broad-Leaved-Privet	
<i>Ligustrum vulgare</i>	Privet	
<i>Lonicera japonica</i>	Japanese Honeysuckle	
<i>Malus spp</i>	Apple	
<i>Melaleuca armillaris</i>	Giant Honey-Myrtle	
<i>Melaleuca hypericifolia</i>	Honey-Myrtle	

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<i>Myosotis sylvatica</i>	Common Forget-me-not	
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	
<i>Myrsiphyllum asparagoides</i>	Smilax	
<i>Oenothera stricta</i>	Common Evening Primrose	
<i>Opuntia aurantiaca</i>	Prickly Pear	
<i>Oxalis pes-caprae</i>	Sour Sob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp. aff. mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpyllifera</i>	Alkante	
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
Botanical name	Common name	Condition
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Karo	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygala myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	
<i>Prunus cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres

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<i>Prunus laurocerasus</i>	Cherry Laurel	
<i>Prunus lusitanica</i>	Portugal Laurel	
<i>Prunus spp.</i>	Plum	Does not include <i>Prunus cerasifera</i> (Cherry Plum)
<i>Psoralea pinnata</i>	Bloukeur (Pinnate Scurf Pea)	
<i>Pyracantha spp.</i>	Firethorns	
<i>Quercus spp.</i>	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Ranunculus repens</i>	Creeping Buttercup	
<i>Rhamnus alaternus</i>	Italian Buckthorn	
<i>Ricinus communis</i>	Castor Oil Plant	
<i>Robinia pseudacacia</i>	Black Locust	
<i>Romulea rosea var australis</i>	Onion Grass	
<i>Rosa rubiginosa</i>	Sweet Briar	
<i>Rubus fruticosus spp. agg.</i>	Blackberry	
<i>Salix babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Botanical name	Common name	Condition
<i>Salix spp.</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salpichroa origanifolia</i>	Pampas Lily of the Valley	
<i>Senecio jacobaea</i>	Ragwort	

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~~See Cape Wattle~~	~~False Wattle~~
~~Solanum linnaeanum~~	~~Apple of Sodom~~
~~Solanum mauritianum~~	~~Tree Tobacco~~
~~Solanum nigrum~~	~~Black Nightshade~~
~~Solanum pseudocapsicum~~	~~Madeira Winter Cherry~~
~~Sollya heterophylla~~	~~Blue-bell Creeper~~
~~Spartina anglica~~	~~Common Cord-grass~~
~~Tradescantia fluminensis~~	~~Wandering Jew/Trad~~
~~Trapaolum majus~~	~~Nasturtium~~
~~Ulex europaeus~~	~~Gorse~~
~~Verbascum thapsus~~	~~Great Mullein~~
~~Viburnum tinus~~	~~Laurestinus~~
~~Vinca major~~	~~Blue Periwinkle~~
~~Viola odorata~~	~~Fragrant Violet~~
~~Viola riviniana~~	~~Wood Violet~~
~~Watsonia berbonica~~	~~Rosy Watsonia~~
~~Watsonia meriana var. bulbifera~~	~~Bulbil Watsonia~~
~~Zantedeschia aethiopica~~	~~White Arum Lily~~

4.0
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Application requirements

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Buildings and works:

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- The location of any existing buildings and works.
- Details of elevations, including external colours, materials and finishes.
- The location of any existing vegetation and any vegetation including understorey proposed to be removed.
- Details of the location and extent of any earthworks.
- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
- A description of the vegetation including understorey to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.
- Location of any hollow bearing trees.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
 - Avoid the removal of vegetation, where possible.
 - Minimise the removal of vegetation.
 - Appropriately replace, and/or compensate for the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defensible space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defensible space in conjunction with an application under the Bushfire Management Overlay.

5.0
10/06/2021

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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The need to ensure that the environmentally sensitive areas of Western Port are not adversely affected by the proposed use or development of the land.
- The impact of the proposal on coastal processes and the need to protect and enhance environmentally sensitive coastlines.
- Whether the proposed works will have a significant impact on the Western Port Ramsar wetland and require referral under the *Environment Protection and Biodiversity Conservation Act 1999*.
- The capacity of the soil and water to absorb wastes and the design of effluent disposal systems.
The impact on native flora and fauna habitats.
- Whether the building or works or vegetation removal will be detrimental to the landscape of the area.
- The design, location and colour of proposed buildings and works and their impact on the environment.
- The extent of any proposed removal of vegetation, and the location of any buildings and works, in particular:

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- The desirability of retaining or establishing a buffer of native vegetation adjoining waterways, natural drainage lines, along the coastline and any existing vegetation along roads and property boundaries.
- Whether the vegetation has been identified as being of environmental significance.
- Whether the ecological values and environmental characteristics will be enhanced
- Measures to prevent environmental degradation by noxious and environmental weeds and pest animals.
- Measures to improve the water quality to Western Port.
- The location, extent and levels of any excavation or fill or alteration to the natural surface including potential impacts to coastal acid sulphate soils.
- The provisions of State Environment Protection Policy (Waters of Western Port Bay and Catchment).
- The Port Phillip and Westernport Regional Catchment Strategy and Catchment Action Plans prepared under the *Catchment and Land Protection Act 1994*.
- The Coastal Strategy and any Coastal Action Plans or Management Plans prepared under the *Coastal Management Act 1995*.

6.0 Background document

Understanding the Western Port Environment - A summary of current knowledge and priorities for future research (Melbourne Water, 2011)

Victorian Coastal Acid Sulfate Soils Strategy 2009 (CASS Strategy)

Mangroves and Coastal Saltmarsh of Victoria; distribution, condition, threats and management (Boon et al, 2011)

Western Port Ramsar Site Strategic Management Plan (Department of Sustainability and Environment, 2003)

Management of Victoria's Ramsar Wetlands Strategic Directions Statement (Department of Natural Resources and Environment, 2002)

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10/06/2021
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SCHEDULE 4 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO4.

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PAKENHAM NORTH RIDGE

Statement of environmental significance

The Pakenham ridge has regional significance for biodiversity. It makes a substantial contribution to biodiversity in the Gippsland Plain Bioregion as well as the Pakenham area. The area has remnants of Grassy Forest, an ecosystem that is vulnerable in the area. The Cobra Greenhood Orchid (*Pterostylis grandiflora*) which is of state significance, and the Green Scentbark (*Eucalyptus fulgens*) which is of state/national significance, are found in the area. The area is characterised by a geology of Devonian Granitic and Silurian Sediment origin, moderate to steep slopes, and areas of remnant vegetation. These characteristics contribute to environmental values including landscape quality, water quality, and habitat of botanical and zoological significance. These characteristics are also a significant factor contributing to environmental hazards such as erosion, salinity and fire risk, and susceptibility to visual intrusion from buildings and works.

2.0 Environmental objective to be achieved

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To protect and enhance the significant environmental and landscape values of the Pakenham North ridge.

To ensure that the siting and design of buildings and works does not adversely impact on environmental and landscape values including the ridge landform, the diverse and interesting landscape, the natural skyline of ridge areas, areas of remnant vegetation, and habitat of botanical and zoological significance.

To ensure that the siting and design of buildings and works responds to environmental and landscape values, and addresses environmental hazards of erosion, salinity and fire.

To maintain, manage and promote replanting of native vegetation as an important element of the Pakenham North ridge landscape and natural systems.

To ensure long term protection of areas of high conservation value and promote the protection and enhancement of wildlife habitat and corridors.

3.0 Permit requirement

10/06/2021
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A permit is required to construct a fence.

A permit is not required to remove, destroy or lop any vegetation if:

- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or as a result of the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is with the written consent of the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
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The vegetation is required to be pruned or lopped (but not removed or destroyed) as part of normal domestic or horticultural practice for the species.

~~The vegetation is an environmental weed contained in the table below, that is not listed under the Schedule to Clause 43.01 (Heritage Overlay) and there is no condition listed in the table:~~

~~Botanical name~~	~~Common name~~	~~Condition~~
~~<i>Acacia baileyana</i>~~	~~Cootamundra Wattle~~	
~~<i>Acacia decurrens</i>~~	~~Early Black Wattle~~	
~~<i>Acacia elata</i>~~	~~Cedar Wattle~~	
~~<i>Acacia floribunda</i>~~	~~White Sallow Wattle~~	
~~<i>Acacia longifolia</i>~~	~~Coast Sallow Wattle~~	
~~<i>Acacia saligna</i>~~	~~Golden Wreath Wattle~~	
~~<i>Acacia sophorae</i>~~	~~Coastal Wattle~~	
~~<i>Acer spp.</i>~~	~~Maple~~	~~Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres~~
~~<i>Agapanthus praecox orientalis</i>~~	~~African Lily~~	
~~<i>Allium triquetrum</i>~~	~~Angled Onion~~	
~~<i>Alstromeria aurea</i>~~	~~Peruvian Lily~~	
~~<i>Amaryllis belladonna</i>~~	~~Belladonna Lily~~	
~~<i>Anredera cordifolia</i>~~	~~Madeira vine~~	
~~<i>Anthoxanthum odoratum</i>~~	~~Sweet Vernal Grass~~	
~~<i>Arbutus unedo</i>~~	~~Strawberry Tree~~	~~Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres~~

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<i>Arctotheca calendula</i>	Cape Weed	
<i>Asparagus asparagoides</i>	Bridal Creeper	
<i>Asparagus scandens</i>	Asparagus Fern	
<i>Berberis darwinii</i>	Darwin's Berberry	
<i>Betula spp.</i>	Birch	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Briza minor</i>	Shivery Grass	
Botanical name	Common name	Condition
<i>Briza maxima</i>	Quaking Grass	
<i>Buddleia variabilis</i>	Butterfly Bush	
<i>Calicotome spinosa</i>	Spiny broom	
<i>Castanea spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum elegans</i>	Red Cestrum	
<i>Chamaecytisus palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides monilifera</i>	Boneseed	
<i>Chrysanthemum maximum</i>	Shasta Daisy	
<i>Cirsium vulgare</i>	Spear thistle	
<i>Conium maculatum</i>	Hemlock	

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<i>Convolvulus-spp.</i>	Bindweeds	
<i>Conyza bonariensis</i>	Tall Fleabane	
<i>Coprosma repens</i>	Mirror-Bush	
<i>Coprosma repens</i>	Tuapata	
<i>Coprosma robusta</i>	Karamu	
<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster-spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crocosmia x crocosmiifolia</i> Montbretia		
~~<i>Cytisus palmensis</i>~~	~~Tree Lucerne~~	
~~<i>Cytisus scoparius</i>~~	~~English Broom~~	
Botanical-name	Common-name	Condition
<i>Cynodon dactylon</i>	Couch-grass	
<i>Cyperus eragrostis</i>	Drain Flat Sedge	
<i>Delairea odorata</i>	Cape Ivy	
<i>Dipogon lignosus</i>	Common Dipogon (Dolichos)	

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CARDINIA PLANNING SCHEME

<i>Dodonaea viscosa</i>	Sticky Hop-Bush		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Echium plantagineum</i>	Paterson's Curse		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Ehrharta erecta</i>	Panic—Veldt Grass		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Ehrharta longiflora</i>	Annual—Veldt grass		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Erica baecans</i>	Berry-flower Heath		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Erica lusitanica</i>	Spanish Heath		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Eucalyptus botryoides</i>	Southern Mahogany Gum	Diameter—at 1.3-metres above natural ground level—must not exceed 40 centimetres	Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Euryops abrotanifolius</i>	Euryops		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Foeniculum vulgare</i>	Fennel		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Fraxinus angustifolia</i>	Narrow-leafed Ash	Diameter—at 1.3-metres above natural ground level—must not exceed 40 centimetres	Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Fraxinus ornus</i>	Manna-Ash		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Fraxinus oxycarpa</i>	Caucasian-Ash		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Galium aparine</i>	Cleavers		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Genista linifolia</i>	Flax-Leaf-Broom		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Genista monspessulana</i>	Cape/Montpellier Broom		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li

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CARDINIA PLANNING SCHEME

<i>Hakea salicifolia</i>	Willow Hakea	
<i>Hakea sauevolens</i>	Sweet Hakea	
<i>Hedra helix</i>	English Ivy	
<i>Holcus lanatus</i>	Yorkshire Fog	
Botanical name	Common name	Condition
<i>Hypericum androsaemum</i>	Tutsan	
<i>Hypericum perforatum</i>	St John's Wort	
<i>Hypericum tetrapterum</i>	St. Peter's Wort	
<i>Ilex aquifolium</i>	Holly	
<i>Ipomoea indica</i>	Morning Glory	
<i>Lathyrus latifolius</i>	Sweet Pea	
<i>Leptospermum laevigatum</i>	Coast Tea Tree	
<i>Leycesteria formosa</i>	Himalayan Honeysuckle	
<i>Ligustrum lucidum</i>	Broad-Leaved Privet	
<i>Ligustrum vulgare</i>	Privet	
<i>Lonicera japonica</i>	Japanese Honeysuckle	
<i>Malus spp</i>	Apple	
<i>Melaleuca armillaris</i>	Giant Honey Myrtle	
<i>Melaleuca hypericifolia</i>	Honey Myrtle	
<i>Myosotis sylvatica</i>	Common Forget-me-not	

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<i>Myrsiphyllum scandens</i>	Asparagus Fern		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Myrsiphyllum asparagoides</i>	Bridal-Creeper		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Right: 0 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Myrsiphyllum asparagoides</i>	Smilax		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Right: 0 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Oenothera stricta</i>	Common Evening Primrose		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Opuntia aurantiaca</i>	Prickly-Pear		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Oxalis pes-caprae</i>	Soursob		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Portulaca oleracea</i>	Common Purslane		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Paraserianthis lapantha</i>	Cape-Wattle		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
Botanical name	Common name	Condition	
<i>Passiflora</i> sp. aff. <i>mollissima</i>	Banana Passionfruit		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Pentaglottis serpyllifera</i>	Alkante		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Phalaris aquatica</i>	Toowoomba Canary Grass		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Pennisetum clandestinum</i>	Kikuyu		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Phytolacca octandra</i>	Inkweed		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres	Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Pittosporum grassifolium</i>	Karo		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li
<i>Pittosporum undulatum</i>	Sweet Pittosporum		Formatted: Justified, Indent: Left: 2.54 cm, Hanging: 0.4 cm, Space After: 0.45 pt, Line spacing: Multiple 1.04 li

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<i>Polygalia myrtifolia</i>	Myrtle — Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	
<i>Prunus cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Prunus laurocerasus</i>	Cherry Laurel	
<i>Prunus lusitanica</i>	Portugal Laurel	
<i>Prunus</i> spp.	Plum	Except — <i>Prunus cerasifera</i> (Cherry Plum)
<i>Psoralea pinnata</i>	Bloukeur (Pinnate Scurf-Pea)	
<i>Pyracantha</i> spp.	Firethorns	
<i>Quercus</i> spp.	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Ranunculus repens</i>	Creeping Buttercup	
<i>Rhamnus alaternus</i>	Italian Buckthorn	
<i>Ricinus communis</i>	Castor — Oil Plant	
<i>Robinia pseudacacia</i>	Black Locust	
<i>Romulea rosea</i> var <i>australis</i>	Onion Grass	
Botanical name	Common name	Condition
<i>Rosa rubiginosa</i>	Sweet Briar	
<i>Rubus fruticosus</i> spp. agg.	Blackberry	
<i>Salix babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural

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CARDINIA PLANNING SCHEME

		ground level—must not exceed 40 centimetres
<i>Salix spp.</i>	Willow	Diameter—at 1.3 metres above natural ground level—must not exceed 40 centimetres
<i>Salpichroa originifolia</i>	Pampas—Lily of the Valley	
<i>Senecio jacobaea</i>	Ragwort	
<i>See Cape Wattle</i>	False Wattle	
<i>Solanum linnaeanum</i>	Apple—of Sodom	
<i>Solanum mauritianum</i>	Tree Tobacco	
<i>Solanum nigrum</i>	Black Nightshade	
<i>Solanum pseudocapsicum</i>	Madeira Winter Cherry	
<i>Sollya heterophylla</i>	Blue-bell Creeper	
<i>Spartina anglica</i>	Common Cord-grass	
<i>Tradescantia fluminensis</i>	Wandering Jew/Trad	
<i>Trapaecolum majus</i>	Nasturtium	
<i>Ulex europaeus</i>	Gorse	
<i>Verbascum thapsus</i>	Great Mullein	
<i>Viburnum timus</i>	Laurestinus	
<i>Vinca major</i>	Blue Periwinkle	
<i>Viola odorata</i>	Fragrant Violet	
<i>Viola riviniana</i>	Wood-Violet	
<i>Watsonia borbonica</i>	Rosy Watsonia	

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CARDINIA PLANNING SCHEME

~~Watsonia meriana~~ var. ~~bulbillifera~~	~~Bulbil~~ ~~Watsonia~~
Botanical name	Common name
~~Zantedeschia~~ ~~aethiopica~~	~~White Arum~~ ~~Lily~~

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10/06/2021
C254card

Application requirements

The following application requirements apply to an application for a permit under 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Buildings and works:

- The location of any existing buildings and works.
- Details of elevations, including external colours, materials and finishes.
- The location of any existing vegetation and any vegetation proposed to be removed.
- Details of the location and extent of any earthworks.

To remove, destroy or lop native vegetation:

- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
- A description of the vegetation including understory to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.
- Location of any hollow bearing trees.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
 - Avoid the removal of vegetation, where possible.
 - Minimise the removal of vegetation.
 - Appropriately replace and/or compensate the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defensible space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defensible space in conjunction with an application under the Bushfire Management Overlay.

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10/06/2021
C254card

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

General

- The Land Capability Study for the Cardinia Shire (February 1997).
-

CARDINIA PLANNING SCHEME

The need for an environmental and landscape impact assessment report, prepared by a properly qualified person and to the satisfaction of the responsible authority, that includes:

- An appropriate consideration of alternative subdivision layouts and alternative sites for buildings
- Possible design responses and design guidelines
- Consideration of appropriate environmental management practices, including replanting of native vegetation and ongoing protection and management of vegetation and habitat areas.
- The protection and enhancement of environmental significance having regard to:
 - Protecting habitat areas, landscape areas and vantage points of high quality
 - Protecting and enhancing areas of native vegetation
 - Setting development back from the ridgeline to allow appreciation of the ridge landform and topography, and to maintain the natural skyline of the ridge
 - The visual prominence of land above the 60-metre contour as a defining landscape feature
 - The integration of buildings and works with environmental and landscape features
 - Appropriate environmental management practices.
- Measures to address environmental hazards or constraints including erosion, drainage and fire.

Buildings and works

- The impact of any buildings and works on areas of remnant vegetation, and habitat of botanical and zoological significance.
- The impact of proposed buildings and works on the landscape character of the area, including prominent ridgelines and significant views.
- The control of the density of buildings and subdivision necessary to meet environmental objectives.
- The establishment of appropriate building envelopes and the benefits of requiring building envelopes to be shown on plans of subdivision.
- Whether the siting, height, scale, materials, colours and form of proposed buildings and works, including roads and infrastructure service lines, have been designed to have least visual effect on the ridge environment and landscape.
- Whether approval of any proposed buildings and works is compatible with maintaining the visual, natural and cultural significance of the ridge landscape.
- The benefit of permit conditions requiring all building materials to be non-reflective and of colours that are complementary to those of the natural landscape.
- The benefit of conditions requiring the landscaping of buildings and works, while also having regard to the maintenance of existing viewlines.

CARDINIA PLANNING SCHEME

Vegetation and habitat

- The retention of remnant vegetation and wildlife habitat, and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The conservation and enhancement of the area's native vegetation and habitat values, including allowing for natural regeneration of native vegetation
- Providing linked open space and local habitat corridors.
- Maintaining vegetation as a key element of the landscape, and maintaining and enhancing the continuity of vegetation.
- The significance of any vegetation proposed to be removed, including its rarity and habitat value.
- The need to revegetate or landscape the site with native species and dispersing buildings to allow trees to be planted between them.

CARDINIA PLANNING SCHEME

Response to slope

- The availability of other alternative sites, alternative building designs or alternative construction practices for proposed buildings and works that minimise cut and fill and would better meet the environmental objectives of this schedule, having regard to the size and topography of the land, retention of vegetation, and the form and nature of the proposed buildings and works.
- The availability of reasonable alternative routes, alternative designs or alternative forms of installation for roads, access driveways and infrastructure service lines that would avoid impact on vegetation and habitat areas, follow the contours of the land, minimise cut and fill and better meet the environmental objectives of this schedule.
- Locating buildings and works in low lying positions on a site.
- Slope stability and the need for a geotechnical report, particularly where slopes are greater than 20 percent.

Waterways

- The protection of waterways and water quality through the appropriate management of stormwater, effluent disposal, erosion, sediment pollution and the provision and protection of vegetation especially along watercourses.

Salinity

- Whether vegetation retention and revegetation is occurring and whether appropriate management techniques are being put in place to address water table and salinity issues.

6.0 Background documents

Ecological Assessment of Pakenham Ridge, Biosis Research (August 2006)

Indigenous Vegetation Survey – an inventory of sites of biodiversity significance in the Pakenham Growth Corridor and adjoining area Volume 2, Ecology Australia (January 2004)

Pakenham North Ridge Precinct Assessment of Landscape Value, Land Design Partnership (June 2007)

Land Capability Study for the Cardinia Shire (February 1997)

CARDINIA PLANNING SCHEME

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Page

OFFICIAL
CARDINIA PLANNING SCHEME

27/02/2025
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SCHEDULE 7 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO7**.

NAME OF SCHEDULE

Urban Conservation Area

1.0
27/02/2025
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Statement of environmental significance

The development of Melbourne has caused significant impacts to the environment. Melbourne's footprint has resulted in the removal of most native vegetation, and retained habitat areas only support flora and fauna that can survive in a highly fragmented and urbanised landscape. The overall biodiversity of Melbourne is a fraction of what it was prior to European settlement.

As part of the delivery of Melbourne's Newest Sustainable Communities Program, the Victorian Government established a process to identify, permanently protect and manage biodiversity assets that are important within the greater Melbourne region.

This process has determined the location of significant biodiversity assets and identified areas where these can be retained and where urban development is not appropriate and to which this overlay has been applied.

The areas covered by this overlay include some existing conservation reserves, areas of significant remnant native vegetation and a number of areas that provide habitat for threatened flora and fauna

The areas include but are not limited to:

- Important grasslands.
- Grassy eucalypt woodlands.
- Waterways and riparian areas.
- Other important habitat for threatened flora and fauna.

It is important that these areas are retained and managed to ensure that their biodiversity values and any habitat links are protected and enhanced.

Commented [EM1]: Response from Environment Team

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2.0 Environmental objective to be achieved

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- To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity.
- To enhance the environmental and landscape values of the area.
- To ensure that any use, development or management of land within and adjacent to areas of biological significance are compatible with their long-term maintenance and conservation and will not have detrimental impacts on biodiversity values.
- To encourage ecological restoration, regeneration and revegetation with indigenous species within the site.
- To maintain and enhance habitat connectivity for listed threatened species.
- To prevent a decline in the extent and quality of native vegetation and native fauna habitat
- To ensure that the siting and design of any buildings and works maintains the environmental integrity of the land.
- To maintain and enhance the integrity of sites of environmental significance.
- To provide for the long term preservation of the flora and fauna and associated habitat of environmentally significant areas.

3.0 Permit requirement

27/02/2025
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A permit is not required to:

- Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under Section 69 of the *Conservation, Forests and Lands Act 1987*.
- Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or public land manager involving revegetation, or preparatory works associated with revegetation.
- Extend or alter an existing dwelling provided that the gross floor area of that extension or alteration does not exceed 50 square metres and the extension or alteration is more than 5 metres from any existing native vegetation.
- Remove, destroy or lop any vegetation, including dead vegetation:
 - Where the vegetation comprises one or more of the following environmental weed species;
 - Sweet Pittosporum (*Pittosporum undulatum*); – Sallow Wattle(*Acacia longifolia subsp.Longifolia*);
 - Coast Wattle (*Acacia longifolia subsp. Sophorae*).
 - Where the vegetation is a plant proclaimed as a weed under the *Catchment and Land Protection Act 1994*.
 - In order to enable the use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by a building permit granted under the Building Act 1993, before 6 August 2010. This exemption does not apply to vegetation located more than 10 metres from a building.
 - Where the vegetation has been planted or grown for aesthetic or amenity purposes, including agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like. This exemption does not apply if public funding was provided to assist in planting or managing the vegetation for conservation purposes and the terms of the funding did not anticipate removal or harvesting of the vegetation.

CARDINIA PLANNING SCHEME

- For the purpose of maintenance, where no more than one third of the foliage is removed from any individual plant. This exemption does not apply to the pruning or lopping of the trunk of a tree or shrub or to native vegetation within a road or railway reservation.
- To mow or slash grass in a lawn, garden or other planted area for maintenance only.
- To maintain an existing fence where the removal of vegetation is within a combined maximum width of 4 metres either side of the fence.

4.0

27/02/2025

Application requirements

C274card The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A description of any proposed disturbance of surface soil or rocks associated with the proposal.
- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.

An application must also be accompanied by, as appropriate:

- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
 - A flora and fauna survey.
 - A habitat hectare assessment.
 - Identification of the vegetation and habitat significance of the property.
 - A description of the effect of the proposed development in relation to other areas of native vegetation or native fauna habitat, including any proposed reserves, strategic reserves, conservation reserves, streams and waterways.
- A land and environmental management plan prepared by a suitably qualified person identifying, as appropriate:
 - Any proposals for revegetation, including proposed species, and ground stabilisation.
 - How any vegetation removal will be offset (an offset plan), in accordance with Victoria's Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017).
 - Weed management, including species to be targeted and proposed management techniques.
 - Pest animal management, including species to be targeted and proposed management techniques.

If in the opinion of the responsible authority a flora and fauna assessment of the land or a land and environmental management plan is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

5.0

27/02/2025

Decision guidelines**C274card**

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

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- The conservation significance of any vegetation to be removed and its habitat value for native fauna.
- The reason for removing any vegetation and the practicality of any alternative options.
- Measures to protect and enhance native vegetation and native fauna habitat including the retention of land form, surface soils and rocks.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.
- Measures to encourage ecological restoration, regeneration and revegetation with indigenous species.
- Any park management plan, including the potential impact of management activities, such as burning, on any proposed development.
- The impact of the development on any proposed or existing conservation reserves, streams and waterways, including the potential impacts of nutrient and water run-off, increased weed and pest invasion or recreational impacts.
- The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.
- The proposed management practices for the land including:
 - The linking and enlarging of areas of significant flora and fauna habitats.
 - Effective and targeted weed control.
 - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
 - Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
 - Collection of seed and other plant propagules for rehabilitation projects on and off site.
- The results of any flora and fauna survey and assessment of the land.
- Any Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.

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10/06/2021
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SCHEDULE 1 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

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LOW DENSITY RESIDENTIAL

Statement of nature and significance of vegetation to be protected

The low density residential areas within the Shire support substantial areas of remnant indigenous vegetation and mature exotic species. The maintenance and enhancement of the flora habitat is vital for the long term protection of these areas and the native fauna they support. Some of these areas contain small lots which are not protected under the native vegetation controls of Clause 52.17 resulting in areas of vegetation becoming increasingly fragmented.

The remnant vegetation is important for its contribution to habitat and environmental values and processes. This vegetation provides protection to waterways including in the reduction of siltation and contributes to habitat corridors as well as playing a role in supporting soil stability, reducing stormwater runoff, and limiting erosion and salinity.

2.0 Vegetation protection objectives to be achieved

10/06/2021
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To protect and conserve existing vegetation as an important element of the character of low density residential areas.

To maintain and enhance local habitat and biolinks, including hollow bearing trees.

To avoid and minimise the removal of vegetation where it contributes to the management of environmental hazards such as erosion, salinity, siltation of creeks and watercourses, and stormwater runoff.

To ensure that vegetation remains a significant part of the character and visual amenity of these areas, with the built form being located within a landscape, and vegetation being the predominant feature.

3.0 Permit requirement

10/06/2021
C254card

A permit is required to remove, destroy or lop any vegetation. This does not apply if:

- It is exempt under Clause 52.12 (Bushfire Protection: Exemptions) of this Planning Scheme.
- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or as a result of the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is with the written consent of the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- The vegetation is seedlings or regrowth less than 5 years old, the land has previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
- It is within 6 metres of an existing dwelling on a lot of less than 0.4 hectares.
-

Commented [EM1]: Response from Environment Team

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It is necessary for works associated with the normal operation of the Puffing Billy Tourist Railway as defined in the Schedule to the Public Use Zone under Clause 36.01 of this Planning Scheme.

- The vegetation is required to be pruned or lopped (but not removed) as part of normal domestic or horticultural practice for the species.

- The vegetation is an environmental weed contained in the table below; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay) and there is no condition listed in the table;

Commented [EM2]: Response from Environment Team

Botanical name	Common name	Condition
<i>Acacia baileyana</i>	Cootamundra Wattle	
<i>Acacia decurrens</i>	Early Black Wattle	
<i>Acacia elata</i>	Cedar Wattle	
<i>Acacia floribunda</i>	White Sallow Wattle	
<i>Acacia longifolia</i>	Coast/Sallow Wattle	
<i>Acacia saligna</i>	Golden Wreath Wattle	
<i>Acacia sophorae</i>	Coastal Wattle	
<i>Acer spp.</i>	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Agapanthus praecox orientalis</i>	African Lily	
<i>Allium triquetrum</i>	Angled Onion	
<i>Alstromeria aurea</i>	Peruvian Lily	
<i>Amaryllis belladonna</i>	Belladonna Lily	
<i>Anredera cordifolia</i>	Madeira vine	
<i>Anthoxanthum odoratum</i>	Sweet Vernal Grass	
<i>Arbutus unedo</i>	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Arctotheca calendula</i>	Cape Weed	

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CARDINIA PLANNING SCHEME

<i>Asparagus-asparagoides</i>	Bridal Creeper	
<i>Asparagus-scandens</i>	Asparagus Fern	
<i>Berberis-darwinii</i>	Darwin's Berberry	
<i>Briza-minor</i>	Shivery Grass	
Botanical name	Common name	Condition
<i>Briza-maxima</i>	Quaking Grass	
<i>Buddleia-variabilis</i>	Butterfly Bush	
<i>Calicotome-spinosa</i>	Spiny broom	
<i>Castanea-spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum-elegans</i>	Red Cestrum	
<i>Chamaecytisus-palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides-monilifera</i>	Boneseed	
<i>Chrysanthemum-maximum</i>	Shasta Daisy	
<i>Cirsium-vulgare</i>	Spear thistle	
<i>Conium-maculatum</i>	Hemlock	
<i>Convolvulus-spp.</i>	Bindweeds	
<i>Conyza-bonariensis</i>	Tall Fleabane	
<i>Coprosma-repens</i>	Mirror Bush	
<i>Coprosma-repens</i>	Tuapata	

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CARDINIA PLANNING SCHEME

<i>Coprosma robusta</i>	Karamu	
<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crocosmia x crocosmiifolia</i>	Montbretia	
<i>Cytisus palmensis</i>	Tree Lucerne	
<i>Cytisus scoparius</i>	English Broom	
Botanical name	Common name	Condition
<i>Cynodon dactylon</i>	Couch grass	
<i>Cyperus eragrostis</i>	Drain Flat Sedge	
<i>Delairea odorata</i>	Cape Ivy	
<i>Dipogon lignosus</i>	Common Dipogon (Dolichos)	
<i>Dodonea viscosa</i>	Sticky Hop-Bush	
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	
<i>Ehrharta longiflora</i>	Annual Veldt grass	
<i>Erica baccans</i>	Berry-flower Heath	
<i>Erica lusitanica</i>	Spanish Heath	
<i>Euryops abrotanifolius</i>	Euryops	

CARDINIA PLANNING SCHEME

<i>Foeniculum-vulgare</i>	Fennel
<i>Fraxinus-angustifolia</i>	Narrow-leaved-Ash
<i>Fraxinus-ornus</i>	Manna-Ash
<i>Fraxinus-oxycarpa</i>	Caucasian-Ash
<i>Galium-aparine</i>	Cleavers
<i>Genista-linifolia</i>	Flax-Leaf-Broom
<i>Genista-monspensulana</i>	Cape/Montpellier-Broom
<i>Hakea-salicifolia</i>	Willow-Hakea
<i>Hakea-sauveolens</i>	Sweet-Hakea
<i>Hedra-helix</i>	English-Ivy
<i>Holcus-lanatus</i>	Yorkshire-Fog
<i>Hypericum-androsaemum</i>	Tutsan
<i>Hypericum-perforatum</i>	St-John's-Wort
Botanical name	Common name
<i>Hypericum-tetrapterum</i>	St-Peter's-Wort
<i>Ilex-aquifolium</i>	Holly
<i>Ipomoea-indica</i>	Morning-Glory
<i>Lathyrus-latifolius</i>	Sweet-Pea
<i>Leycesteria-Formosa</i>	Himilayan-Honeysuckle
<i>Lingustrum-lucidum</i>	Broad-Leaved-Privet
<i>Ligustrum-vulgare</i>	Privet
<i>Lonicera-japonica</i>	Japanese-Honeysuckle
<i>Malus-spp</i>	Apple
<i>Melaleuca-armillaris</i>	Giant-Honey-Myrtle

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CARDINIA PLANNING SCHEME

<i>Melaleuca hypericifolia</i>	Honey Myrtle	
<i>Myosotis sylvatica</i>	Common Forget-me-not	
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	
<i>Myrsiphyllum asparagoides</i>	Smilax	
<i>Oenothera stricta</i>	Common Evening Primrose	
<i>Opuntia aurantiaca</i>	Prickly Pear	
<i>Oxalis pes-caprae</i>	Sour sob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp. aff. mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpyllifera</i>	Alkante	
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
Botanical name	Common name	Condition
<i>Phytolacca octandra</i>	Inkweed	
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Karo	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygala myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	

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<i>Prunus-cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Prunus-laurocerasus</i>	Cherry Laurel	
<i>Prunus-lusitanica</i>	Portugal Laurel	
<i>Prunus-spp.</i>	Plum	Does not include <i>Prunus cerasifera</i> (Cherry Plum)
<i>Psoralea-pinnata</i>	Bloukeur (Pinnate Scurf-Pea)	
<i>Pyracantha-spp.</i>	Firethorns	
<i>Quercus-spp.</i>	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Ranunculus-repens</i>	Creeping Buttercup	
<i>Rhamnus-alaternus</i>	Italian Buckthorn	
<i>Ricinus-communis</i>	Castor Oil Plant	
<i>Robinia-pseudacacia</i>	Black Locust	
<i>Romulea-rosea-var-australis</i>	Onion Grass	
<i>Rosa-rubiginosa</i>	Sweet Briar	
<i>Rubus-fruticosus-spp.-agg.</i>	Blackberry	
<i>Salix-babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Botanical name	Common name	Condition
<i>Salix-spp.</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salpichroa-origanifolia</i>	Pampas Lily of the Valley	

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<i>Senecio-jacobaea</i>	Ragwort
<i>See-Cape-Wattle</i>	False-Wattle
<i>Solanum-linnaeanum</i>	Apple-of-Sodom
<i>Solanum-mauritianum</i>	Tree-Tobacco
<i>Solanum-nigrum</i>	Black-Nightshade
<i>Solanum-pseudocapsicum</i>	Madeira-Winter-Cherry
<i>Sollya-heterophylla</i>	Blue-bell-Creeper
<i>Spartina-anglica</i>	Common-Cord-grass
<i>Tradescantia-fluminensis</i>	Wandering-Jew/Trad
<i>Trapaecolum-majus</i>	Nasturtium
<i>Ulex-europaeus</i>	Gorse
<i>Verbascum-thapsus</i>	Great-Mullein
<i>Viburnum-timus</i>	Laurestinus
<i>Vinca-major</i>	Blue-Periwinkle
<i>Viola-odorata</i>	Fragrant-Violet
<i>Viola-riviniiana</i>	Wood-Violet
<i>Watsonia-borbonica</i>	Rosy-Watsonia
<i>Watsonia-meriana-var-bulbillifera</i>	Bulbil-Watsonia
<i>Zantedeschia-aethiopica</i>	White-Arums-Lily

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Application requirements

The following application requirements apply to an application for a permit under Clause 42.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
- A description of the vegetation, including understorey to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.
- Location of any hollow bearing trees.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
 - Avoid the removal of vegetation, where possible.
 - Minimise the removal of vegetation.
 - Any actions to contribute to the ongoing management of existing vegetation on the site.
 - Appropriately replace and/or compensate the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defensible space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defensible space in conjunction with an application under the Bushfire Management Overlay.

5.0
10/06/2021
C254card

Decision guidelines

None specified.

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10/06/2021
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SCHEDULE 2 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

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1.0
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C254card

HILLS TOWNSHIPS

Statement of nature and significance of vegetation to be protected

The Hills Townships contain substantial areas of remnant indigenous, and mature exotic vegetation, which are important elements of the character of these residential areas. This vegetation is often of environmental or landscape significance due to topography and view lines and contributes to the visual amenity of these areas.

Some residential areas contain remnant native vegetation, however due to the size of some lots, it is not protected by the native vegetation controls in Clause 52.17. This remnant vegetation is of particular importance as it provides both flora and fauna habitat and enhances local biolinks.

The vegetation in these areas also plays an important function in managing environmental conditions by providing habitat and biolinks, supporting soil stability, reducing stormwater runoff, limiting erosion and salinity and siltation of creeks and watercourses.

2.0 Vegetation protection objectives to be achieved

10/06/2021
C254card

To protect, and conserve existing vegetation as an important element of the character of residential areas in the Hills Townships by ensuring that this vegetation remains the predominant feature within the landscape.

To avoid and minimise the removal of vegetation where it assists in the management of environmental hazards such as erosion, salinity, siltation of creeks and watercourses, and stormwater runoff.

3.0 Permit requirement

10/06/2021
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A permit is required to remove, destroy or lop any vegetation. This does not apply if:

- ~~It is an exemption listed at Clause 52.12 (Bushfire Protection- Exemptions).~~
- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or as a result of the spread of noxious weeds and which have been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is undertaken in consultation with the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- The vegetation is seedlings or regrowth less than 5 years old, the land has been previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
- It is within 6 metres of an existing dwelling a lot less than 0.4 hectares.
- It is necessary for works associated with the normal operation of the Puffing Billy Tourist Railway as defined in the Schedule to the Public Use Zone under this planning scheme.
-

Commented [EM1]: Response from Environment Team

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The vegetation is required to be pruned or lopped (but not removed or destroyed) as part of normal domestic or horticultural practice for the species.

■ The vegetation is an environmental weed contained in the table below, that is not listed under the Schedule to Clause 43.01 (Heritage Overlay) and there is no condition listed in the table:

Commented [EM2]: Response from Environment Team

Botanical name	Common name	Condition
<i>Acacia-baileyana</i>	Cootamundra-Wattle	
<i>Acacia-decurrens</i>	Early-Black-Wattle	
<i>Acacia-elata</i>	Cedar-Wattle	
<i>Acacia-floribunda</i>	White-Sallow-Wattle	
<i>Acacia-longifolia</i>	Coast/Sallow-Wattle	
<i>Acacia-saligna</i>	Golden-Wreath-Wattle	
<i>Acacia-sophorae</i>	Coastal-Wattle	
<i>Acer spp.</i>	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Agapanthus praecox orientalis</i>	African-Lily	
<i>Allium triquetrum</i>	Angled-Onion	
<i>Alstromeria aurea</i>	Peruvian-Lily	
<i>Amaryllis belladonna</i>	Belladonna-Lily	
<i>Anredera cordifolia</i>	Madeira-vine	
<i>Anthoxanthum odoratum</i>	Sweet-Vernal-Grass	
<i>Arbutus unedo</i>	Strawberry-Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Arctotheca calendula</i>	Cape-Weed	

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<i>Asparagus-asparagoides</i>	Bridal Creeper	
<i>Asparagus-scandens</i>	Asparagus Fern	
<i>Berberis-darwinii</i>	Darwin's Berberry	
<i>Briza-minor</i>	Shivery Grass	
<i>Briza-maxima</i>	Quaking Grass	
Botanical name	Common name	Condition
<i>Buddleia-variabilis</i>	Butterfly Bush	
<i>Calicotome-spinosa</i>	Spiny broom	
<i>Castanea-spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum-elegans</i>	Red Cestrum	
<i>Chamaecytisus-palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides-monilifera</i>	Boneseed	
<i>Chrysanthemum-maximum</i>	Shasta Daisy	
<i>Cirsium-vulgare</i>	Spear thistle	
<i>Conium-maculatum</i>	Hemlock	
<i>Convolvulus-spp.</i>	Bindweeds	
<i>Conyza-bonariensis</i>	Tall Fleabane	
<i>Coprosma-repens</i>	Mirror Bush	
<i>Coprosma-repens</i>	Tuapata	

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<i>Coprosma robusta</i>	Karamu	
<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crocosmia x crocosmiifolia</i>	Montbretia	
<i>Cytisus palmensis</i>	Tree Lucerne	
<i>Cytisus scoparius</i>	English Broom	
<i>Cynodon dactylon</i>	Couch grass	
Botanical name	Common name	Condition
<i>Cyperus eragrostis</i>	Drain Flat Sedge	
<i>Delairea odorata</i>	Cape Ivy	
<i>Dipogon lignosus</i>	Common Dipogon (Dolichos)	
<i>Dodonea viscosa</i>	Sticky Hop Bush	
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	
<i>Ehrharta longiflora</i>	Annual Veldt grass	
<i>Erica baccans</i>	Berry flower Heath	
<i>Erica lusitanica</i>	Spanish Heath	
<i>Euryops abrotanifolius</i>	Euryops	

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<i>Foeniculum-vulgare</i>	Fennel	
<i>Fraxinus-angustifolia</i>	Narrow-leaved-Ash	
<i>Fraxinus-ornus</i>	Manna-Ash	
<i>Fraxinus-oxycarpa</i>	Caucasian-Ash	
<i>Galium-aparine</i>	Cleavers	
<i>Genista-linifolia</i>	Flax-Leaf-Broom	
<i>Genista-monspessulana</i>	Cape/Montpellier-Broom	
<i>Hakea-salicifolia</i>	Willow-Hakea	
<i>Hakea-sauveolens</i>	Sweet-Hakea	
<i>Hedra-helix</i>	English-Ivy	
<i>Holcus-lanatus</i>	Yorkshire-Fog	
<i>Hypericum-androsaemum</i>	Tutsan	
<i>Hypericum-perforatum</i>	St-John's-Wort	
<i>Hypericum-tetrapterum</i>	St.-Peter's-Wort	
Botanical-name	Common-name	Condition
<i>Ilex-aquifolium</i>	Holly	
<i>Ipomoea-indica</i>	Morning-Glory	
<i>Lathyrus-latifolius</i>	Sweet-Pea	
<i>Leycesteria-Formosa</i>	Himilayan-Honeysuckle	
<i>Ligustrum-lucidum</i>	Broad-Leaved-Privet	
<i>Ligustrum-vulgare</i>	Privet	
<i>Lonicera-japonica</i>	Japanese-Honeysuckle	
<i>Malus-spp</i>	Apple	
<i>Melaleuca-armillaris</i>	Giant-Honey-Myrtle	

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<i>Melaleuca hypericifolia</i>	Honey Myrtle	
<i>Myosotis sylvatica</i>	Common Forget-me-not	
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	
<i>Myrsiphyllum asparagoides</i>	Smilax	
<i>Oenothera stricta</i>	Common Evening Primrose	
<i>Opuntia aurantiaca</i>	Prickly Pear	
<i>Oxalis pes-caprae</i>	Soursob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp. aff. mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpyllifera</i>	Alkante	
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
Botanical name	Common name	Condition
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Kare	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygala myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	

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<i>Prunus-cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Prunus-laurocerasus</i>	Cherry Laurel	
<i>Prunus-lusitanica</i>	Portugal Laurel	
<i>Prunus-spp.</i>	Plum	Does not include <i>Prunus-cerasifera</i> (Cherry Plum)
<i>Psoralea-pinnata</i>	Bloukeur (Pinnate Scurf Pea)	
<i>Pyracantha-spp.</i>	Firethorns	
<i>Quercus-spp.</i>	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Ranunculus-repens</i>	Creeping Buttercup	
<i>Rhamnus-alaternus</i>	Italian Buckthorn	
<i>Ricinus-communis</i>	Castor Oil Plant	
<i>Robinia-pseudacacia</i>	Black Locust	
<i>Romulea-rosea-var-australis</i>	Onion Grass	
<i>Rosa-rubiginosa</i>	Sweet Briar	
<i>Rubus-fruticosus-spp.-agg.</i>	Blackberry	
<i>Salix-babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
Botanical name	Common name	Condition
<i>Salix-spp.</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salpichroa-origanifolia</i>	Pampas Lily of the Valley	

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<i>Senecio-jacobaea</i>	Ragwort
<i>See-Cape-Wattle</i>	False-Wattle
<i>Solanum-linnaeanum</i>	Apple-of-Sodom
<i>Solanum-mauritianum</i>	Tree-Tobacco
<i>Solanum-nigrum</i>	Black-Nightshade
<i>Solanum-pseudocapsicum</i>	Madeira-Winter-Cherry
<i>Sollya-heterophylla</i>	Blue-bell-Creeper
<i>Spartina-anglica</i>	Common-Cord-grass
<i>Tradescantia-fluminensis</i>	Wandering-Jew/Trad
<i>Trapaecolum-majus</i>	Nasturtium
<i>Ulex-europaeus</i>	Gorse
<i>Verbascum-thapsus</i>	Great-Mullein
<i>Viburnum-timus</i>	Laurestinus
<i>Vinca-major</i>	Blue-Periwinkle
<i>Viola-odorata</i>	Fragrant-Violet
<i>Viola-riviniana</i>	Wood-Violet
<i>Watsonia-borbonica</i>	Rosy-Watsonia
<i>Watsonia-meriana-var-bulbillifera</i>	Bulbil-Watsonia
<i>Zantedeschia-aethiopica</i>	White-Arum-Lily

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CARDINIA PLANNING SCHEME

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Application requirements

The following application requirements apply to an application for a permit under Clause 42.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
- A description of the vegetation, including any understorey to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.
- Location of any hollow bearing trees.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
 - Avoid the removal of vegetation, where possible.
 - Minimise the removal of vegetation.
 - Any actions to contribute to the ongoing management of existing vegetation on the site.
 - Appropriately replace and/ or compensate the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defensible space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defensible space in conjunction with an application under the Bushfire Management Overlay.

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Decision guidelines

None specified.

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SCHEDULE 3 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

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VEGETATION CONTROL FOR EMERALD TOWN CENTRE

Statement of nature and significance of vegetation to be protected

Vegetation is an important element that contributes to the character of the hills townships, and is often of environmental or landscape significance. Within the Emerald Town Centre are areas of indigenous vegetation as well as exotic and deciduous vegetation that contribute to the character of the township. Hedge plantings of exotic species are notable features along BelgraveGembrook Road and roadside vegetation supports rare species such as the Emerald Star Bush. Some of these areas contain small lots and/or mature exotic vegetation which is not protected under the native vegetation controls of Clause 52.17 resulting in areas of vegetation becoming increasingly fragmented. The vegetation in the Emerald Town Centre:

- Provides a canopy backdrop to the built form
- Frames views across the valley corridor to the north
- Is a dominant element, with built form being recessive, particularly in the central commercial area of the township.
- Is provided in wide road reserves or, where the reserve is narrow, in large setbacks
- Is multi-layered and includes canopy trees as well as understorey
- Indicates the changing topography of the township, as it follows the ridgelines and surrounding valleys.

Emerald is also known for its historical connections to horticultural activities which has formed the basis for some of its exotic street tree plantings.

2.0 Vegetation protection objectives to be achieved

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To protect and conserve existing vegetation as an important element of the character of the Emerald Town Centre.

To prevent the incremental loss of vegetation.

3.0 Permit requirement

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A permit is required to remove, destroy or lop any vegetation. This includes the hedge plantings along Belgrave-Gembrook Road.

This does not apply if:

- ~~It is an exemption listed at Clause 52.12 (Bushfire Protection: Exemptions).~~
- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or as the result of the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is undertaken in consultation with the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.

Commented [EM1]: Response from Environment Team

CARDINIA PLANNING SCHEME

- The vegetation is seedlings or regrowth less than 5 years old, the land has been previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- It is necessary for works associated with the normal operation of the Puffing Billy Tourist Railway as defined in the Schedule to the Public Use Zone under this planning scheme.
- The vegetation is required to be pruned or lopped (but not removed) as part of normal horticultural practice for the species.

▪ The vegetation is an environmental weed contained in the table below; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay) and there is no condition listed in the table;

Commented [EM2]: Response from Environment Team

Botanical name	Common name	Condition
<i>Acacia-baileyana</i>	Cootamundra-Wattle	
<i>Acacia-decurrens</i>	Early-Black-Wattle	
<i>Acacia-elata</i>	Cedar-Wattle	
<i>Acacia-floribunda</i>	White-Sallow-Wattle	
<i>Acacia-longifolia</i>	Coast/Sallow-Wattle	
<i>Acacia-saligna</i>	Golden-Wreath-Wattle	
<i>Acacia-sophorae</i>	Coastal-Wattle	
<i>Acer spp.</i>	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Agapanthus-praecox-orientalis</i>	African-Lily	
<i>Allium-triquetrum</i>	Angled-Onion	
<i>Alstromeria-aurea</i>	Peruvian-Lily	
<i>Amaryllis-belladonna</i>	Belladonna-Lily	
<i>Anredera-cordifolia</i>	Madeira-vine	
<i>Anthoxanthum-odoratum</i>	Sweet-Vernal-Grass	
<i>Arbutus-unedo</i>	Strawberry-Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres

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<i>Arctotheca calendula</i>	Cape Weed	
<i>Asparagus asparagoides</i>	Bridal Creeper	
<i>Asparagus scandens</i>	Asparagus Fern	
Botanical name	Common name	Condition
<i>Berberis darwinii</i>	Darwin's Berberry	
<i>Briza minor</i>	Shivery Grass	
<i>Briza maxima</i>	Quaking Grass	
<i>Buddleia variabilis</i>	Butterfly Bush	
<i>Calicotome spinosa</i>	Spiny broom	
<i>Castanea spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum elegans</i>	Red Cestrum	
<i>Chamaecytisus palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides monilifera</i>	Boneseed	
<i>Chrysanthemum maximum</i>	Shasta Daisy	
<i>Cirsium vulgare</i>	Spear thistle	
<i>Conium maculatum</i>	Hemlock	
<i>Convolvulus spp.</i>	Bindweeds	
<i>Conyza bonariensis</i>	Tall Fleabane	
<i>Coprosma repens</i>	Mirror Bush	

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<i>Coprosma repens</i>	Tuapata	
<i>Coprosma robusta</i>	Karamu	
<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crocosmia x crocosmiifolia</i>	Montbretia	
Botanical name	Common name	Condition
<i>Cytisus palmensis</i>	Tree Lucerne	
<i>Cytisus scoparius</i>	English Broom	
<i>Cynodon dactylon</i>	Couch grass	
<i>Cyperus eragrostis</i>	Drain Flat Sedge	
<i>Delairea odorata</i>	Cape Ivy	
<i>Dipogon lignosus</i>	Common Dipogon (Dolichos)	
<i>Dedonea viscosa</i>	Sticky Hop Bush	
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	
<i>Ehrharta longiflora</i>	Annual Veldt grass	
<i>Erica baccans</i>	Berry-flower Heath	
<i>Erica lusitanica</i>	Spanish Heath	
<i>Euryops abrotanifolius</i>	Euryops	

CARDINIA PLANNING SCHEME

<i>Foeniculum-vulgare</i>	Fennel	
<i>Fraxinus-angustifolia</i>	Narrow-leaved-Ash	
<i>Fraxinus-ornus</i>	Manna-Ash	
<i>Fraxinus-oxycarpa</i>	Caucasian-Ash	
<i>Galium-aparine</i>	Cleavers	
<i>Genista-linifolia</i>	Flax-Leaf-Broom	
<i>Genista-monspensulana</i>	Cape/Montpellier-Broom	
<i>Hakea-salicifolia</i>	Willow-Hakea	
<i>Hakea-sauveolens</i>	Sweet Hakea	
<i>Hedra-helix</i>	English-Ivy	
<i>Holcus-lanatus</i>	Yorkshire-Fog	
Botanical-name	Common-name	Condition
<i>Hypericum-androsaemum</i>	Tutsan	
<i>Hypericum-perforatum</i>	St-John's-Wort	
<i>Hypericum-tetrapterum</i>	St-Peter's-Wort	
<i>Ilex-aquifolium</i>	Holly	
<i>Ipomoea-indica</i>	Morning-Glory	
<i>Lathyrus-latifolius</i>	Sweet-Pea	
<i>Leycesteria-Formosa</i>	Himilayan-Honeysuckle	
<i>Lingustrum-lucidum</i>	Broad-Leaved-Privet	
<i>Ligustrum-vulgare</i>	Privet	
<i>Lonicera-japonica</i>	Japanese-Honeysuckle	
<i>Malus-spp</i>	Apple	
<i>Melaleuca-armillaris</i>	Giant-Honey-Myrtle	

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<i>Melaleuca hypericifolia</i>	Honey Myrtle	
<i>Myosotis sylvatica</i>	Common Forget-me-not	
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	
<i>Myrsiphyllum asparagoides</i>	Smilax	
<i>Oenothera stricta</i>	Common Evening Primrose	
<i>Opuntia aurantiaca</i>	Prickly Pear	
<i>Oxalis pes-caprae</i>	Soursob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp. aff. mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpyllifera</i>	Alkante	
Botanical name	Common name	Condition
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Kare	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygala myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	

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<i>Prunus-cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Prunus-laurocerasus</i>	Cherry Laurel	
<i>Prunus-lusitanica</i>	Portugal Laurel	
<i>Prunus-spp.</i>	Plum	Does not include <i>Prunus-cerasifera</i> (Cherry Plum)
<i>Psoralea-pinnata</i>	Bloukeur (Pinnate Scurf-Pea)	
<i>Pyracantha-spp.</i>	Firethorns	
<i>Quercus-spp.</i>	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Ranunculus-repens</i>	Creeping Buttercup	
<i>Rhamnus-alaternus</i>	Italian Buckthorn	
<i>Ricinus-communis</i>	Castor Oil Plant	
<i>Robinia-pseudacacia</i>	Black Locust	
<i>Romulea-rosea-var-australis</i>	Onion Grass	
<i>Rosa-rubiginosa</i>	Sweet Briar	
<i>Rubus-fruticosus-spp.-agg.</i>	Blackberry	
Botanical name	Common name	Condition
<i>Salix-babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salix-spp.</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres

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<i>Salpichroa origanifolia</i>	Pampas Lily of the Valley
<i>Senecio jacobaea</i>	Ragwort
<i>See Cape Wattle</i>	False Wattle
<i>Solanum linnaeanum</i>	Apple of Sodom
<i>Solanum mauritianum</i>	Tree Tobacco
<i>Solanum nigrum</i>	Black Nightshade
<i>Solanum pseudocapsicum</i>	Madeira Winter Cherry
<i>Sollya heterophylla</i>	Blue-bell Creeper
<i>Spartina anglica</i>	Common Cord-grass
<i>Tradescantia fluminensis</i>	Wandering Jew/Trad
<i>Trapaecolum majus</i>	Nasturtium
<i>Ulex europaeus</i>	Gorse
<i>Verbascum thapsus</i>	Great Mullein
<i>Viburnum tinus</i>	Laurestinus
<i>Vinca major</i>	Blue Periwinkle
<i>Viola odorata</i>	Fragrant Violet
<i>Viola riviniana</i>	Wood Violet
<i>Watsonia borbonica</i>	Rosy Watsonia
<i>Watsonia meriana var. bulbifera</i>	Bulbil Watsonia
<i>Zantedeschia aethiopica</i>	White Arum Lily

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4.0

10/06/2021

Application requirements

C254card The following application requirements apply to an application for a permit under Clause 42.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
- A description of the vegetation to be removed, including the understorey, species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.
- Location of any hollow bearing trees.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
 - Avoid the removal of vegetation, where possible.
 - Minimise the removal of vegetation.
 - Any actions to contribute to the ongoing management of existing vegetation on the site.
 - Appropriately replace and/or compensate the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defensible space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defensible space in conjunction with an application under the Bushfire Management Overlay.

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10/06/2021

Decision guidelines**C254card**

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The conservation and enhancement of the landscape character and biodiversity of the area.
- The contribution to the visual amenity of the area and the impact on the landscape character of the area.

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SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO1**.

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PUFFING BILLY TOURIST RAILWAY SCENIC CORRIDOR

Statement of nature and key elements of landscape

The Puffing Billy Tourist Railway is a significant part of Victoria's cultural heritage and is a popular tourist attraction within the region. A major attraction of the Puffing Billy Tourist Railway is the scenic views over rural and natural landscapes as it passes through the foothills of the Dandenong Ranges. It is important that the landscape and environmental qualities of the scenic corridor, which has been recognised by the National Trust, are protected and that any development is sited and designed to integrate with or enhance the landscape.

The scenic corridor also provides an important biolink between the Dandenong Ranges National Park in the west, parks adjacent to the corridor such as Wright Forest and parks to the east such as Gembrook Park and further to the east, Bunyip State Park. Rare plants such as the Emerald Star Bush are found along the corridor.

Background documents: "Puffing Billy Corridor Landscape Evaluation Study" (Scenic Spectrums, May 1992)

2.0 Landscape character objectives to be achieved

10/06/2021
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To recognise the importance of the rural and natural landscape in the scenic corridor and views from the railway line as a significant attraction of the Puffing Billy Tourist Railway.

To ensure that any development on land within the scenic corridor is appropriately sited and designed to have a minimal impact in the immediate corridor and viewlines.

To encourage the retention of vegetation and, wherever possible, promote natural regeneration, revegetation, reforestation and long-term management of vegetation to prevent the incremental loss of vegetation.

To support the biolink along the corridor.

3.0 Permit requirement

10/06/2021
C254card

A permit is not required to construct a building or construct or carry out works associated with the day-to-day operation of the Puffing Billy Tourist Railway by the Emerald Tourist Railway Board, including to remove, destroy or lop vegetation as defined in the Schedule to the Public Use Zone at Clause 36.01 under this Planning Scheme.

~~A permit is not required to construct a building or construct or carry out works provided all of the following requirements are met:~~

- ~~▪ Building materials and finishes are non-reflective and subdued colours which complement the environment to the satisfaction of the Responsible Authority.~~
- ~~▪ The height of any dwelling does not exceed 7 metres above natural ground level and the height of all other buildings does not exceed 4 metres above natural ground level.~~

~~In addition to the exemptions under Clause 52.12 (Bushfire Protection: Exemptions), a permit is not required to remove, destroy or lop any vegetation if:~~

~~A permit is required to remove, destroy or lop any vegetation. This does not apply if:~~

- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the

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CARDINIA PLANNING SCHEME

responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is undertaken in consultation with the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- The vegetation is seedlings or regrowth less than 5 years old, the land has been previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- The vegetation is to be removed, destroyed or lopped by cutting only to obtain reasonable amounts of wood for personal use by the owner or occupier of the land. Personal use is wood used for firewood, the construction of fences on the same land, and hobbies such as craft. This exemption does not apply to:
 - Standing living and dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
 - Living native vegetation on contiguous land in the same ownership with an area less than 10 hectares.
- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
- It is within 6 metres of an existing dwelling on a lot less than 0.4 hectares.
- The vegetation is required to be pruned or lopped (but not removed) as part of normal domestic or horticultural practice for the species.

■ The vegetation is an environmental weed contained in the table below; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay) and there is no condition listed in the table.

Botanical name	Common name	Condition
<i>Acacia baileyana</i>	Cootamundra Wattle	
<i>Acacia decurrens</i>	Early Black Wattle	
<i>Acacia elata</i>	Cedar Wattle	
<i>Acacia floribunda</i>	White Sallow Wattle	
<i>Acacia longifolia</i>	Coast/Sallow Wattle	
<i>Acacia saligna</i>	Golden Wreath Wattle	
<i>Acacia sophorae</i>	Coastal Wattle	
<i>Acer spp.</i>	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres

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<i>Agapanthus praecox-orientalis</i>	African Lily	
<i>Allium triquetrum</i>	Angled Onion	
<i>Alstromeria aurea</i>	Peruvian Lily	
<i>Amaryllis belladonna</i>	Belladonna Lily	
Botanical name	Common name	Condition
<i>Anredera cordifolia</i>	Madeira vine	
<i>Anthoxanthum odoratum</i>	Sweet Vernal Grass	
<i>Arbutus unedo</i>	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Arctotheca calendula</i>	Cape Weed	
<i>Asparagus asparagoides</i>	Bridal Creeper	
<i>Asparagus scandens</i>	Asparagus Fern	
<i>Berberis darwinii</i>	Darwin's Berberry	
<i>Briza minor</i>	Shivery Grass	
<i>Briza maxima</i>	Quaking Grass	
<i>Buddleia variabilis</i>	Butterfly Bush	
<i>Calicotome spinosa</i>	Spiny broom	
<i>Castanea spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum elegans</i>	Red Cestrum	
<i>Chamaecytisus palmensis</i>	Tree Lucerne	

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<i>Chrysanthemoides-monilifera</i>	Boneseed	
<i>Chrysanthemum-maximum</i>	Shasta-Daisy	
<i>Cirsium-vulgare</i>	Spear-thistle	
<i>Conium-maculatum</i>	Hemlock	
<i>Convolvulus-spp.</i>	Bindweeds	
<i>Conyza-bonariensis</i>	Tall Fleabane	
<i>Coprosma-repens</i>	Mirror-Bush	
<i>Coprosma-repens</i>	Tuapata	
<i>Coprosma-robusta</i>	Karamu	
Botanical-name	Common-name	Condition
<i>Cornus-capitata</i>	Evergreen-Dogwood	
<i>Cortaderia-selloana</i>	Pampas-Grass	
<i>Corymbia-maculata</i>	Spotted-Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster-spp.</i>	Cotoneaster	
<i>Crataegus-monogyna</i>	Hawthorn	
<i>Crocosmia-x-crocosmiifolia</i>	Montbretia	
<i>Cytisus-palmensis</i>	Tree-Lucerne	
<i>Cytisus-scoparius</i>	English-Broom	
<i>Cynodon-dactylon</i>	Couch-grass	

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<i>Cyperus-erogrostis</i>	Drain-Flat Sedge	
<i>Delairea-odorata</i>	Cape Ivy	
<i>Dipogon-lignosus</i>	Common-Dipogon-(Dolichos)	
<i>Dodonea-viscose</i>	Sticky-Hop-Bush	
<i>Echium-plantagineum</i>	Paterson's-Curse	
<i>Ehrharta-erecta</i>	Panic-Veldt-Grass	
<i>Ehrharta-longiflora</i>	Annual-Veldt-grass	
<i>Erica-baccans</i>	Berry-flower-Heath	
<i>Erica-lusitanica</i>	Spanish-Heath	
<i>Euryops-abrotanifolius</i>	Euryops	
<i>Foeniculum-vulgare</i>	Fennel	
<i>Fraxinus-angustifolia</i>	Narrow-leafed-Ash	
<i>Fraxinus-ornus</i>	Manna-Ash	
<i>Fraxinus-oxycarpa</i>	Caucasian-Ash	
Botanical-name	Common-name	Condition
<i>Galium-aparine</i>	Cleavers	
<i>Genista-linifolia</i>	Flax-Leaf-Broom	
<i>Genista-monspessulana</i>	Cape/Montpellier-Broom	
<i>Hakea-salicifolia</i>	Willow-Hakea	
<i>Hakea-sauveolens</i>	Sweet-Hakea	
<i>Hedra-helix</i>	English-Ivy	

CARDINIA PLANNING SCHEME

<i>Holcus-lanatus</i>	Yorkshire-Fog	
<i>Hypericum-androsaemum</i>	Tutsan	
<i>Hypericum-perforatum</i>	St-John's-Wort	
<i>Hypericum-tetrapterum</i>	St-Peter's-Wort	
<i>Ilex-aquifolium</i>	Holly	
<i>Ipomoea-indica</i>	Morning-Glory	
<i>Lathyrus-latifolius</i>	Sweet-Pea	
<i>Leycesteria-Formosa</i>	Himilayan-Honeysuckle	
<i>Ligustrum-lucidum</i>	Broad-Leaved-Privet	
<i>Ligustrum-vulgare</i>	Privet	
<i>Lonicera-japonica</i>	Japanese-Honeysuckle	
<i>Malus-spp</i>	Apple	
<i>Melaleuca-armillaris</i>	Giant-Honey-Myrtle	
<i>Melaleuca-hypericifolia</i>	Honey-Myrtle	
<i>Myosotis-sylvatica</i>	Common-Forget-me-not	
<i>Myrsiphyllum-scandens</i>	Asparagus-Fern	
<i>Myrsiphyllum-asparagoides</i>	Bridal-Creeper	
<i>Myrsiphyllum-asparagoides</i>	Smilax	
Botanical-name	Common-name	Condition
<i>Oenothera-stricta</i>	Common-Evening-Primrose	
<i>Opuntia-aurantiaca</i>	Prickly-Pear	
<i>Oxalis-pes-caprae</i>	Sour-sob	
<i>Portulaca-oleracea</i>	Common-Purslane	

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<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp.-aff.-mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpyllifera</i>	Alkante	
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Karo	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygala myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	
<i>Prunus cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Prunus laurocerasus</i>	Cherry Laurel	
<i>Prunus lusitanica</i>	Portugal Laurel	
<i>Prunus spp.</i>	Plum	Does not include Prunus cerasifera (Cherry Plum)
<i>Psoralea pinnata</i>	Bloukeur (Pinnate Scurf Pea)	
<i>Pyracantha spp.</i>	Firethorns	
<i>Quercus spp.</i>	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres

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CARDINIA PLANNING SCHEME

Botanical-name	Common-name	Condition
<i>Ranunculus repens</i>	Creeping Buttercup	
<i>Rhamnus alaternus</i>	Italian Buckthorn	
<i>Ricinus communis</i>	Castor-Oil Plant	
<i>Robinia pseudacacia</i>	Black Locust	
<i>Romulea rosea var australis</i>	Onion-Grass	
<i>Rosa rubiginosa</i>	Sweet Briar	
<i>Rubus fruticosus</i> spp. agg.	Blackberry	
<i>Salix babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salix</i> spp.	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salpichroa origanifolia</i>	Pampas Lily of the Valley	
<i>Senecio jacobaea</i>	Ragwort	
See Cape Wattle	False Wattle	
<i>Solanum linnaeanum</i>	Apple of Sodom	
<i>Solanum mauritianum</i>	Tree Tobacco	
<i>Solanum nigrum</i>	Black Nightshade	
<i>Solanum pseudocapsicum</i>	Madeira Winter Cherry	
<i>Sollya heterophylla</i>	Blue-bell Creeper	
<i>Spartina anglica</i>	Common Cord-grass	
<i>Tradescantia fluminensis</i>	Wandering Jew/Trad	
<i>Trapaecolum majus</i>	Nasturtium	
<i>Ulex europaeus</i>	Gorse	
<i>Verbascum thapsus</i>	Great Mullein	

CARDINIA PLANNING SCHEME

<i>Viburnum tinus</i>	Laurestinus	
Botanical name	Common name	Condition
<i>Vinca major</i>	Blue Periwinkle	
<i>Viola odorata</i>	Fragrant Violet	
<i>Viola riviniana</i>	Wood Violet	
<i>Watsonia borbonica</i>	Rosy Watsonia	
<i>Watsonia meriana var. bulbifera</i>	Bulbil Watsonia	
<i>Zantedeschia aethiopica</i>	White Arum Lily	

4.0

10/06/2021

Application requirements
The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Buildings and works:

- The location of any existing buildings and works.
- Details of elevations, including external colours, materials and finishes.
- The location of any existing vegetation and any vegetation proposed to be removed.
- Details of the location and extent of any earthworks.

To remove, destroy or lop vegetation:

- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
- A description of the vegetation including understorey to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
 - Avoid the removal of vegetation, where possible.
 - Minimise the removal of vegetation.
 - Any actions to contribute to the ongoing management of existing vegetation on the site.
 - Appropriately replace and/or compensate the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defensible space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defensible space in conjunction with an application under the Bushfire Management Overlay.

CARDINIA PLANNING SCHEME

5.0
10/06/2021
C284card

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The advice of the Emerald Tourist Railway Board.
- The recommendations in the Puffing Billy Corridor Landscape Evaluation Study (Scenic Spectrums, May 1992).
- Any revegetation proposed as part of the application.
- Consideration of appropriate environmental management practices, including replanting of native vegetation and ongoing protection and management of vegetation and habitat areas.
- Maintenance and enhancement of the rural landscape.
- Impacts on view lines and the scenic corridor along the Puffing Billy railway line.

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10/06/2021
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SCHEDULE 3 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO3**.

1.0
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LANG LANG/HEATH HILL

Statement of nature and key elements of landscape

The Heath Hill landscape extends east from the township of Lang Lang to Nyora in the south and Poowong in the east. The area, which has been recognised by the National Trust, includes landforms which range from alluvial river flats, through sandy heaths to rolling hills which reach elevations of 182 metres. The area is crossed by tributaries of the Lang Lang River which form a catchment area that drains into Western Port. The area contains one of the last extensive heathy woodland remnants in the Western Port region and is a mixture of cleared pasture land which contains clumps of indigenous areas of heath and Messmate forest, particularly along the stream and road lines. Scenic views are available from elevated points with views across the river flats and to Western Port. The environmental characteristics of the landscape are sensitive to any further fragmentation or development.

2.0 Landscape character objectives to be achieved

10/06/2021
C254card

To protect and enhance the environmental and landscape values of the Lang Lang/Heath Hill area.

To protect, conserve and improve habitat for flora and fauna which contributes to the significance of the landscape and provides fauna habitat and biolinks.

To ensure that any new buildings and works are located and designed to avoid detrimental effects on the key characteristics of the landscape.

To maintain and protect vegetation as an important element within the landscape.

Permit requirement

3.0
10/06/2021
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~~A permit is required to remove, destroy or lop any vegetation. This does not apply if:~~

~~A permit is not required to construct a building or construct or carry out works provided all of the following requirements are met:~~

- ~~▪ Building materials and finishes are non-reflective and subdued colours which complement the environment.~~
- ~~▪ The height of any dwelling does not exceed 7 metres above natural ground level and the height of all other buildings does not exceed 4 metres above natural ground level.~~
- ~~▪ The works must not involve the excavation of land exceeding 1 metre or filling of land exceeding 1 metre except for a swimming pool associated with an existing dwelling.~~
- ~~▪ The buildings and works must not result in the removal or destruction of native vegetation (including trees, shrubs, herbs, sedges and grasses), with the exception of noxious and environmental weeds as listed in the table in this Schedule.~~
- ~~▪ The building is an extension to an existing dwelling that is less than 50 per cent of the gross floor area of the existing dwelling area.~~
- ~~▪ The building is an outbuilding ancillary to a dwelling, and the gross floor area of all outbuildings on the land must not exceed 120 square metres.~~
- ~~▪ The building is in a Green Wedge Zone and is associated with the existing use of the land for agricultural purposes, and the gross floor area of the building must not exceed 160 square metres.~~

~~In addition to the exemptions under Clause 52.12 (Bushfire Protection: Exemptions), a permit is not required to remove, destroy or lop any vegetation if:~~

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- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is undertaken in consultation with the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- The vegetation is seedlings or regrowth less than 5 years old, the land has been previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- The vegetation is to be removed, destroyed or lopped by cutting only to obtain reasonable amounts of wood for personal use by the owner or occupier of the land. Personal use is wood used for firewood, the construction of fences on the same land, and hobbies such as craft. This exemption does not apply to:
 - Standing living and dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
 - Living native vegetation on contiguous land in the same ownership with an area less than 10 hectares.
- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
- It is within 6 metres of an existing dwelling on a lot less than 0.4 hectares.
- The vegetation is required to be pruned or lopped (but not removed) as part of normal domestic or horticultural practice for the species.
- The vegetation is an environmental weed contained in the table below, that is not listed under the Schedule to Clause 43.01 (Heritage Overlay) and there is no condition listed in the table:

Botanical name	Common name	Condition
<i>Acacia-baileyana</i>	Cootamundra Wattle	
<i>Acacia-decurrens</i>	Early Black Wattle	
<i>Acacia-elata</i>	Cedar Wattle	
<i>Acacia-floribunda</i>	White Sallow Wattle	
<i>Acacia-longifolia</i>	Coast/Sallow Wattle	
<i>Acacia-saligna</i>	Golden Wreath Wattle	
<i>Acacia-sophorae</i>	Coastal Wattle	

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~~<i>Acer spp.</i>~~	~~Maple~~	~~Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres~~
~~<i>Agapanthus praecox orientalis</i>~~	~~African Lily~~	
~~Botanical name~~	~~Common name~~	~~Condition~~
~~<i>Allium triquetrum</i>~~	~~Angled Onion~~	
~~<i>Alstromeria aurea</i>~~	~~Peruvian Lily~~	
~~<i>Amaryllis belladonna</i>~~	~~Belladonna Lily~~	
~~<i>Anredera cordifolia</i>~~	~~Madeira vine~~	
~~<i>Anthoxanthum odoratum</i>~~	~~Sweet Vernal Grass~~	
~~<i>Arbutus unedo</i>~~	~~Strawberry Tree~~	~~Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres~~
~~<i>Arctotheca calendula</i>~~	~~Cape Weed~~	
~~<i>Asparagus asparagoides</i>~~	~~Bridal Creeper~~	
~~<i>Asparagus scandens</i>~~	~~Asparagus Fern~~	
~~<i>Berberis darwinii</i>~~	~~Darwin's Berberry~~	
~~<i>Briza minor</i>~~	~~Shivery Grass~~	
~~<i>Briza maxima</i>~~	~~Quaking Grass~~	
~~<i>Buddleia variabilis</i>~~	~~Butterfly Bush~~	
~~<i>Calicotome spinosa</i>~~	~~Spiny broom~~	
~~<i>Castanea spp.</i>~~	~~Chestnut~~	~~Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres~~

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<i>Cestrum elegans</i>	Red Cestrum	
<i>Chamaecytisus palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides monilifera</i>	Boneseed	
<i>Chrysanthemum maximum</i>	Shasta Daisy	
<i>Cirsium vulgare</i>	Spear thistle	
<i>Conium maculatum</i>	Hemlock	
<i>Convolvulus spp.</i>	Bindweeds	
<i>Conyza bonariensis</i>	Tall Fleabane	
Botanical name	Common name	Condition
<i>Coprosma repens</i>	Mirror Bush	
<i>Coprosma repens</i>	Tuapata	
<i>Coprosma robusta</i>	Karamu	
<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.4 metres above natural ground must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crocasmia x crocosmiifolia</i>	Montbretia	
<i>Cytisus palmensis</i>	Tree Lucerne	

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CARDINIA PLANNING SCHEME

<i>Cytisus scoparius</i>	English Broom
<i>Cynodon dactylon</i>	Couch-grass
<i>Cyperus-erogrostis</i>	Drain-Flat-Sedge
<i>Delairea-odorata</i>	Cape-Ivy
<i>Dipogon-lignosus</i>	Common-Dipogon (Dolichos)
<i>Dodonea-viscose</i>	Sticky-Hop-Bush
<i>Echium-plantagineum</i>	Paterson's-Curse
<i>Ehrharta-erecta</i>	Panic-Veldt-Grass
<i>Ehrharta-longiflora</i>	Annual-Veldt-grass
<i>Erica-baccans</i>	Berry-flower Heath
<i>Erica-lusitanica</i>	Spanish Heath
<i>Euryops-abrotanifolius</i>	Euryops
<i>Foeniculum-vulgare</i>	Fennel
Botanical-name	Common-name
<i>Fraxinus-angustifolia</i>	Narrow-leaved-Ash
<i>Fraxinus-ornus</i>	Manna-Ash
<i>Fraxinus-oxycarpa</i>	Caucasian Ash
<i>Galium-aparine</i>	Cleavers
<i>Genista-linifolia</i>	Flax-Leaf Broom
<i>Genista-monspeulana</i>	Cape/Montpellier-Broom
<i>Hakea-salicifolia</i>	Willow-Hakea

CARDINIA PLANNING SCHEME

<i>Hakea-sauveolens</i>	Sweet Hakea
<i>Hedra-helix</i>	English Ivy
<i>Holcus-lanatus</i>	Yorkshire Fog
<i>Hypericum-androsaemum</i>	Tutsan
<i>Hypericum-perforatum</i>	St. John's Wort
<i>Hypericum-tetrapterum</i>	St. Peter's Wort
<i>Ilex-aquifolium</i>	Holly
<i>Ipomoea-indica</i>	Morning Glory
<i>Lathyrus-latifolius</i>	Sweet Pea
<i>Leycesteria-Formosa</i>	Himalayan Honeysuckle
<i>Ligustrum-lucidum</i>	Broad-Leaved Privet
<i>Ligustrum-vulgare</i>	Privet
<i>Lonicera-japonica</i>	Japanese Honeysuckle
<i>Malus-spp</i>	Apple
<i>Melaleuca-armillaris</i>	Giant Honey Myrtle
<i>Melaleuca-hypericifolia</i>	Honey Myrtle
<i>Myosotis-sylvatica</i>	Common Forget-me-not
Botanical-name	Common-name
<i>Myrsiphyllum-scandens</i>	Asparagus Fern
<i>Myrsiphyllum-asparagoides</i>	Bridal Creeper
<i>Myrsiphyllum-asparagoides</i>	Smilax
<i>Oenothera-stricta</i>	Common Evening Primrose
<i>Opuntia-aurantiaca</i>	Prickly Pear

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<i>Oxalis pes-caprae</i>	Soursob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle	
<i>Passiflora sp. aff. mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpyllifera</i>	Alkante	
<i>Phalaris aquatica</i>	Toowoomba Canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Karo	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygala myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	
<i>Prunus cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Prunus laurocerasus</i>	Cherry Laurel	
<i>Prunus lusitanica</i>	Portugal Laurel	
<i>Prunus spp.</i>	Plum	Does not include Prunus cerasifera (Cherry Plum)
Botanical name	Common name	Condition

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~~<i>Psoralea pinnata</i>~~	~~Bloukeur (Pinnate Scurf-Pea)~~	
~~<i>Pyracantha spp.</i>~~	~~Firethorns~~	
~~<i>Quercus spp.</i>~~	~~Oak~~	~~Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres~~
~~<i>Ranunculus repens</i>~~	~~Creeping Buttercup~~	
~~<i>Rhamnus alaternus</i>~~	~~Italian Buckthorn~~	
~~<i>Ricinus communis</i>~~	~~Castor Oil Plant~~	
~~<i>Robinia pseudacacia</i>~~	~~Black Locust~~	
~~<i>Romulea rosea var australis</i>~~	~~Onion Grass~~	
~~<i>Rosa rubiginosa</i>~~	~~Sweet Briar~~	
~~<i>Rubus fruticosus spp. agg.</i>~~	~~Blackberry~~	
~~<i>Salix babylonica</i>~~	~~Weeping willow~~	~~Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres~~
~~<i>Salix spp.</i>~~	~~Weeping willow~~	~~Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres~~
~~<i>Salpichroa origanifolia</i>~~	~~Pampas Lily of the Valley~~	
~~<i>Senecio jacobaea</i>~~	~~Ragwort~~	
~~<i>See Cape Wattle</i>~~	~~False Wattle~~	
~~<i>Solanum linnaeanum</i>~~	~~Apple of Sodom~~	
~~<i>Solanum mauritianum</i>~~	~~Tree Tobacco~~	
~~<i>Solanum nigrum</i>~~	~~Black Nightshade~~	

CARDINIA PLANNING SCHEME

Solanum pseudocapsicum Madeira Winter Cherry

Sollya heterophylla Blue-bell Creeper

Spartina anglica Common Cord-grass

Tradescantia fluminensis Wandering Jew/Trad

Botanical name	Common name	Condition

Trapaecolum majus Nasturtium

Ulex europaeus Gorse

Verbascum thapsus Great Mullein

Viburnum tinus Laurestinus

Vinca major Blue Periwinkle

Viola odorata Fragrant Violet

Viola riviniana Wood Violet

Watsonia borbonica Rosy Watsonia

Watsonia meriana var. Bulbil Watsonia
bulbillifera

Zantedeschia aethiopica White Arum Lily

4.0

10/06/2021

Application requirements

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Buildings and works:

- The location of any existing buildings and works.
- Details of elevations, including external colours, materials and finishes.
- The location of any existing vegetation and any vegetation including understorey proposed to be removed.
- Details of the location and extent of any earthworks.

CARDINIA PLANNING SCHEME

To remove, destroy or lop vegetation:

- A photograph or site plan (drawn to scale) showing the boundaries of the site, existing vegetation and the vegetation to be removed.
- A description of the vegetation to be removed, including the species, extent, number and size (diameter at 1.3 metres above natural ground level) of any trees to be removed and the Ecological Vegetation Class of native vegetation.
- Topographic information, highlighting ridges, crests and hilltops, streams and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion.
- A written explanation of the steps that have been taken to:
 - Avoid the removal of vegetation, where possible.
 - Minimise the removal of vegetation.
 - Any actions to contribute to the ongoing management of existing vegetation on the site.
 - Appropriately replace and/or compensate the loss of vegetation, if required.
- A copy of any property vegetation plan that applies to the site.
- Where the removal, destruction or lopping of vegetation is to create defensible space, a statement explaining why removal, destruction or lopping of vegetation is required having regard to other available bushfire risk mitigation measures. This does not apply to the creation of defensible space in conjunction with an application under the Bushfire Management Overlay.

5.0
10/06/2021
C254card

Decision guidelines

None specified.

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CARDINIA PLANNING SCHEME

10/06/2021
C254card**SCHEDULE 5 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO5**.**PAKENHAM NORTH-EAST RESIDENTIAL PRECINCT**1.0
10/06/2021
C254card**Objectives**

None specified.

2.0
10/06/2021
C254card**Requirement before a permit is granted** None specified.3.0
10/06/2021
C254card**Conditions and requirements for permits**

The following conditions and/or requirements apply to permits:

- Construction and post construction activities must be conducted in accordance with the following EPA best practice guidelines:
 - *Environmental Guidelines for Major Construction Sites* (EPA Publication No. 480, December 1995).
 - *Construction Techniques for Sediment Pollution Control* (EPA Publication No. 275, May 1991).
- Before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences on land at 130 Army Road, Pakenham (L1 P82846 & PC355507W), either:
 - A certificate of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*, or
 - An environmental auditor appointed under the *Environment Protection Act 1970* must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

4.0
10/06/2021
C254card**Requirements for development plan**

A development plan must include the following requirements:

- The staging of the development.
- Proposed management techniques for the former quarry site.
- The relationship and integration with the surrounding land.
- Identification of significant vegetation on the land and measures to retain the vegetation where appropriate.
- A flora and fauna survey to be undertaken between August to April to the satisfaction of the ~~Department of Natural Resources and Environment~~ **Department of Energy, Environment and Climate Action (DEECA)**
- A geo-technical report to be provided for the area proposed for development on the edge of the quarry hole.
- Proposed layout and hierarchy of streets including traffic control infrastructure.
- A traffic management plan to be carried out to the satisfaction of the responsible authority, in consultation with the Roads Corporation.
- Proposed major retarding basins, watercourses and major drainage features.
-

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An overall landscaping concept plan.

Physical and community infrastructure required.

Page 1 of 2

CARDINIA PLANNING SCHEME

- The following urban design principles, and a report which demonstrates that the development incorporates these principles:
 - The design of a compact neighbourhood which is oriented around walkable distances between activities and where neighbourhood centres provide access to services and facilities to meet day-to-day needs.
 - A neighbourhood which incorporates safe and attractive spaces for walking and cycling, and subdivision layout which allows easy movement through and between neighbourhoods.
 - A range of lot sizes and housing types to satisfy the needs and aspirations of different groups of people, including areas proposed for medium density housing.
 - Integration of housing, workplaces, shopping, recreation and community services, to provide a mix and level of activity that attracts people, creates a safe environment, stimulates interaction and provides a lively community focus.
 - Design which creates opportunity of access for public transport.
 - A range of open spaces to meet a variety of needs, with links to open space networks and regional parks if possible.
 - A strong sense of place created because neighbourhood development emphasises existing cultural heritage values, attractive built form and landscape character.
 - Environmentally friendly development that includes energy efficiency, water conservation, local management of stormwater and waste water treatment.
 - Protection and enhancement of native vegetation habitat and discouragement of the spread and planting of noxious weeds.
 - Community safety design principles in order to reduce opportunities for crime, improve perceptions of safety and increase levels of community involvement.

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10/06/2021
C254card**SCHEDULE 10 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO10**.**1.0**
10/06/2021
C254card**Objectives**

None specified.

2.0
10/06/2021
C254card**Requirement before a permit is granted** None specified.**3.0**
10/06/2021
C254card**Conditions and requirements for permits** None specified.**4.0**
10/06/2021
C254card**Requirements for development plan**

A development plan must include the following requirements:

- The subdivision concept for the land including the location of industrial, business or other proposed uses, and public open space.
- The staging of development.
- The relationship of the land to existing or proposed uses on adjoining or nearby land.
- Arrangements for vehicle access to the development including the road layout and construction standards, and traffic management. Such arrangements shall include the construction of a connection to Exchange Drive to the north, the interface with Kooweerup Road and provision for a controlled intersection at the intersection of Kooweerup Road and Greenhills Road (including any necessary road widening).
- The provision of utility services infrastructure required for the development of the land.
- A stormwater management plan including provision for outfall drainage from the area. The stormwater management plan must incorporate measures to reduce input of sediment and pollutants into waters downstream of the site to the satisfaction of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA) and Melbourne Water.
- Urban design guidelines for the development including streetscape, building design (setbacks, height and materials), vehicle access and carparking, loading and storage areas, pedestrian movements, community safety and graffiti control.
- Vegetation and landscaping guidelines including weed control and replanting where appropriate using locally indigenous plants and trees.
- Guidelines for environmental sustainability including stormwater management, water efficiency and energy efficiency.
- An environmental management plan for the construction phase of the development including the control of waste and wind blown rubbish, dust, noise and sediment pollution. Page 1 of 1

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10/06/2021
C254card

SCHEDULE 11 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO11**.

1.0
10/06/2021
C254card

Objectives

None specified.

2.0
10/06/2021
C254card

Requirement before a permit is granted

The Responsible Authority can consider an application for minor works before a development plan has been approved. All proposals for minor works must be accompanied by a report demonstrating that they will not prejudice the future development of the land in an integrated manner.

3.0
10/06/2021
C254card

Conditions and requirements for permits

None specified.

4.0
10/06/2021
C254card

Requirements for development plan

A development plan must include the following requirements:

- The proposed use and development of each part of the land.
- The staging of development.
- The relationship of the land to existing or proposed land uses on adjoining land.
- Population and household targets.
- The proposed range of housing types and lot sizes.
- Proposed open space, recreation and path facilities including:
 - a district sporting reserve of 8 hectares
 - a centrally located neighbourhood park with a minimum area of 1 hectare
 - joint-use paths throughout the development to link the land to Lakeside Activity Centre, Pakenham and Officer townships, to provide for good north/south connections, especially along the Gum Scrub Creek and to provide for access to the proposed Lakeside station east of Cardinia Road.
 - joint-use paths along the Princes Highway and Cardinia Road frontages
 - Provision of a pedestrian/bicycle bridge across the Gum Scrub Creek at an agreed midpoint between the Princes Highway and the railway reserve additional to any crossing associated with the Princes Highway frontage
 - Provision for the protection and management of, and enhancement of habitat for, the nationally significant Growling Grass Frog and *Dianella longifolia* var. *grandis* and *Dianella amoena* as determined
- Proposed drainage features on the land including the proposed treatment for the Gum Scrub Creek and the interface between the district sporting reserve and Gum Scrub Creek, including any restriction of the floodway to provide for regular use of the reserve in winter, how any variations to landform created to accommodate this will be dealt with and how growling grass frog habitat will be protected and enhanced.
- An investigation of regional water management opportunities to shift the land requirement for water management from the south east corner of the site to land south of the Pakenham Bypass
- An assessment of the potential for saline discharge sites on the land, and any necessary measures to address salinity.
- An archaeological survey of the site.

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CARDINIA PLANNING SCHEME

- A traffic management plan to the satisfaction of council and VicRoads.
- Proposed public transport routes and facilities including how the site can be provided with access to public transport within reasonable walking distance of each dwelling to the satisfaction of the Department of Infrastructure.
- The proposed layout of streets including the provision of access to both Princes Highway and Cardinia Road to the satisfaction of both council and Vic Roads.
- The funding arrangements for provision of controlled intersections that may be required including the funding arrangements and timing for the upgrade of the intersection of Cardinia Road and the Princes Highway.
- An interface between the development and both Princes Highway and Cardinia Road that provides for safe, attractive and permeable pedestrian and bicycle movement along the frontage to those roads and between the development and the roads.
- Provision for the future widening of Cardinia Road.
- Provision of a tree reserve abutting Cardinia Road that can adequately accommodate mature *Eucalyptus radiata* (Narrow Leaf Peppermint) without impinging on private land and to the minimum safety standard required by VicRoads.
- Provision for a link road to the west adjacent to the railway reserve constructed to a standard and to an end point to the satisfaction of council to enable east-west vehicle permeability following the future provision of a bridge.
- A schedule of physical and community infrastructure required for and as a result (in whole or part) of the development of the land including arrangements for their provision and funding.
- An overall landscape concept, including the landscape corridor of the Gum Scrub Creek, the district sporting reserve and the interface between the two. The landscape plan will provide for advanced *Eucalyptus radiata* (Narrow Leaf Peppermint) to be provided on the tree reserve abutting Cardinia Road at 5 metre intervals. Indigenous plantings of local provenance species must be used in any plantings along the Gum Scrub Creek. Consideration should also be given to using local indigenous species in all landscape plantings for the development.
- Significantly increased housing densities above the average adjacent to public open space and in association with any activity centre on the site.
- Details of the location of any activity centre proposed for the site and its relationship and interaction with other activity centres including the Officer town centre.
- Details of how a high level of urban design will be delivered for areas of higher density.
- Details of how the neighbourhood design principles in Melbourne 2030 will be addressed as part of the development.
- An Environmental Management Plan for the site that addresses the following issues to the satisfaction of the Council, and the Department of Sustainability and Environment:
 - How any identified habitat (including that used for feeding, occupation, breeding, dispersal) of *Litoria raniformis* (Growling Grass Frog) is to be protected and/or enhanced and managed on an ongoing basis, following a targeted survey for the species (including an assessment of the dispersal requirements for the species) between the months of October and December using a suitably qualified and experienced herpetologist;
 - An assessment of remnant vegetation and identification of management measures required to ensure ongoing protection of significant flora, in accordance with *Victoria's Native Vegetation - A Framework for Action: Guidelines for the removal, destruction or lopping of native vegetation* (DECCA 2025);
 - An assessment of the impacts to biodiversity of conducting works on the Gum Scrub Creek and environs and proposed mitigation measures; and

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- How site works will be managed (during and post construction) to ensure that there is no impact on significant flora located in the railway reserve to the south of the subject area, particularly the populations of *Dianella longifolia* var. *grandis* and *Dianella amoena* , by way of a report prepared by a suitably qualified and experienced environmental consultant.
- Protection measures for significant flora and fauna located in the railway reserve must include an effective buffer along the entire southern boundary.
- The flora and fauna protection and management measures that are contained within the Environmental Management Plan must be incorporated into the development design.

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CARDINIA PLANNING SCHEME10/06/2021
C254card**SCHEDULE 12 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO12**.**1.0**
10/06/2021
C254card**ROSSITER ROAD, KOO WEE RUP****Objectives**

None specified.

2.0
10/06/2021
C254card**Requirement before a permit is granted**

The Responsible Authority can consider an application for minor works or extension to an existing dwelling before a development plan has been approved. All proposals for minor works or dwelling extensions must be accompanied by a report demonstrating that they will not prejudice the future development of the land in an integrated manner. Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner.

Prior to the granting of a subdivision permit or any development other than minor works or extension to an existing dwelling, an agreement between the owner of the land for 170 Rossiter Road, (Lot 2, LP 208879), Sybella Avenue (LA PS540339), 44 Sybella Avenue (Lot 6, P53874), 80 Sybella Avenue (Lot 1, TP202048H) and Sybella Avenue Koo Wee Rup (Lot 26, PS009030) and the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* must be entered into to the satisfaction of the Responsible Authority, which must require the owner:

- Supply and erect post and wire fencing along the wetland periphery located outside the urban growth boundary prior to the wetland construction to the requirements of Melbourne Water and to satisfaction of the Responsible Authority. The bottom wire of the fence must be between 40 to 60cm above the natural ground level to facilitate wildlife movement.
- Monitor groundwater quality at the location of the bore well installed near the fuel depot at Lots 1-2 P53874, 7/4 Sybella Avenue, Koo Wee Rup to the satisfaction of the responsible authority. The groundwater monitoring is to continue until the final stage of development and the monitoring results are to inform an appropriate response before the commencement of construction or carrying out of any buildings and works in association with a sensitive use adjacent to the fuel depot.
- Construct a local road to the satisfaction of the Responsible Authority during the first stage of development, extending from Rossiter Road through Lot 2, LP208879, 170 Rossiter Road, Koo Wee Rup linking to the western boundary of Lot 1, P208879, 190 Rossiter Road and Lot 15, P9030, 216-218 Rossiter Road, Koo Wee Rup to provide access to the 'long lots' as shown on SM Urban 'Concept Development Plan' (Ref: 106008, date 27 February 2009, Rev: F).
- Provide construction of the wetland system generally in accordance with SM Urban 'Concept Development Plan' (Ref: 106008, date 27 February 2009, Rev: F). Construction and staging of the wetland construction must be completed in accordance with the requirements of Melbourne Water.
- Land required for drainage purposes or as encumbered open space must be transferred to the drainage authority or municipal council at no cost and will not be credited as open space.

3.0
10/06/2021
C254card**Conditions and requirements for permits**

None specified.

4.0
10/06/2021
C254card**Requirements for development plan**

The development plan must include the following requirements:

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Subdivision Layout

An indicative subdivision layout for the land, generally in accordance with the SM Urban 'Concept Development Plan' (Ref: 106008, date 27 February 2009, Rev: F) showing:

- A clear, legible and convenient road network and pedestrian/bicycle network within and leading to the development, demonstrating appropriate road layout, traffic management and construction standards.
- A report which demonstrates that the development incorporates the following principles:
 - Maintaining 50 percent of the lots over 700 square metres
 - Discouraging small allotments of area less than 500 square metres
 - Encouraging larger allotments over 1000 square metres towards the edge of the urban growth boundary.
 - Encouraging the inclusion of street trees for shade and aesthetic quality.
 - Developing a clear, legible road network that provides a high level of internal connectivity and external linkages for local vehicle, pedestrian and bicycle movements.

Rossiter Road / Sybella Avenue Precinct (other than long lots)

In addition to any other requirements for a development plan specified in this schedule, the development plan for the Rossiter Road/Sybella Avenue Precinct

- Part of Lot 2, LP208879, 170 Rossiter Road, Koo Wee Rup
- Lot 6, PS53874, 44 Sybella Avenue, Koo Wee Rup
- Lot 1, TP202048H, 80 Sybella Avenue, Koo Wee Rup
- Part of LA, PS540339, Sybella Avenue, Koo Wee Rup

Must provide for:

Subdivision Layout

An indicative subdivision layout for the land, generally in accordance with the SM Urban 'Concept Development Plan' (Ref: 106008, date 27 February 2009, Rev: F) showing:

- The size and dimensions of lots proposed
- The proposed use and development of each parts of the land
- The relationship of the land to existing or proposed uses on adjoining land
- The location of a local neighbourhood park, wetland reserves and encumbered open space
- The staging of development. The staging must include:
 - A local road to the satisfaction of the Responsible Authority during the first stage of development, extending from Rossiter Road through Lot 2, LP208879, 170 Rossiter Road, Koo Wee Rup linking to the western boundary of Lot 1, P208879, 190 Rossiter Road and Lot 15, P9030, 216-218 Rossiter Road, Koo Wee Rup to provide access to the 'long lots' as shown on SM Urban 'Concept Development Plan' (Ref: 106008, date 27 February 2009, Rev: F).
 - The land adjacent to the fuel depot at Lot 1-2, P53874, 7/4 Sybella Avenue, Koo Wee Rup, in the final stage of the development

Open Space

- Proposed open space, recreation and path facilities including:

CARDINIA PLANNING SCHEME

- a centrally located unencumbered local neighbourhood park with a minimum area of 1 hectare
- shared paths throughout the development to link the land to existing development to the north and east
- trail network along the wetland reserve in consultation with Melbourne Water
- provisions for the **protection of native vegetation along the wetland system**
- A temporary reserve at the location of the groundwater monitoring well to enable ease of access from Sybella Avenue, Koo Wee Rup.
- The arrangement for transfer of open space into public ownership to the satisfaction of the responsible authority.

Traffic

- A traffic management plan prepared to the satisfaction of the responsible authority and in consultation with Vic Roads, demonstrating:
 - A clear, legible and convenient road network and pedestrian/bicycle network within and leading to the development, demonstrating appropriate road layout, traffic management and construction standards. Such arrangements must include the construction of a connection to Rossiter Road to the north, and Sybella Avenue to the east. The provision of access to Rossiter Road and Sybella Avenue needs to be to the requirements of Vic Roads.

Landscaping

- An indicative landscape plan must be prepared to the satisfaction of the responsible authority, demonstrating:
 - The location of all landscaped areas, including the wetland area
 - Details of any landscape themes for the site
 - The incorporation of a consistent streetscape theme
 - Location and details of any street furniture, playground equipment, boardwalks and viewing platforms
 - Effective management of the interface between the residential area and wetland area, including appropriate fencing where necessary.

Environment

- Incorporation of a Southern Brown Bandicoot Habitat Plan into the design of the development to be prepared by a suitably qualified and experienced zoologist to the requirements of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA), including:
 - Design elements for the creation of appropriate new habitat for the Southern Brown Bandicoot and methods of ongoing long term management and protection of the new habitat.
 - How the protection and creation of the habitat for Southern Brown Bandicoot contributes to establishing long term habitat links between the Bunyip Creek, the rail reserve and Yallock Creek.
- Provision for the protection and conservation of remnant trees, particularly the Swamp Gums (*Eucalyptus ovata*)
- Provision of an arborist report to the satisfaction of the responsible authority assessing the health of the Southern Mahogany trees. Based on the health and condition of these trees, provide for the protection and conservation of these trees.

Commented [EM1]: Environment team submission

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CARDINIA PLANNING SCHEME

- A targeted survey for the Dwarf Galaxias (*Galaxiella pusilla*) by a qualified environmental consultant in consultation with ~~the Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA). The survey needs to occur when water is present: if the water body is temporary then the survey should be in November-December and not in mid summer. Always undertake bait trapping with glow sticks over night in combination with at least one other method of backpack electro fishing or dip netting. Note: Avoid dip netting in breeding season (May – October) as fry are easily damaged.

Commented [EM2]: Environment team submission

- A groundwater monitoring program to monitor groundwater quality at the location of the bore well installed near the fuel depot at Lots 1-2 P53874, 7/4 Sybella Avenue Koo Wee Rup, to the satisfaction of the Responsible Authority and Environment Protection Authority. The groundwater monitoring is to continue until the final stage of development and the monitoring results are to inform an appropriate response before the commencement of construction or carrying out of buildings and works in association with a sensitive use adjacent to the fuel depot.

Wetland

- A drainage plan in accordance with the requirements of Melbourne Water and generally in accordance with the Stormy Water Solutions Drainage Strategy dated 2 February 2009
- A Functional Design plan prepared and approved by Melbourne Water prior to the commencement of detail design of the wetlands. The functional design plans must consider a groundwater analysis and how the groundwater will impact on the construction of the wetlands.
- The order and extent of each stage of the wetland system development (if the wetlands are to be staged) to the requirements of Melbourne Water
- The requirements of Melbourne Water (for drainage) and those of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA) (for flora and fauna) must be considered mutually prior to the development of either a Habitat or Drainage Plan.

Commented [EM3]: Environment team submission

Infrastructure

- The provision of utility service infrastructure required to service the development and details on the arrangements for the provision of the infrastructure. The land must be connected to a reticulated sewerage system of a sewerage authority
- The means by which the gas transmission easement and drainage easement will be accommodated as part of the development.

OFFICIAL**CARDINIA PLANNING SCHEME**10/06/2021
C254card**SCHEDULE 13 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO13**.**1.0**10/06/2021
C254card**Objectives**

None specified.

2.010/06/2021
C254card**Requirement before a permit is granted**

The responsible authority can consider an application for minor works before a development plan has been approved. All proposals for minor works must be accompanied by a report demonstrating that they will not prejudice the future development of the land in an integrated manner.

Except for an application for minor works, a section 173 agreement with the responsible authority that transfers the Peck Road Hill conservation reserve into public ownership and provides for the funding for management of the reserve.

3.010/06/2021
C254card**Conditions and requirements for permits** None specified.**4.0**10/06/2021
C254card**Requirements for development plan**

A development plan must include the following requirements:

- The proposed use and development of each part of the land.
- The staging of development.
- The relationship of the land to existing or proposed land uses on adjoining land.
- Population and household targets.
- The proposed range of housing types and lot sizes.
- Proposed open space, recreation and path facilities including:
 - A centrally located unencumbered neighbourhood park with a minimum area of 1 hectare or allocation of parks to the satisfaction of council
 - Joint-use paths throughout the development to link the land to future development to the west and east, to provide for good north/south connections, and joint-use paths along the Princes Highway and Thewlis Road frontages
 - Provision for the protection of significant vegetation in a reserve on the hill adjacent to Peck Road
- An assessment of the potential for saline discharge sites on the land, and any necessary measures to address salinity.
- An archaeological survey of the site.
- A traffic management plan to the satisfaction of Council and Vic Roads
- The proposed layout of streets including the provision of access to both Princes Highway and Thewlis Road, and including an east-west link of appropriate dimensions to provide the key link consistent with the Casey-Cardinia Smart Growth Committee Framework Plans.
- The funding arrangements for provision of controlled intersections that maybe required including the funding arrangements and timing for the upgrade of the intersection of Thewlis Road and the Princes Highway.

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- An interface between the development and both Princes Highway and Thewlis Road that provides for safe, attractive and permeable pedestrian and bicycle movement along the frontage to those roads and between the development and the roads.
-

Provision for the future widening of Thewlis Road.

Page 1 of 2

CARDINIA PLANNING SCHEME

- A schedule of physical and community infrastructure required for and as a result (in whole or part) of the development of the land including arrangements for their provision and funding.
- An overall landscape concept to the satisfaction of Council. Indigenous plantings must be used in informal clumps on Thewlis Road and Princes Highway. Consideration should also be given to using local indigenous species in all landscape plantings for the development.
- Significantly increased housing densities above the average adjacent to public open space and in association with any activity centre on the site.
- The provision of a local neighbourhood centre located in the north-east of the land comprising of:
 - A 3.5 hectare site for a state school with three road frontages one of which is Thewlis Road
 - A 0.44 hectare fully serviced and unencumbered site for the future provision of a community centre.
 - A retail/commercial centre of at least 250 square metres
 - Details of the location of relationship and interaction with nearby activity centres.
- Details of how a high level of urban design will be delivered for areas of higher density.
- Details of how the principles set out in Melbourne 2030 will be addressed as part of the development, in particular for neighbourhood design
- An Environmental Management Plan for the Peck Road Thewlis Road EVC site that addresses the following issues to the satisfaction of the Council and the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA):
 - The arrangements for transfer into public ownership of the land;
 - An assessment of remnant vegetation and identification of management measures required to ensure ongoing protection of significant flora, in accordance with ~~Victoria's Native Vegetation – A Framework for Action~~ Guidelines for the removal, destruction or lopping of native vegetation (DECCA 2025); and
 - Provision for the full funding for 10 years implementation of the Environmental Management Plan
 - Effective management of the interface between the EVC site and residential uses, including an appropriate buffer as indicated in the plan referenced as *Worthington Estate Pakenham, Buffer Treatment Area, Option K Rev A November 2006*.
- The Environmental Management Plan should:
 - Include a statement that Cardinia Shire Council will have ownership of the bushland reserve and responsibility for the implementation of the Environmental Management Plan
 - Outline methods to be introduced to minimise any impacts upon the vegetation by recreational use.

Commented [EM1]: Environment team submission

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Page 2 of 2

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CARDINIA PLANNING SCHEME

10/06/2021
C254card

SCHEDULE 15 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO15**.

LOT 1, TP 711091S, NASH ROAD, BUNYIP

1.0
10/06/2021
C254card

Objectives

None specified.

2.0
10/06/2021
C254card

Requirement before a permit is granted

The Responsible Authority can consider an application for minor works before a development plan has been approved. All proposals for minor works must be accompanied by a report demonstrating that they will not prejudice the future development of the land in an integrated manner.

3.0
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Conditions and requirements for permits

The following conditions and/or requirements apply to permits:

- Under Section 118 of the Pipelines Act 2005, a person cannot excavate within 3 metres of a pipeline without either obtaining the authority of the licensee or giving notice to the licensee in accordance with the *Pipeline Regulations 2007*.
- Under Section 120 of the Pipelines Act 2005, a person must not construct a building so that any part of it is situated less than 3 metres from a point on the surface of the land whose position is vertically above a part of a pipeline below the surface unless the Minister has first consented to that construction.
- A MUSIC (model for urban stormwater improvements conceptualisation) model is required showing the extent of water quality treatment in the wetland to the satisfaction of Melbourne Water.
- The wetlands should be designed in accordance to the "Constructed Wetland Systems Design Guidelines for Developers" (Melbourne Water). Detailed design plans are required to be submitted to Melbourne Water. These plans are to address:
 - Maintenance issues: the proponent must provide a maintenance plan for assets that are to become Melbourne Water assets (online wetland). This plan should detail the appropriate maintenance access (including vehicle access).
 - Revegetation and Landscaping: Re-vegetation is to be in accordance with Melbourne Water guidelines. Vegetation and landscaping plans must be submitted for comment and/or approval.
- The subdivision design must incorporate the findings of the flora and fauna assessment as specified under Section 4.0 of Schedule 15 Development Plan Overlay.
- The subdivision design must incorporate the findings of the soil contamination assessment as specified under Section 4.0 of Schedule 15 Development Plan Overlay.
- The subdivision design must incorporate the findings of the salinity assessment as specified under Section 4.0 of Schedule 15 Development Plan Overlay.
- The owner of the subject land must enter into an agreement with South East Water for the provision of reticulated sewerage and fulfil all requirements to its satisfaction.
- The owner of the subject land must enter into an agreement with South East Water for the provision of water supply and fulfil all requirements to its satisfaction.
- Access to the site shall only be at the nominated vehicle crossings shown on the Development Plan.
-

CARDINIA PLANNING SCHEME

The street lighting must be baffled and located to in consultation with SPI Electricity to prevent any adverse effect on adjoining landowners to the satisfaction of the responsible authority.

- Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties to the satisfaction of the responsible authority.
- A Maintenance Management Plan is to be submitted and approved for all Water Sensitive Urban Design infrastructure (swales, gross pollution traps, planting etc) both for:
 - The “on maintenance period” of the establishment, which is the life of the development or 2 years, whichever is greater.
 - and for the ongoing Council maintenance responsibilities, once Final Completion is issued.
- Prior to handover to Council, the developer will be required to complete the following to the satisfaction of Council:
 - Return all assets to as new functional condition i.e. removal of all accumulated litter and sediment, replacement plants.
 - Provide complete documentation (both plans and written reports) on the nature, purpose, location, detailed design, maintenance methods and costs (capital and recurrent), for each asset.
 - Provide a complete record of the maintenance undertaken.
 - Undertake water quality monitoring, maximum three (3) monthly intervals, during the ‘on maintenance’ period and provide tabulated results.
- Environmental Management Plan is to be submitted, indicating risk assessment and how the effects of the construction works will be controlled and managed onsite to ensure minimisation of impacts on adjoining land and the downstream tributary of Ti Tree Creek to the satisfaction of the responsible authority.

4.0

10/06/2021

Requirements for development plan

C254card The development plan must demonstrate and/or contain the following to the satisfaction of the responsible authority:

Subdivision layout

An indicative lot layout for the whole site covered by the schedule showing:

- The size and dimensions of the lots.
- The proposed use and development of each parts of the land.
- The location of vehicle crossings.
- The location and size of the wetland and broad vegetated swale system within the Public Park and Recreation Zone.
- The relationship of the land to existing or proposed developments on adjoining land to achieve the integrated subdivision of the land in the area.
- Location of building envelopes.
- Any lot or lots created on the subject site with abuttal to the common property known as 59 Nash Road, Bunyip (this includes any lot separated from 59 Nash Road, Bunyip by any faunal corridor), no building may be constructed on that part of the lot(s), to the immediate north of the dwelling located at 59 Nash Road, Bunyip, except for an outbuilding or outbuildings with an overall height of not more than 2.1 metres. The eastern and western boundaries of the area of building exclusion in this requirement are to commence 45 metres and 70 metres respectively from the eastern end of the northern boundary of the property known as 59 Nash Road, Bunyip and the boundaries of the exclusion area are to extend northward for the full depth of the lot(s).

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CARDINIA PLANNING SCHEME

- Any dwelling on any lot or lots created on the subject site with abuttal to the property known as 59 Nash Road, Bunyip (this includes any lot separated from the property by any faunal corridor), must not have a wall height exceeding 2.75 metres.

Transport

- Provide a clear, legible and convenient road network and pedestrian/bicycle network within and leading to the development to the satisfaction of the responsible authority. The plans must show the following:
 - Consideration should be given to aligning the entrance from the amendment site not to be opposite the existing dwelling or driveway at 103 Nash Road, Bunyip.
 - Road and driveway access to the amendment site must not be located opposite the existing driveway at 105 Nash Road, Bunyip.
 - Provide a multi-purpose gravel trail, with a minimum width of 2 metres in the Public Park and Recreation Zone. The trail needs to provide connection from the Low Density Residential Zone, through the Public Park and Recreation Zone to the boundary of the Bunyip Valley Estate (commonly known as Bunyip Sanctuary).

1. Provide a multi-purpose gravel trail, with a minimum width of 2 metres along Nash Road reserve. The gravel trail needs to connect from the intersection of Wattletree Road and Nash Road, along Nash Road to the amendment site. From the boundary of amendment site, the trail must be located within the amendment site along the western boundary unless with the consent of the responsible authority and upon the advice of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA)

Commented [EM1]: Environment team submission

Landscaping

- An indicative landscape plan must be prepared to the satisfaction of the responsible authority, demonstrating:
 - The location of all landscaped areas, including the wetland area.
 - Details of any landscape themes for the site.
 - The landscape design needs to incorporate a consistent streetscape theme.
 - Plant listing, using a majority of local indigenous species in all landscape plantings.
 - Location and details of any street furniture, signage, playground equipment, boardwalks and viewing platforms.
 - Demonstrate effective management of the interface between the residential area and wetland area, including appropriate fencing.
 - An explanatory statement illustrating landscape maintenance of the site for a period of 24 months.

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Environment

- A Flora and Fauna Assessment of the site and road reserve prepared to the satisfaction of the responsible authority that:
 - Undertakes a targeted survey for the Green-striped Greenhood and River Swamp Wallaby Grass carried out between September and April.
 - ~~Applies the 'three step' approach as detailed in Victoria's Native Vegetation Management – A Framework for Action and Net Gain (avoid, minimise and offset). The three step approach must include a flora listing of each habitat patch.~~

CARDINIA PLANNING SCHEME

- Applies the guidelines from *Guidelines for the removal, destruction or lopping of native vegetation* (DECCA 2025)

Commented [EM2]: Environment team submission

- Provides for the protection and conservation of native vegetation, including trees and roadside vegetation.
- Orientates building envelopes and driveway access on residential allotments to minimise the loss of scattered trees.
- Demonstrates an appropriate offset or net gain to compensate for the loss of vegetation on the site and road reserve as determined by an Offset Management Plan. The Offset Management Plan must be a 10 year fully funded management plan and include:
 - Means of calculating the offsets.
 - Location of where the offsets will be provided.
 - Type of offsets provided for each location.
 - Details of revegetation including number of trees, shrubs and other plants, species mix and density.
 - Method of permanent protection for the offsets.
 - Measures to control noxious and environmental weeds.
 - Persons from time to time responsible for implementing and monitoring the offsets.
 - Timeframe for completing the offsets.
- Investigations by a suitably qualified environmental profession to undertake an assessment (including soil samples, readings of the water electrical conductivity) of the eastern part of the site, for potential saline discharge sites on the land and impacts on adjoining land and any necessary measures to address salinity if apparent.
- Investigations by a suitably qualified environmental professional to provide soil sampling and testing across the site to fully assess the soil contamination status of the land.

Open space

- The arrangement for transfer of the Public Park and Recreation Zone into public ownership to the satisfaction of the responsible authority.
- Outline methods and/or design principles to minimise the impact of recreation users on the vegetation located in the Public Park and Recreation Zone.

Fencing

- Provide post and wire fencing adjacent to wetland area, the bottom wire needs to be 60cm above the ground to facilitate wildlife movement.
- Maintain the rural character of large allotments with only post and wire style fencing to maintain a continuous flow of vegetation across the landscape, with the exception of providing a solid paling fence of 2.1 metres high along the full length of the common boundary of the subject site and the property known as 59 Nash Road, Bunyip.

Infrastructure

- The provision of utility service infrastructure required to service the development and details on the arrangements for the provision of the infrastructure. The land must be connected to a reticulated sewerage system of a sewerage authority.
- The relationship of building envelopes and public areas of open space to pipeline infrastructure crossing the site must be to the satisfaction of the Department of Primary Industries.

CARDINIA PLANNING SCHEME

- Provide Stormwater quality treatment which incorporates the use of Water Sensitive Urban Design to achieve Melbourne Water's best practice water quality principles.
- Prepare a Stormwater Management Plan showing the stormwater works to the nominated point of discharge to the satisfaction and approval of the responsible authority. The stormwater management plan must be prepared by a suitably qualified person and show details of the proposed stormwater works including all existing and proposed features that may have impact (e.g. Trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc), to the satisfaction of the responsible authority.

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CARDINIA PLANNING SCHEME

10/06/2021
C254card

SCHEDULE 16 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO16**.

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CARDINIA MOTOR RECREATION AND EDUCATION PARK

Objectives

None specified.

2.0
10/06/2021
C254card

Requirement before a permit is granted

None specified.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

Plans drawn to scale showing:

- The relationship of the buildings and works to the development plan.
- The boundaries and dimensions of the land to be developed.
- Adjoining roads and access ways.
- Relevant ground levels.
- The layout of existing and proposed buildings and works.
- Elevation drawings to scale that show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- Location and details of floodlighting and public address equipment.
- Driveways and vehicle parking and loading areas.
- External storage and waste treatment areas.
- A landscape plan which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

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10/06/2021
C254card

Conditions and requirements for permits

The following conditions and/or requirements apply to permits:

- Any permit granted for land uses associated with the Motor Recreation and Education Park must include a condition requiring the use and development of the site to be undertaken in accordance with the management plan and environmental management plan approved as part of the development plan.

4.0 Requirements for development plan
10/06/2021
C254card

A development plan must include the following requirements:

- Existing natural and built features of the land including topography, vegetation, buildings, other works, utility services, drainage lines and watercourses.
- Relationship to existing and proposed surrounding development, including the Kooweerup/Healesville Road extension.
- A plan indicating the type of existing native vegetation and any areas where it is proposed to remove native vegetation.
- A flora and fauna assessment including consideration of:

CARDINIA PLANNING SCHEME

- Corridors for Growling Grass Frog habitat
- Dwarf Galaxia habitat
- Corridors for Southern Brown Bandicoot habitat
- Adequate waterway setbacks
- A stormwater drainage strategy including details of any onsite water retention, effects on water quality and hydraulic impacts on waterways.
- How the existing floodplain and overland flow paths will be accommodated by the proposed development.
- Development setback at least 20 metres from the top of bank for the Toomuc Creek and McGregor Road drain. The 10 metres closest to the top of bank must support core riparian habitat only, and must not include any other infrastructure unless agreed in writing by Melbourne Water.
- The location, height and dimensions of all proposed buildings and works.
- The proposed use of each building and facility.
- Landscaping treatments to be undertaken.
- The proposed stages of development, if more than one, and the time for commencement and completion of each stage.
- The provision of utility services and infrastructure associated with the development, use and maintenance of the land.
- Use and management of portions of the site not being used for the Motor Recreation and Education Park.
- Noise mitigation measures.
- Proposed traffic and access arrangements and associated works.
- The location and capacity of all car parking areas and access to and from them.
- The location and design of all pedestrian and vehicle access ways.
- Provision for the loading and unloading of vehicles associated with the development and use of the land.
- An environmental management plan addressing:
 - The impact of the use and development on the flora and fauna on the site and its surrounds and methods to avoid or mitigate those impacts.
 - The need to protect and enhance the biodiversity of the area, including the retention of native vegetation and fauna habitat and the re-vegetation of important areas of habitat and integration of native vegetation into landscaping of the site.
 - Avoidance and mitigation of impacts on Growling Grass Frog ecological community and habitat and the implementation of a Growling Grass Frog Management Plan approved to the satisfaction of the responsible authority.
 - Management of impacts on creek lines and surrounding environment.
 - Water sensitive urban design including methods for water collection and reuse.
 - The management of impacts, if any, during the construction and carrying out of works, including erosion and sediment, dust, noise, litter, traffic and other amenity impacts.

For the portions of land to be used for the Motor Recreation and Education Park, the development plan must also include:

- A management plan, detailing:

CARDINIA PLANNING SCHEME

- Hours of operation.
- Number of events per year
- Number of patrons each type of event will cater for.
- Management of noise emissions.
- An emergency management plan.

Notice of Development Plan

Prior to approval of a development plan, or any substantial amendment to an approved development plan, the responsible authority must notify the community, or cause notice to be given, for a period of 14 days.

Notice may be given in all or any of the following ways:

- by placing a sign on the land concerned;
- by publishing a notice in newspapers generally circulating in the area in which the land is situated; giving the notice personally or sending it by post; or
- in any other way that the responsible authority considers appropriate

The development plan must be available for viewing at the responsible authority's offices during this time.

The responsible authority must also seek the views of the ~~Department of Environment, Land, Water and Planning~~ Department of Energy, Environment and Climate Action (DEECA), and Melbourne Water prior to the approval of the development plan.

The responsible authority must consider any submissions on the development plan prior to making a decision.

Commented [EM1]: Environment team submission

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CARDINIA PLANNING SCHEME

10/06/2021
C254card**SCHEDULE 17 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO17**.**52 JAMES STREET LANG LANG**1.0
10/06/2021
C254card**Objectives**

None specified.

2.0
10/06/2021
C254card**Requirement before a permit is granted**

The Responsible Authority can consider an application for minor works before a development plan has been approved. All proposals for minor works must be accompanied by a report demonstrating that they will not prejudice the future development of the land in an integrated manner.

Before a permit for subdivision or any development other than minor works or extension to an existing dwelling is granted, the owner of the land must enter into an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act 1987* to the satisfaction of the Responsible Authority. The agreement must require the owner to:

- construct a footpath on the east side of James Street from the primary school to the southern entry of the development ; and

- pay the ~~Department of Sustainability and Environment (DSE)~~ ~~Department of Energy, Environment and Climate Action (DEECA)~~ \$20,000 for rehabilitation works located on the adjoining Crown Land.

Commented [EM1]: Environment team submission

If the Lang Lang Rifle Club is not relocated: before a permit for subdivision or any development other than minor works or extension to an existing dwelling for any of stages 5 to 8 as shown on the draft plan 'Staging Plan James Street, Lang Lang', prepared by Beveridge Williams and dated 14 December 2010, the applicant must:

- implement any noise control methods and treatments and any precautionary safety works identified as necessary in the approved development plan; or
- enter into an agreement to implement any noise control methods and treatments and any precautionary safety works identified as necessary in the approved development plan, to the satisfaction of the Responsible Authority.

3.0
10/06/2021
C254card**Conditions and requirements for permits**

The following conditions and requirements apply to the subdivision and development of the land:

Tree protection zones around trees requiring protection measures must be implemented prior to construction works commencing in accordance with the Carrington Park Estate Site Rehabilitation Management Plan (December 2010).

4.0
10/06/2021
C254card**Requirements for development plan**

A development plan must include the following requirements:

Subdivision Layout

An indicative subdivision layout for the land showing:

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- The staging of the subdivision of the land
- The proposed use and development of the land
- The size and dimensions of lots proposed generally in accordance with the Lang Lang Township Strategy (July 2009)
- The location of trees requiring protection measures

Page 1 of 2

CARDINIA PLANNING SCHEME

- The relationship of the land to existing or proposed uses on adjoining land to achieve the integrated subdivision of the land, including the Little Lang Lang River and the Lang Lang Primary School

Details of how the proposed development responds to the character guidelines for Precinct 5 – New Residential Estates in the Lang Lang Township Strategy (July 2009).

Open Space

An open space plan showing proposed open space, recreation and path facilities including:

- The development of encumbered areas adjoining the Lang Lang Primary School and Crown land to be suitable for use for open space purposes generally in accordance with the draft landscape master plan prepared by Beveridge Williams and dated 21 February 2011.
- Shared paths throughout the open space to link the land to adjoining uses.
- Location of recreation facilities.

Traffic

A clear, legible and convenient road network and pedestrian/bicycle network within and leading to the development, demonstrating appropriate road layout, traffic management and construction standards.

Landscaping

An indicative landscape plan showing:

- The location of all landscaped areas.
- The treatment of the interface between the open space areas and:
 - Crown land located to east and west
 - Little Lang Lang River; and
 - Lang Lang Primary School The revegetation of open space areas.
- Existing remnant trees to be retained.

Environment

- Details of any impacts of the development on biodiversity values in the adjoining Crown land, such as by altered hydrology or the introduction of pest plant and animals, and how those impacts will be addressed, to the satisfaction of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA).
- The provision of suitable buffer zones along all boundaries adjoining native vegetation to the satisfaction of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA).

Commented [EM2]: Environment team submission

Commented [EM3]: Environment team submission

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OFFICIAL**Acoustics and safety**

If the Lang Lang Rifle Range is not relocated, details of:

- noise control methods and treatments, including an acoustic assessment report if necessary, to ensure that no residences will be subject to noise in excess of the maximum allowable noise limit (assessed in accordance with the EPA's *Interim Gunshot Noise Guidelines*, N6/91, dated 26 February 1991) from the Lang Lang Rifle Range; and
- any necessary precautionary safety works as a result of the operation of the Lang Lang Rifle Club, including a risk assessment report if necessary.

Page 2 of 2

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CARDINIA PLANNING SCHEME

10/06/2021
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SCHEDULE 18 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO18**.

LOT A PS527923L & LOT S2 (PART) PS527923L GAINSBOROUGH AVENUE, LANG LANG

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Objectives

None specified.

2.0

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C254card

Requirement before a permit is granted

The Responsible Authority can consider an application for minor works before a development plan has been approved. All proposals for minor works must be accompanied by a report demonstrating that they will not prejudice the future development of the land in an integrated manner. Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner.

Prior to the granting of a subdivision permit or any development other than minor works, an agreement between the owner of the land for Lot A PS527923L Gainsborough Avenue, Lang Lang and the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* must be entered into to the satisfaction of the Responsible Authority, which must require the owner:

- To ensure dwellings on lots abutting the residential properties to the north (Cullen Drive) should be appropriately set back and proportioned to minimise visual built impact. Dwellings should not exceed a height greater than single storey, with the exception of an attic style building to the satisfaction of the responsible authority.
- The Section 173 Agreement must be registered on title.

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C254card

Conditions and requirements for permits

The following conditions and requirements apply to the subdivision and development of the land as shown on the approved development plan.

- Where there is vegetation to be retained, a vegetation protection envelope and a building envelope is to be provided on the plan.
- Vegetation protection envelopes must provide for a Tree Protection Zone in accordance with the Australian Standard AS4970-2009 (Protection of Trees on Development Sites).
- Should development, works or vegetation removal impact on threatened species as outlined in the Development Plan, a threatened species Management Plan to the satisfaction of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA) must be submitted to and approved by the Responsible Authority.
- Offsets to compensate for the loss of any native vegetation on site must be in accordance with an Offset Management Plan prepared to the satisfaction of the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA) – and Responsible Authority. Unless otherwise agreed in writing by the ~~Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA), any offsets required must be secured prior to the removal of native vegetation.

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Requirements for development plan

A development plan must include the following requirements:

Subdivision Layout

An indicative lot layout for the whole site covered by the schedule showing:

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- The size and dimensions of lots proposed must be in accordance with the Lang Lang Township Strategy (July 2009).
- The arrangement of the pedestrian/bicycle and road network.
- Suitable provision of public open space to meet the local community needs.
- Align as much as possible, lot boundaries with the existing lot boundaries of the abutting residential properties to the north, to minimise multiple lots at the rear of individual properties.
- A design that implements the findings of the Flora and Fauna Report.

Staging

- Details on the staging of the subdivision and anticipated timing of development.

Land Use

- The proposed use and development of each part of the land.
- Details on the proposed range of housing types and lot sizes.
- The relationship of the land to existing or proposed developments on adjoining land to achieve the integrated subdivision of the land in the area.
- Ensure a clear transition between densities occurs between the low density lots in the south to the higher density suburban lots in the north.

Traffic and Transport

- Provide a clear legible and convenient road network and pedestrian/bicycle network within and leading to the development demonstrating appropriate road layout, traffic management, and construction standards to the satisfaction of the Relevant Authority.
- The plan must show a north/south vehicle link integrated with abutting land to the south and provide an east/west vehicle link to the abutting residential land to the east and the west.
- The plan must show no vehicle ingress or egress road access to Cullen Drive.

Landscaping

An indicative landscape plan showing:

- The location of landscaped areas.
- Details of any landscape themes for the site.
- The landscape design needs to incorporate a consistent streetscape theme.
- Consideration needs be given to using a majority of local indigenous species in all landscape plantings.
- An explanatory statement illustrating landscape maintenance of the site.

Environment

- A flora and fauna assessment (including a habitat hectare assessment) of the site prepared to the satisfaction of the responsible authority upon the advice of ~~the Department of Sustainability and Environment~~ Department of Energy, Environment and Climate Action (DEECA) that:
 - Provides an assessment of the flora and fauna on site including Ecological Vegetation Classes.
 - Assesses suitable habitat for threatened species on site.
 - Provides a flora listing of each habitat patch.

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- Applies the guidelines from *Guidelines for the removal, destruction or lopping of native vegetation* (DECCA 2025), ~~the three step approach as detailed in *Victoria's Native Vegetation Management – A Framework for Action* (avoid, minimise and offset).~~
- A targeted survey of threatened species (including the southern brown bandicoot) by a qualified environmental consultant where suitable habitat is found on site.
- Provision of an arborist report prepared in accordance with Australian Standard *AS4970-2009 Protection of Trees on Development Sites* to the satisfaction of the responsible authority assessing the remnant trees (Heathy woodland and Swampy woodland) on site. Based on their ecological value and appropriateness of retention, provide for the protection and conservation of the trees.
- Investigations by a suitably qualified environmental professional to provide soil sampling and testing to fully assess the soil contamination status at the cattle yards located along the eastern boundary, to the satisfaction of the Responsible Authority.

Infrastructure

- The provision of utility services infrastructure required to service the development and details of the arrangements for the provision of the infrastructure. The land must be connected to a reticulated sewerage system of a sewerage authority.

Open Space

- The provision of 8 percent unencumbered open space, recreation facilities and path facilities.
- Open space should be fronted by a street which provides frontage (and vehicle access) to housing lots.
- The subdivision layout should be designed to overlook public spaces.
- The arrangements for transfer of open space into public ownership to the satisfaction of the relevant authority.

5.0 Decision guidelines

Before deciding to approve a Development Plan, the responsible authority must consider:

- The appropriateness of the layout of the subdivision having regard to ~~*Victoria's Native Vegetation Management – A Framework for Action*~~ *Guidelines for the removal, destruction or lopping of native vegetation* (DECCA 2025), and any areas of native trees or vegetation to be retained.
- The views of the ~~Department of Sustainability and Environment~~, Department of Energy, Environment and Climate Action (DEECA)

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CARDINIA PLANNING SCHEME

24/02/2022
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SCHEDULE 23 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO23**.

MOODY STREET KOO WEE RUP RESIDENTIAL PRECINCT

1.0

24/02/2022
C240card

Objectives

- To integrate new development with the surrounding area by responding to existing neighbourhood character, enhancing the public realm and existing street and pedestrian networks.
- To ensure choice and diversity of housing that achieves a high quality of amenity and urban design.
- To ensure the stormwater is managed on site up to the 1 in 100 year ARI storm event to predevelopment flow rates.

2.0

24/02/2022

C240card

Requirement before a permit is granted

A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority if the responsible authority is satisfied that the permit will not prejudice the future integrated use and development of the land. **Conditions and requirements for permits**

3.0

24/02/2022
C240card

The following conditions apply to permits:

- Any application for additional dwellings or subdivision of No. 90 Boundary Drain Road or 16 Blackfish Drive include the following condition:

A sealed road with kerb and channel to the closest side and underground drain to match the existing sealed road must be constructed.
- Building envelopes that achieve the front and side building setbacks required by this schedule and the approved development plan are implemented in the form of a Restriction on the certified Plan of Subdivision, or an agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987*, which is recorded on the Certificate of Title of the land. The owner of the land or permit holder must pay all reasonable costs of the preparation, execution and registration of the restriction or agreement, including the reasonable costs of the Responsible Authority.
- Before a statement of compliance is issued under the Subdivision Act 1988, the land owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 to provide for the requirements outlined within the bushfire hazard site assessment. The land owner must pay the reasonable costs of the preparation, execution, and registration of the Section 173 Agreement.
- Construction of the internal road network to the satisfaction of the responsible authority, including upgrades to Moody Street that include kerb and channel, road pavement widening, underground drainage and footpath construction.

Requirements for development plan

4.0

24/02/2022
C240card

A development plan must include the following requirements to the satisfaction of the responsible authority.

The Development Plan must be generally in accordance with the Concept Plan labelled Figure 1 to this Schedule.

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Subdivision Layout

- An indicative lot layout showing how the subdivision encourages a range of dwelling types to cater for a variety of housing needs and addresses the size, dimension and orientation of lots and includes:
 - The provision of a range of lot sizes.
 - The provision of 70 per cent of the lots greater than 700 square metres and range up to 1000 square metres.
 - The avoidance of smaller lots of less than 600 square metres.
 - Lots with a minimum width of 18 metres where possible.
 - A transition to green wedge land to the north with larger lots of greater than 1000 square metres.
- An indicative building envelope for each lot providing:
 - A minimum front setback of 7 metres or no less than the average setback of the adjoining two dwellings.
 - Minimum side and rear setbacks of 2.5 metres.
 - Setbacks for defendable space from bushfire where required.
- A road link from Blackfish Drive to Milla Way, with an altered priority T intersection to identify the separation between these two streets.

Staging

- Details on the anticipated sequencing and timing of development of the precinct, including road delivery.

Environment and Landscaping

- An **Environmental Management Plan** that addresses vegetation and trees (including roadside vegetation) to be retained and how vegetation removal will be avoided, and if it cannot be avoided, how it will be minimised or offset, and measures to protect the trees which includes buffer and tree protection zones, and provides:
 - A **flora and fauna assessment** (including a habitat hectare assessment) of the site must be prepared to the satisfaction of the responsible authority, that:
 - Provides an assessment of the flora and fauna on site including Ecological Vegetation Classes.
 - Assesses suitable habitat for threatened species on site.
 - Provides a flora listing of each habitat patch.
 - An **arboricultural assessment** of all vegetation prepared by a suitably qualified person(s) that identifies any significant trees or vegetation on the land, any existing street trees, roadside vegetation and grassed verges.
 - A targeted survey of threatened species (including but not limited to the Southern Brown Bandicoot) must be prepared by a suitably qualified person(s) where suitable habitat is found on site in consultation with the ~~Department of Environment, Land, Water and Planning~~ Department of Energy, Environment and Climate Action (DEECA).
- A **Landscape Plan** showing:
 -

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The location, preservation and protection of significant trees/vegetation, existing street trees, roadside vegetation and grassed road verges. Including maintaining the long term, sustainable health and condition of existing vegetation to be retained.

- The location, preservation and protection of any threatened species.
- Removal of the row of pine trees and other trees located in the road reserve to the rear of 85 Moody Street whilst retaining and protecting the 8 metre wide low vegetation strip along the southern side of the Southern Boundary Drain.
- Removal of the row of pittosporum trees and other trees located in the road reserve to the rear of 73 Moody Street whilst retaining and protecting the 8 metre wide low vegetation strip along the southern side of the Southern Boundary Drain.
- Removal of trees located in the road reserve to the rear of 90 Boundary Drain Road and 57 Moody Street whilst retaining and protecting the 8 metre wide low vegetation strip along the southern side of the Southern Boundary Drain.
- The location of landscaped areas.
- Details of any landscape themes.
- Landscape design incorporating a consistent streetscape theme.
- New plantings consistent with existing species of vegetation from connecting roads and reserves.
- The provision of street trees (minimum pot size of 45 litres when planted) for shade and aesthetic quality at an early stage of development – to be planted or bonded to the satisfaction of the responsible authority prior to Statement of Compliance of a subdivision.
- Defendable space for bushfire purposes in accordance with Table 6 of Clause 53.02 (Bushfire Planning) of the Cardinia Planning Scheme to ensure development is exposed to a radiant heat flux of less than 12.5 kilowatts/square metre. See CFA's publication 'Landscaping for Bushfire, Garden Design and Plant Selection' for assistance with plant selections within perimeter roads that are located within the defendable space.

Bushfire

- A **bushfire management assessment**, including a bushfire hazard site assessment, prepared by a suitably qualified person. The bushfire management assessment is to include details of how development will respond to 'Clause 13.02-1S Bushfire Planning' of this planning scheme and demonstrate that development is exposed to a radiant heat flux of less than 12.5 kilowatts/square metre. The bushfire management assessment must be to the satisfaction of the responsible authority upon the advice of CFA.
- - the provision of a perimeter road along the northern precinct boundary where development will interface with the bushfire hazard (scrub) located along each side of the Southern Boundary Drain within the Boundary Drain Road reserve, to form part of an area of defendable space;
 - if any defendable space is required on private lots, building envelopes must be provided to provide an area of defendable space of a width to the satisfaction of the responsible authority on the advice of CFA and vegetation within the defendable space within private lots must be managed in accordance with Table 6 of Clause 53.02 (Bushfire Planning).
- Defendable space may also be achieved through:

CARDINIA PLANNING SCHEME

- the construction of a wetland system for the purpose of stormwater retention that is well maintained.
- land to be vested in Council for the purpose of a local park and will be maintained by Council.

Aboriginal Cultural Heritage

- An Aboriginal cultural heritage assessment/archaeological survey must be prepared by a suitably qualified person(s).
- Location(s) and protection of any Aboriginal cultural heritage on the land in accordance with a Cultural Heritage Management Plan (CHMP), if required by the *Aboriginal Heritage Act 2006*.

Traffic and Transport

- An **Integrated Transport and Impact Assessment** prepared to conform with arterial road access management policies to the satisfaction of the responsible authority.
- A **Traffic Impact and Design Assessment** to the satisfaction of the responsible authority, showing arrangements for vehicle ingress and egress to the development, including the road layout, construction standards, traffic management which includes waste and emergency vehicle access.
- A clear legible and convenient pedestrian, bicycle and road network that:
 - Connects and integrates with existing networks, including a pedestrian and bicycle path along Moody Street, and creates new opportunities for improved local permeability in the future.
 - Provides for pedestrian and bicycle pathways in locations adjacent to any public open space.
 - Provides internal street widths of 7.5 metres between invert of kerbs with underground drainage, and generous footpath and nature strip widths.
 - Discourages cul-de-sacs, and if used they are connected through to other streets by a wide reserve and path for safe pedestrian and bicycle access.
 - Provides only one vehicle crossover or access point per lot.
 - Provides traffic management devices for roads with lengths over 180 metres.
- New roads are designed having regard to the standard cross sections in the VPA (GAA) Engineering Design and Construction Manual.

Infrastructure and Drainage

- Provision of utility services infrastructure required to service the development and details of the arrangements for the provision of the infrastructure.
- Provision of a reticulated sewerage system.
- A **Fill Plan** which identifies the depth and fill material, and staging in a manner and time designed to minimise any adverse impacts on the amenity of nearby areas, to the satisfaction of the responsible authority and the relevant water authority.
- A **Drainage Strategy** for the subdivision showing filling of residential lots with roads providing for overland flows and/or raised minimum floor levels for development, to the satisfaction of the relevant water authority and the responsible authority.

CARDINIA PLANNING SCHEME

Public Open Space

- Provision of at least 8 per cent of the development plan area as unencumbered public open space for the purpose of a local park, to be provided in equal parts by No. 73 and No. 85 Moody Street.
- A cash contribution is required to be made in lieu of land for the purpose of unencumbered public open space, equivalent to 8% of the value of the land by land parcels that are not required to contribute land as shown in Figure 1, unless a contribution has previously been made.
- A mechanism for equalisation of public open space contributions required by Clause 53.01, whereby Council is required to provide monetary compensation for the portion of land above 8% to land parcels that are required to contribute land for the purpose of unencumbered public open space that exceeds 8% of the land area as shown in Figure 1, following a valuation based on development values (highest and best use of the land) that is carried out within 28 days of the issue of a statement of compliance by a Council approved property valuer.
- Public open space should be adjacent to a road on all sides and pedestrian and bicycle linkages.
- Provision of a pedestrian access way of 6 metres in width from the proposed open space to the southern boundary drain that will allow Council maintenance vehicles to access the drain.

Urban Design and character

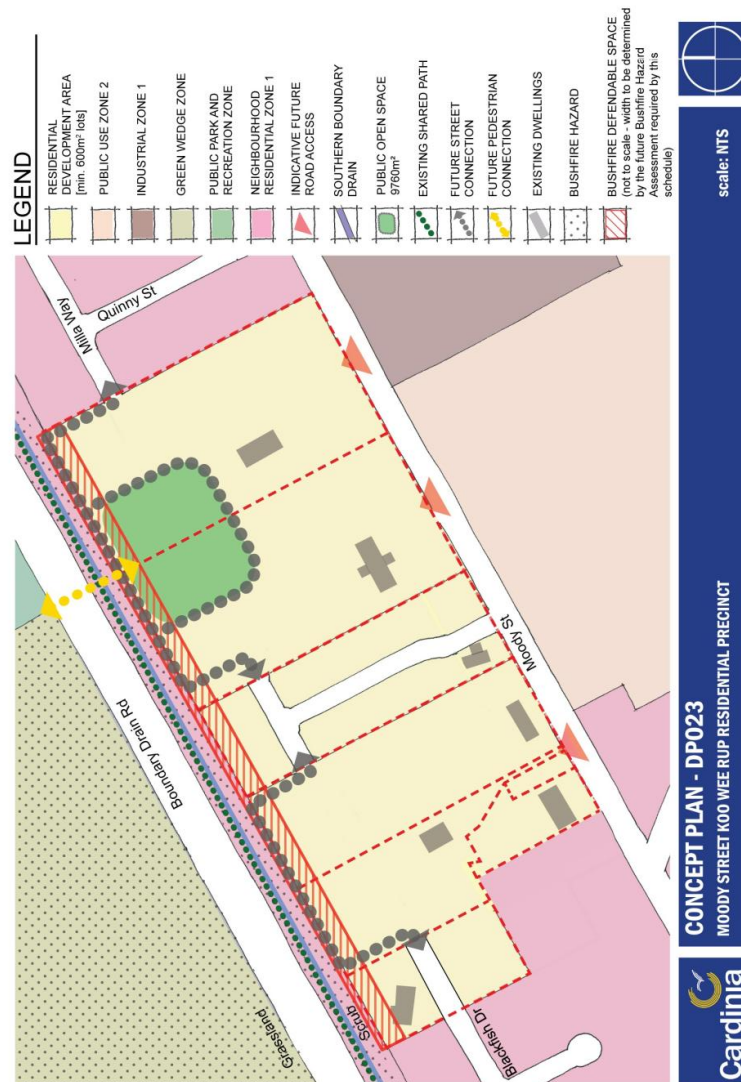
- A high level of quality in the design and construction of new buildings which responds to the existing built form character of the Koo Wee Rup Township.
- Configure dwellings to maximise retention of existing vegetation and allow only one access driveway to a lot.
- Avoid front fences, if lots are fenced in front of the building line provide low front fences no more than 1.2 metres high.
- Any lots adjoining public open space should provide low and transparent fencing.
- New road treatments and street furniture should be consistent with the existing styles of road treatments and street furniture found in Koo Wee Rup Township.
- Provide footpaths with a minimum width of 1.8 metres.
- The interface between development and bushfire hazard must be responsive to the bushfire risk.

Figure 1

The land parcels affected by this schedule are identified as:

- No. 16 Blackfish Drive, Koo Wee Rup.
- No. 90 and 120 Boundary Drain Road, Koo Wee Rup.
- No. 51-53, 55, 57, 65, 67, 73 and 85 Moody Street, Koo Wee Rup.

CARDINIA PLANNING SCHEME



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10/06/2021
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1.0
27/02/2025
C274card

SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION 2.0

Scheduled weed

Scheduled area

10/06/2021
C254card

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
All land in a Public Acquisition Overlay or a Transport Zone 2 or a Transport Zone 3 for the Pakenham Bypass	All native vegetation provided the works are undertaken in accordance with a Project Environment Protection Strategy, which is consistent with the Minister's Assessment under the Environment Effects Act 1978 for the Pakenham Bypass Project, to the satisfaction of the responsible authority
All land	Sweet Pittosporum (<i>Pittosporum undulatum</i>)
Land in the Cardinia Reservoir Park, Emerald	Native vegetation required to be removed, destroyed or lopped to enable the land to be developed by or on behalf of Melbourne Water for the Desalinated Water Integration Project
Land in a Transport Zone 1 for the Cardinia Road Railway Station and associated facilities	Native vegetation required to be removed, destroyed or lopped to enable the land to be developed for the Cardinia Road Railway Station and associated facilities
Land shown in the Urban Growth Zone 6 for the Pakenham South Employment precinct	All native vegetation in the levy area within the meaning of the Melbourne Strategic Assessment (Environmental Mitigation Levy) Act 2020.
Land shown as UGZ7, SUZ8 and IPO3 on planning scheme maps	All native vegetation in the levy area within the meaning of the Melbourne Strategic Assessment (Environmental Mitigation Levy) Act 2020. This does not apply to native vegetation identified as to be retained in a precinct structure plan incorporated in this scheme.
Area	Description of weed
None specified	

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Page 1 of 1

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7.3.1 KERBSIDE WASTE COLLECTION GUIDELINES ENDORSEMENT

Responsible GM:	Ana Caicedo
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	3.1 We value our natural assets and support our biodiversity to thrive 3.1.2 Actively move towards zero waste through increasing waste recovery and reuse. 5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Recommendation

That Council endorses the Kerbside Waste Collection Guidelines.

Executive Summary

Council collects approximately 350,000 kerbside bins and completes an average of 2,300 hard waste bookings each month. To ensure Council can continue providing an efficient and effective waste service to our growing population whilst continuing to meet contract obligations and legislative requirements, the Kerbside Waste Collection Guidelines have been updated.

The Kerbside Waste Collection Guidelines were developed in 2022 to consolidate operational requirements and define the expectations and standards of both Council and users regarding presentation, collection and disposal of waste. Following the endorsement of Council's Community Local Law 2024, the guidelines have been revised and updated to support and enhance the enforcement of waste requirements and ensure proper and safe use of waste services.

The Kerbside Waste Collection Guidelines are a publicly accessible document designed for use by both internal and external stakeholders. They consolidate existing information, policies, and user rules related to waste services in Cardinia Shire, making this information easier to access by bringing everything together in one place.

Background

The *Circular Economy (Waste Reduction and Recycling) Act 2021*, Part 5, Division 1, lists waste services as a mandatory service provision by Councils, which includes the collection and disposal of refuse, recycling and organics.

As such, every household in Cardinia Shire must have access to a general rubbish bin and a commingled recycling bin with access to an optional food and garden waste service. The majority of households in Cardinia Shire have council provided services however where a waste management plan requires, household waste services may be better provided by a private waste service (for example; where there is limited vehicle access, bin storage or bin presentation space). Cardinia Shire also provides rate-paying residents with a bookable hard waste service as well as other waste and resource recovery services on a needs-based schedule. To ensure safe and timely collection of waste, all properties using these services are expected to adhere to presentation and disposal requirements as outlined on Council's website, hard waste booking portal and in the annual waste and recycling guide.

All of these waste services and their corresponding contract arrangements are facilitated

under the General Garbage Charge. The type of Garbage Charge each household pays is determined by the types and sizes of bins they have serviced.

Policy Implications

The collection and recovery/disposal services provided by the Waste Services team at Cardinia Shire aligns with the objectives of the Waste and Resource Recovery Strategy, Liveability Plan and Council Plan.

With the adoption of Council's Community Local Law in 2024, the Kerbside Waste Collection Guidelines have been updated to incorporate relevant requirements and by-laws, enabling better enforcement of waste requirements and to ensure proper use of waste services, see attachment 1.

Councils' work in this area is also influenced by relevant Victorian and Australian government policy, specifically The *Circular Economy (Waste Reduction and Recycling) Act 2021* and The Victorian Government Policy *Recycling Victoria: A New Economy*. The *Recycling Victoria* policy outlines various required changes/updates to kerbside services in order to meet waste reduction targets set by the Victorian government. While many of the changes to waste and resource recovery are governed at a state government level, ongoing improvements relating to kerbside services and waste reduction will impact our community.

Climate Emergency Consideration

In September 2019 Cardinia Shire Council declared a climate emergency, highlighting climate change adaptation and mitigation as key priorities in the 2021-2025 council plan. In addition to this, the Recycling Victoria transition to a more circular economy, outlines the need to reduce our reliance on landfill over the coming years, while also effectively managing our waste and minimising our impact on the natural environment.

With a growing population and the increased waste produced as a result, the Waste Services team will communicate any changes to Cardinia Shire residents as they occur and educate our community on the importance of reducing and properly disposing of waste to gain maximum recovery and minimise littering and dumped rubbish in the environment. As such, developing appropriate guidelines to guide safe and effective use of our waste services is essential in managing these changes and enable us to meet Victorian Government targets.

Consultation/Communication

The kerbside waste collection guidelines come from the requirements stated in our current kerbside collection contract agreements, including conditions of use, available bin options, service standards, management of contamination and general maintenance. The guidelines also outline the conditions set by Council relating to waste management such as the provision of the garbage charge and litter and amenities charges.

Correct service use, presentation rules and acceptable items are communicated frequently to the community via multiple channels, including but not limited to; the annual waste guide mail out, council's website, Connect magazine, social media, customer support, rates notices, hard waste booking portal terms and conditions, other ongoing waste education activities run with community facilities, libraries and other groups (i.e. events, pop-ups and markets).

In addition to ongoing communication efforts, the waste team recently carried out a 9-week community consultation from May-July 2025, as part of the development of a new Waste Strategy. The consultation included 11 face-to-face events where staff directly engaged with 350 residents and a survey sent to 7,000 households which received 1,789 responses, as well as social media engagement and a project page on the Creating Cardinia website. Topics

covered during the consultation period focused on collection frequency, a proposed glass service, enforcement, hard waste service and dumped rubbish, with residents also providing general feedback on other waste services. In line with this work, details of Kerbside Waste Collection Services in Cardinia Shire were included in the draft Waste Strategy 2026-36 recently out for public consultation, to further support implementation of the next strategy.

Financial and Resource Implications

The resources within the Waste Services team are fully funded by the General Garbage Charge under the Local Government Service Rates and Charges.

The Garbage Charge refers to the general waste charge paid by all property owners in Cardinia Shire that have a dwelling and receive Council's kerbside waste services. The Garbage Charge is determined each financial year based on the costs of providing waste services, including contamination fees and the number of rate-paying properties who are eligible for waste services or will be in the near future (e.g. new dwellings and subdivisions).

Communications & Engagement Resourcing

The Kerbside Waste Collection Guidelines consolidate existing information, policies, and user rules related to waste services in Cardinia Shire. All content is publicly available on Council's website and regularly shared through Council channels and education initiatives.

The purpose of this document is to make the information easier to access by bringing it together in one place.

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the *Gender Equality Act 2020*. A Gender Impact Assessment (GIA) was completed as part of the planning and development of the Kerbside Waste Collection Guidelines and identified a number of recommendations:

- We have undertaken specific project engagement in 2025 to gain community feedback regarding the satisfaction of Council's current waste services, set priorities and guide the direction for the future waste services.
- The Guidelines cover options for the Waste Services department to consider variations need for people throughout our community as long as the variations are able to be captured in our contractual arrangements and do not put any other communities at a disadvantage.
- That multiple bin sizes and types are available to the community so they can choose which service best suits their needs.
- That we continue to have options to support those in the community needing extra assistance either ongoing or as a once-off.

Attachments

1. Attachment 1 - Kerbside Waste Collection Guidelines 2026 [7.3.1.1 - 14 pages]



Kerbside Waste Collection Guidelines

Document owner	Waste Management Services		
Adopted by			
Adoption date		Scheduled review date:	As required
Revision/version number			
Record ID	DOCID-1794798263-455		

1. Purpose

Cardinia Shire is a vibrant and growing community, beloved by 130,000 residents for its scenic hills, vibrant urban growth areas, historic railway townships, rich farmlands, and coastline. The residential population is expected to grow by more than 30,000 people in the next decade, reaching a population of around 160,000. Cardinia Shire is evolving, and so too must the way we manage waste.

Each month, Council services around 350,000 bins and responds to over 2,300 hard waste bookings, helping keep our streets clean and our environment protected. To support this essential work, the Kerbside Waste Collection Guidelines have been developed as a clear and accessible resource for residents, Council, and contractors.

Following the endorsement of Council's Community Local Law 2024, these Guidelines have been revised and updated to enhance the enforcement of waste requirements and ensure the proper and safe use of waste services.

They outline shared responsibilities and expectations for waste presentation, collection, and disposal, and reflect our commitment to delivering services that are safe, efficient, and cost-effective. Changes to the previous Kerbside Guidelines have been informed by improved processes, community feedback, customer support enquiries and contractual obligations and service changes.

Aligned with the strategic goals of the Council Plan and the Waste and Resource Recovery Strategy, this document will continue to guide our waste services as Cardinia Shire grows, sustainably, responsibly, and with care.

2. Scope

This document covers the kerbside waste collection services provided for residential properties, community facilities, commercial businesses and non-rateable properties within Cardinia Shire Council. Collection and disposal of waste from public place bins or in relation to dumped rubbish are not within the scope of this document.

3. Definitions

Term	Definition
Council	refers to Cardinia Shire Council.
Council officer	refers to the Chief Executive Officer and any council staff appointed by the Chief Executive Officer.
Contamination	refers to any material that is not accepted in the specified waste stream.
Contaminated Waste Service process	refers to the process where sustained contamination triggers specific education and engagement with a household and may result in a service review or financial penalties.
Contract Supervisor	refers to Cardinia Shire Council's Waste Contract Management Officer. The Contract Supervisor may delegate decisions under these guidelines but is ultimately responsible for their implementation.
Contractor	means the waste management company appointed to collect waste in the municipality on behalf of Cardinia Shire Council. This appointment is formalised by the agreed Kerbside Collection Contracts.
Garbage charge	refers to the general garbage charge paid by all properties in Cardinia Shire with a dwelling that receive a kerbside waste service.
Hard waste	refers to large or bulky household waste items that are unsuitable for disposal in kerbside bins but acceptable in Council-run hard waste collection services.
Hard waste collection	refers to the waste collection service, by Council contractors, of large or bulky household waste items, collected from residential properties paying the Residential Garbage Charge.
Kerbside waste service	refers to any household kerbside rubbish bin, recycling bin or food and garden waste bin supplied by Council.
Non-Council bin	any kerbside bin not supplied by Council.
Property Owner	refers to the owner of a residential property or commercial property.
Processor	Refers to the waste management company appointed to process recoverable waste collected in the municipality and delivered to the processing site on behalf of Cardinia Shire Council. This appointment is formalised through formal processing contracts.
Renter	refers to a resident or occupier of a home or residence where they are not the property owner or ratepayer of that property.
Resident	refers to a person who lives within Cardinia Shire Council.

4. Guidelines

4.1 Residential bin services

Every household must have a minimum of 1 x general rubbish bin (red lid) and 1 x commingled recycling bin (yellow lid). The property owner must cover the cost of these services through their General Garbage Charge on the Council issued annual Rates notice.

If a property does not have a rubbish and recycling bin, they need to be ordered within 5 days of someone occupying the property.

The standard bin sizes for all residential properties are:

- 120-litre Rubbish bin
- 240-litre Recycling bin

If a residential property is identified as having an occupiable dwelling but is not paying any waste charges Council maintains the right to add a standard waste charge to that property.

4.1.1 Additional bins and optional services

Additional bins are available to residential properties, not exceeding the limit specified in Table 1. Additional bin options are:

- Optional 120-litre Food and Garden bin + food waste caddy
- Optional 240-litre Food and Garden bin + food waste caddy
- Additional 120-litre Rubbish bin
- Additional 240-litre Recycling bin

Available bin sizes and optional services are outlined in Table 2.

Additional bins and optional waste services can only be ordered by a property owner, authorised property manager or authorised ratepayer(s), with fees charged to the property's annual rates notice.

All additional and optional bins must be kept at the property for a minimum of six months and will be charged accordingly.

All Food and Garden waste bins are supplied with a food waste caddy for collection of food scraps. Compostable caddy liners are also available from Council for households with a Food and Garden waste bin.

If a residential property is identified as having additional bins and is not paying the aligning waste charges, Council maintains the right to add additional waste charges to that property.

	Rubbish bins	Recycling bins	Food and Garden waste bins	Hard waste collections
Residential property	1 - 3	1 - 3	0 - 3	0 - 4
Commercial property	0 - 3	0 - 3	0 - 3	N/A
Non-rateable properties	0 - 6	0 - 6	0 - 6	N/A
Schools	0	0 - 6	0 - 6	N/A

Table 1 - Summary of available kerbside bin services

Bin sizes

The standard 120-litre rubbish bin can be downsized to 80-litres for a reduced rate. Residential properties with a downsized option (80-litre rubbish bin, or 120-litre food and garden bin), cannot order additional bins within the same waste stream.

For rental properties, landlords must supply a 120-litre rubbish bin at the property unless the renter agrees to use an 80-litre bin. This arrangement must be agreed to by the renter in writing.

Bin type	Options	Collection
Rubbish bin (landfill) Red lid	120L or 80L bin options 	Collected weekly by side lift vehicle (left-hand side)
Recycling bin Yellow lid	240L bin 	Collected fortnightly by side lift vehicle (left-hand side)
Food and Garden waste bin* Lime Green lid	240L or 120L bin options *Optional service 	Collected fortnightly by side lift vehicle (left-hand side)

Hard Waste collection*	<i>*Service only available to residential properties paying the Residential Garbage Charge.</i> 	Collection of 4 cubic metres per household, per financial year as either: - Two collections per year, of 2 cubic metres (2m x 1m x 1m), or - One collection per year, of four cubic metres (4m x 1m x 1m). Two additional paid collections also available. Collected by rear load and flat tray vehicle.

4.2.2 Replacement and maintenance of kerbside bins

If bin(s) are damaged or stolen, residents can request repairs or replacement bin(s) free of charge. It is the responsibility of the resident to notify Council if a bin is damaged or stolen.

Waste charges cannot be refunded or removed in cases where a bin is damaged, stolen or not presented by the household regularly.

If a bin at a rental property is damaged, stolen or missing, renters can request repairs or replacement bins from Council at any time, without notifying the property manager or ratepayer.

4.1.3 Bin service conditions of use

All kerbside bins are owned by Cardinia Shire Council and cannot be removed from the allocated address without the consent of Council.

Bins will only be collected outside the boundary of each property on the kerbside or in an appropriate area accessible by waste contractor unless other arrangements have been agreed to by a Council officer.

In instances where it is not safe or feasible for the kerbside collection vehicle to enter into a street or a section of a street, Council reserves the right to indicate a safe presentation location on a neighbouring or near-by frontage.

Kerbside rubbish collection will occur weekly and kerbside recycling and food and garden waste collections will occur on alternating fortnights, on a day of the week nominated by Council. On occasion Council may need to amend the collection day of kerbside waste services to meet specific service needs or resource requirements of Cardinia's growing population. Any permanent changes to a collection service or presentation location will be communicated in writing to relevant households.

Council waste services must be used in accordance with Part 4 of Council's Community Local Law 2024, including but not limited to:

- Occupants of the property are responsible for safe storage and presentation of bins and must ensure bins are returned to the property within 24 hours of collection.
- Bins presented for collection must not obstruct pathways, driveways, or roads.
- It is the responsibility of the occupants of a property to ensure that waste is properly sorted to avoid contamination.

Kerbside waste collection guidelines

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4.1.4 Incorrect use

Cardinia Shire Council reserves the right to refuse collection of a bin that is continuously used incorrectly. Incorrect use includes, but is not limited to:

- Contamination (placing non-accepted or hazardous items in a kerbside bin)
- Overflowing or overweight bins
- Incorrect presentation
- Presentation of bins not issued by Cardinia Shire Council.

Contamination refers to any item(s) not accepted by the processor, as outlined in the relevant processing or disposal contract. If contamination or presentation issues are reported over two or more consecutive collections, Council's waste management team or the waste contractor will notify residents who have used their bin incorrectly and provide information on how to resolve the issue.

Continued misuse of bins may lead to compliance action being taken, including but not limited to, issuing infringement notices, financial penalties, or changes to a waste service.

The waste contractor has the right to refuse service of a bin where there is visible gross contamination, or hazardous waste items, as outlined in 31.10 of Community Local Law 2024. Bins that are heavily contaminated or contain hazardous waste will need to have the items removed by the household before the bin can be emptied. Disposing of hazardous waste items appropriately is the responsibility of the household

Repeated and consistent contamination of household bins will trigger Councils' Contaminated Waste Service process which aims to educate and engage households on improved sorting behaviour.

If contamination continues, Council may take steps to change a households' waste service or apply charges to help offset higher processing costs and service charges as a result of contamination.

4.1.5 Non-Council or unpaid additional bins

Council and waste contractors will only service bins that have been supplied by Cardinia Shire Council. If a household is presenting a non-Cardinia Shire Council bin for collection, the bin will be removed at Councils discretion.

If there is sufficient evidence that a household is presenting unpaid additional bins, the charges for these waste services will be applied to the appropriate rates notice. If the additional bin is not required, it is the responsibility of the household to cancel the service. A bin must be cancelled and collected by the contractor before charges can be removed from a property's rates notice.

4.2 Hard waste collections

All residential properties paying the residential garbage charge are entitled to two free hard waste collections per financial year at a time nominated by the household. If the household has excess hard waste, residents can choose to use both entitlements for a single collection of four cubic metres, once per financial year.

Two additional paid collections are also available to each household through the hard waste booking portal.

Hard waste collections typically take place Monday to Friday between the hours of 6am and 4pm. On occasion the contractor may be required to work outside of these hours for the safety of staff or to meet workload requirements.

Retirement and lifestyle villages receiving kerbside bin collections are entitled to the same number of hard waste collections as individual residential properties. To ensure safe and efficient removal of waste, collection dates may be coordinated by individual village operators in consultation with Council waste officers.

Properties with a private waste service, in place of the Council kerbside service, are not entitled to use Council's Hard Waste service.

4.2.1 Conditions of use

Conditions of the hard waste collection service, including booking process, pile size and acceptable items are outlined on Council's website and in the annual Waste and Recycling guide and include:

- The allowed amount of waste per hard waste collection is two cubic metres (2m x 1m x 1m) for a single booking or four cubic metres (4m x 1m x 1m) for a double booking.
- Hard waste collections must be booked prior to any waste being presented.
- If additional items are added to a pile by a third party, the resident must notify Council, before collection occurs.
- Items should only be placed on the nature strip the weekend before the chosen collection week – no earlier.
- Items should be placed in a neat, accessible pile with items able to be safely handled by a team of two people

Where conditions or processes are not followed correctly, Council reserves the right to refuse collection of any hard waste pile or non-compliant material or follow applicable processes as outlined below:

- If a household presents more than the booked volume of hard waste material, Council Officers may use any remaining hard waste entitlements at the property to have the remaining waste collected. If all entitlements have been used, Council may request that an additional collection be paid for by the household, ratepayer or property manager.
- Hard waste that is presented more than a week before the allocated collection date will be investigated as dumped rubbish and may incur penalties or compliance action.
- If remaining non-compliant/unacceptable items are not removed by the resident, they will be considered dumped rubbish and referred to a compliance process for further action which could incur enforcement action in accordance with the corresponding Community Local Law 2024.

Where conditions of use are not followed, Council may progress enforcement action as per Council's Community Local Law 2024.

4.2.2 Change of property ownership or tenancy

Where a property changes ownership or occupancy in the first six months of the financial year, and both free hard waste entitlements have been used, an additional entitlement may be added to the property on request, at the discretion of Council's officer.

If waste is left by a previous occupant in or around the property boundary, the issue should be addressed through the previous occupant, property manager, real estate agent, or relevant

authority. Council may request that an additional collection/s required be paid for by the household, ratepayer or property manager.

4.3 Garbage charge

The Garbage Charge refers to the general waste charge paid by all properties in Cardinia Shire that have a dwelling and receive Council's kerbside waste services.

The Garbage Charge is determined each financial year based on the costs of providing waste services and the number of rate-paying properties who are eligible for waste services or will be eligible in the near future (e.g. new dwellings and subdivisions).

A households' individual variations to the total charge are determined by the number and types of bins at the property and these are reviewed and audited regularly to ensure an efficient and cost-effective waste service is being delivered for residents.

Households with a private waste service will pay a Litter and Amenities charge instead of the Garbage Charge (see section 3.2).

4.3.1 Residential garbage charge

The standard Garbage Charge covers the cost of providing all waste and recycling services, including:

- collection of kerbside bins
- sorting and processing of kerbside recycling and food and garden waste
- disposal of kerbside rubbish bin waste
- collection and disposal / recovery of kerbside hard waste
- waste levies charged by the State Government
- direct costs of administering waste services
- provision of public waste and recycling services
- management of dumped rubbish
- management of closed landfill sites
- maintenance of waste infrastructure
- community education and engagement on waste management and using waste services correctly.

4.3.2 Litter and amenities charge

In instances where residential properties receive a private waste service in place of Council's kerbside service (as approved through the Waste Management Plan process) the Litter and Amenities charge will replace the Garbage Charge.

This charge covers:

- provision of public waste and recycling services
- management of dumped rubbish
- management of closed landfill sites
- maintenance of waste infrastructure

Kerbside waste collection guidelines

8

- community education and engagement on waste management
- waste levies charged by the State Government

The power to declare service rates and charges, *including for waste services*, is governed by Section 162 of the Local Government Act 1989.

4.3.3 Removing waste charges from a property

All properties with a habitable dwelling are required to have a waste service regardless of whether the dwelling is occupied or not. It is the responsibility of the owner/ratepayer to review charges on the annual rates notice and advise Council of any differences.

In instances where there is no habitable dwelling on the property, a ratepayer may request removal of waste charges with sufficient evidence (i.e. demolition, extensive repair or renovation, damage from natural disaster or other circumstances).

Waste charges can only be removed from a property once the owner/ratepayer has contacted Council and, where applicable, after the bins have been removed from the property.

If additional or optional bins were cancelled and removed from a property, but the waste charges remain, these charges may be backdated to a reasonable date within the current or previous financial year, on request of the ratepayer. Backdated waste charges are at the discretion of the Council officer and Council is unable to credit for the years prior.

4.3.4 Retirement and lifestyle villages

Kerbside services are provided to retirement and lifestyle villages in Cardinia Shire. Depending on the type of village, properties within the village may be rated individually or as one title, as indicated on the rates and/or body corporate notice. Regardless of the property rating, each individual dwelling must have access to kerbside waste services.

Bins must be presented in a safe and efficient manner at a predetermined location where space permits; consultation on truck routes and presentation locations may occur between village management and Council officers and/or contractors to ensure safe collection.

4.3.5 Removal of waste in exceptional circumstances

Council may assist with the removal of waste in exceptional circumstances, such as a deceased estate, cases of domestic or family violence, severe hardship, natural disasters or extreme weather events or other cases referred by relevant Council teams, community support agencies or other authorities.

Services provided will be at the discretion of the Council officer but may include additional hard waste collections, temporary additional kerbside collections, free drop-off events, or removal of the waste by a contractor where appropriate.

4.3.6 Additional waste services on medical grounds

Households generating excess waste due to a verified medical condition may request an additional general waste bin at no-cost. Applications must be supported by appropriate medical documentation confirming the condition and its impact on waste generation.

All applications are subject to Council assessment, based on suitability and availability.

This service is for residential properties only and is reviewed annually to ensure the service is still required. As there is no cost associated, renters do not need permission from a property owner or property manager to access this service.

4.4 Waste services for non-residential properties

4.4.1 Commercial properties

Commercial properties within Cardinia Shire can access Council kerbside waste services, at the discretion of the property owner or property manager and on approval of Council officer.

Limits to the type and number of waste services Commercial properties can access are outlined in Table 1.

All waste services are charged at a commercial rate and added to the business' rates notice, pro-rata.

The kerbside waste service is not suited to business with high volumes of waste. Bin sizes and collection frequencies are outlined in Table 2 and cannot be altered to suit individual needs.

Commercial bins must be presented in an approved location, in a safe and effective manner which aligns to the residential kerbside bin presentation rules outlined in section 1.3.

Additional bins may be ordered and presented where space permits, limits apply as per Table 1.

Council reserves the right to suspend, revoke or alter individual commercial waste arrangements, with sufficient notice, due to ongoing misuse as per section 1.3 and 1.4.

Commercial properties are not entitled to hard waste collections.

4.4.2 Council owned buildings

Council-owned buildings that are privately managed or leased to other businesses or organisations (i.e. Cardinia Life) can access Council's service, and applicable charges will apply. Where a kerbside service is not suitable or appropriate, a private waste service should be arranged.

Council owned and operated facilities are eligible for a hard waste collection, within the same conditions as residential hard waste service, including booking process, pile size and acceptable items outlined in section 2.1.

Where conditions or processes are not followed, Council reserves the right to refuse collection of any waste service or non-compliant material.

4.4.3 Non-rateable properties

Non-rateable properties (or rates-exempt properties) that are not owned by Council can access Council's kerbside bin service and applicable waste service charges will apply.

Section 154 of the Local Government Act 1989* outlines which properties are classified as non-rateable and may include, but not limited to:

- Buildings or land used by other Government Organisations (VicRoads, PTV, DHHS etc.)
- Schools and educational institutions
- Hospitals and health services
- Caravan Parks
- Rooming Houses
- Emergency Services (Ambulance, Police, CFA, SES etc.)
- Service League sub-branches
- Scouts and Guide groups
- Places of worship
- Neighbourhood houses and youth centres
- Public halls
- Charitable organisations
- Libraries

Users and renters of these properties must seek written permission from the authorised managing body/property manager before ordering additional or optional services. Council may require written permission or evidence of this request before waste services are provided.

Non-rateable properties are not entitled to the hard waste service.

*Matters concerning non-rateable land are governed by the Local Government Act 1989 (Vic), Section 154, which remains in force for rating purposes and outlines which properties are classified as non-rateable.

4.4.4 Conditions of use for non-residential properties

Waste services will only be provided to non-residential properties where it is deemed suitable and where the following conditions are met:

- Businesses, facility managers and user groups are responsible for safe storage and presentation of bins, and ensuring bins are returned to the property within 24 hours of collection.
- Bins presented for collection must not obstruct pathways, driveways, or roads.
- The waste service must be used in accordance with Community Local Law 2024.
- It is the responsibility of the user groups to ensure that waste is properly sorted to avoid contamination.

Council reserves the right to suspend, revoke or alter individual waste arrangements, with sufficient notice, due to ongoing misuse as per section 1.3 and 1.4.

4.4.5 Schools

Government Schools can access the commercial Recycling and Food and Garden waste services charged at the commercial rate.

To ensure a safe and efficient service, schools cannot use the Council rubbish bin service and are advised to seek arrangements for a private waste collection for general rubbish (landfill) services.

To be eligible for these waste services the above conditions of use outlined in 1.3 must be met.

Schools are not entitled to hard waste collections.

Food waste caddies and incursions

Schools with composting facilities or worm farms on school grounds, are eligible for up to ten free food waste caddies.

To receive the caddies, eligible schools will need to book a free composting or worm farm incursion, delivered by Council's incursion provider, book via Council's website.

4.5 Compliance

Council will regularly review kerbside waste services to ensure the obligations of the contractors, residents and Council are being met.

From time-to-time special considerations may be made regarding waste services outlined in these guidelines, with decisions to be determined by the Coordinator Waste Management Services utilising appropriate and available evidence which may be stored on the Council corporate records system.

Recourse for non-compliance

Residents are expected to follow the requirements outlined in these guidelines, Council's annual Waste and Recycling Guide, and the Council website.

Where a user is not meeting the outlined responsibilities, Council or its authorised contractors may, without prior warning, take appropriate action to ensure the safe and timely collection of waste.

Where appropriate, Council will attempt to notify the user or issue a warning notice to allow time for the issue to be resolved. If the problem persists after multiple warnings, compliance measures may be taken, including but not limited to; infringement notices, financial penalties, revoking hard waste entitlements, or imposing changes to a waste service.

5. Relevant documents

The Kerbside guidelines outline the roles and responsibilities of residents, Council and contractors in delivering waste services for our community.

This document aligns with the objectives and strategic directions set out in the Council Plan (2025–2029) and the Waste and Resource Recovery Strategy (2017–2026). It also anticipates ongoing alignment with the forthcoming Waste and Resource Recovery Strategy (2026–2036), which will begin once the current strategy concludes.

These guidelines will support Council to deliver waste services that are safe, efficient, and cost-effective while also meeting our community's needs.

Type of document	Title and/or RMC link
Commonwealth/ Victorian legislation	Local Government Act 2020 Local Government Act 1989 Circular Economy (Waste Reduction and Recycling) Act 2021 Sustainability Victoria's State-wide Waste and Resource Recovery Infrastructure Plan
Strategic directions paper	Cardinia Shire Council Plan 2021-2025 Recycling Victoria: A New Economy
Policies	Community Local Law 2024
Strategies	The Waste and Resource Recovery Strategy (2017–26) Waste and Resource Recovery Strategy 2022–26 Action Plan
Guidelines	Waste Guidelines for New Residential and Mixed-Use Developments Public Place, Litter and Recycling Guidelines
Procedures	Procedure - Foreign and Additional bin removal process.docx Procedure - Confirming or adding charges for waste services

6. Review

As aspects of waste services change, Cardinia Shire Council will review and update this document and related documentation accordingly.

Responsible Department: Waste Management Services

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7.4 Financial Reports

7.4.1 AMENDED DRAFT 2025-29 REVENUE AND RATING PLAN

Responsible GM:	Wayne Mack
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5. Responsible Leaders 5.2 Engagement - We build trust and encourage participation in Council decision-making by providing ongoing opportunities for people to have their say, ensuring the diverse voices of the Cardinia community are heard and considered. 5.3 Long term financial sustainability - We manage Council's resources prudently and efficiently to ensure long-term financial sustainability.

Recommendation

That Council adopts in principle the amended draft 2025-29 Revenue and Rating Plan which is attached to this report and commence community exhibition.

Executive Summary

This report recommends that Council adopt in principle the amended 2025-29 Revenue and Rating Plan (the Plan) for the purpose of community exhibition. The Plan has been revised following a deliberative engagement process, including the commissioning of a community panel to inform and guide its development.

This Plan determines the most appropriate and affordable revenue and rating approach for Cardinia Shire Council, and set guidelines for use in developing Council's Budget, Financial Plan and other strategic planning documents.

Background

Council's Revenue and Rating Plan contains detail on how Council will raise the revenue needed to fund its activities. This includes advocating for funding from other levels of government, engaging in available investment opportunities and ensuring the fair and equitable distribution of the remaining burden between ratepayers and other users of Council facilities and services.

When adopting its Revenue and Rating plan in June 2025, Council resolved to undertake a further review of its differential rating structure, which is reflected in initiative 5.17 in the 2025-29 Council Plan to "undertake a review of Council's Revenue and Rating Strategy".

It was identified that a process of deliberative community engagement would provide an opportunity for community voices to form part of information to be considered before making any changes to Council's Revenue and Rating Plan. The process was endorsed at the Council Meeting held on 17 November 2025.

This recommendation provided by the panel informed an updated model that has now been incorporated into the amended draft 2025-29 Revenue and Rating Plan.

The recommended model provides targeted relief to genuine farming properties, increases charges on vacant and under-utilised land to encourage development, clearly differentiates between commercial and industrial uses based on service impact, and limits changes for

residential ratepayers. The recommended model aligns with the principles of equity, transparency, capacity to pay and long-term financial sustainability.

Discussion

Over 50% of Council revenue is currently funded by rates. Council continues to actively seek alternative revenue sources to help reduce the reliance on rate revenue in funding the delivery of essential services and infrastructure for the community.

The amended draft 2025-29 Revenue and Rating Plan has been updated following a deliberative engagement process.

The process involved the appointment of an independent consultant and the facilitation of a community panel of up to 30 individuals representing Council's different rating categories. The panel met over two half day sessions in February 2026 and provided a recommendation to Councillors for their consideration.

The Panel's final recommendation called for:

- Separation of commercial and industrial categories
- Investigation of urban farmland to address potential land banking and validate genuine farming operations
- Decrease to the farm differential
- Increase to the urban vacant land differential

In response to the Panel's recommendation, officers developed a recommended model which has been considered by Councillors and is now being included in an amended draft of the 2025-29 Revenue and Rating Plan. The recommended model responds to the Panel's principles while introducing structural refinements to improve operational clarity and better align category definitions with land use.

Key features include:

- Retention of all existing differential categories, including Farm and Urban Farm
- Reduction of the Farm differential by 10%
- Retention of Urban Farm at the existing rate
- Increase in Urban Vacant Land from 200% to 210%
- Separation of commercial and industrial land, with uplifted industrial differentials recognising higher service and infrastructure impacts
- Introduction of non-growth-corridor categories for Vacant, Commercial and Industrial land, set lower than corresponding urban growth corridor categories

These changes respond directly to the Panel's emphasis on fairness, discouraging land banking, and ensuring rate contributions better reflect land use and impact.

Policy Implications

Nil

Financial and Resource Implications

The amended Plan continues to provide strategic direction for Council's sources of revenue.

Climate Emergency Consideration

Nil

Consultation/Communication

Deliberative community engagement has informed the development of the recommended model that was presented for Councillor consideration. This included the formation of a Community Panel in accordance with Council's requirements for deliberative engagement as part of this process, where a selected range of participants were able to discuss and respond to key challenges.

Council sincerely thanks the Community Panel for their considered deliberation and valuable feedback, and acknowledges the time and effort contributed by the participants, which has helped inform the update to the amended draft Plan.

Following a Council decision to adopt the updated Revenue and Rating Plan in principle, it will be made available for a 28-day period of public exhibition alongside the draft 2026-27 Budget, where the community will have an opportunity to provide feedback on the proposed changes.

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the *Gender Equality Act 2020*. It was determined that a Gender Impact Assessment (GIA) was not required as the subject matter of this report does not relate to a policy, program or service that has a direct or significant impact on the community.

Attachments

1. Attachment 1 - DRAFT Revenue and Rating Plan 2025-29 Amended 2026 [7.4.1.1 - 20 pages]

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Cardinia Shire Council



DRAFT Revenue and Rating Plan 2025 - 2029

June 2026 Version 2

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TABLE OF CONTENTS

1.1	PURPOSE	3
1.2	INTRODUCTION	4
1.3	COMMUNITY ENGAGEMENT	5
1.4	RATES AND CHARGES	5
1.4.1	RATING FRAMEWORK	5
	Local Government Act 2020	5
	Local Government Act 1989	6
	Fair Go Rates System	6
	Rating Principles	6
	Exemptions	7
1.4.2	GENERAL RATES	7
	Property Valuation	7
	Rate in the Dollar	7
1.4.3	MUNICIPAL CHARGE	8
1.4.4	SPECIAL CHARGE SCHEMES	9
1.4.5	SERVICE RATES AND CHARGES	9
1.4.6	EMERGENCY SERVICES AND VOLUNTEERS FUND	9
1.4.7	ADMINISTRATION OF RATES AND CHARGES	10
	Collection Policy	10
	Rebates and Concessions	10
	Financial Hardship, Rate Deferrals and Waivers	10
1.5	FEES AND CHARGES	11
1.5.1	USER FEES AND CHARGES	11
1.5.2	STATUTORY FEES AND FINES	12
1.6	GRANTS	13
1.7	CONTRIBUTIONS	13
1.8	INTEREST ON INVESTMENTS	13
1.9	OTHER REVENUE	13
1.9.1	SALE OF ASSETS	13
1.9.2	BORROWINGS	13
1.9.3	ALTERNATE REVENUES	14

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APPENDIX – DIFFERENTIAL RATES	15
1.9.4 Base Rate	15
1.9.5 Commercial Rate	15
1.9.6 Farm Rate	16
1.9.7 Industrial Rate	16
1.9.8 Urban Commercial Rate	17
1.9.9 Urban Farm Rate	17
1.9.10 Urban Industrial Rate	18
1.9.11 Urban Residential Rate	18
1.9.12 Urban Vacant Land Rate	19
1.9.13 Vacant Land Rate	19

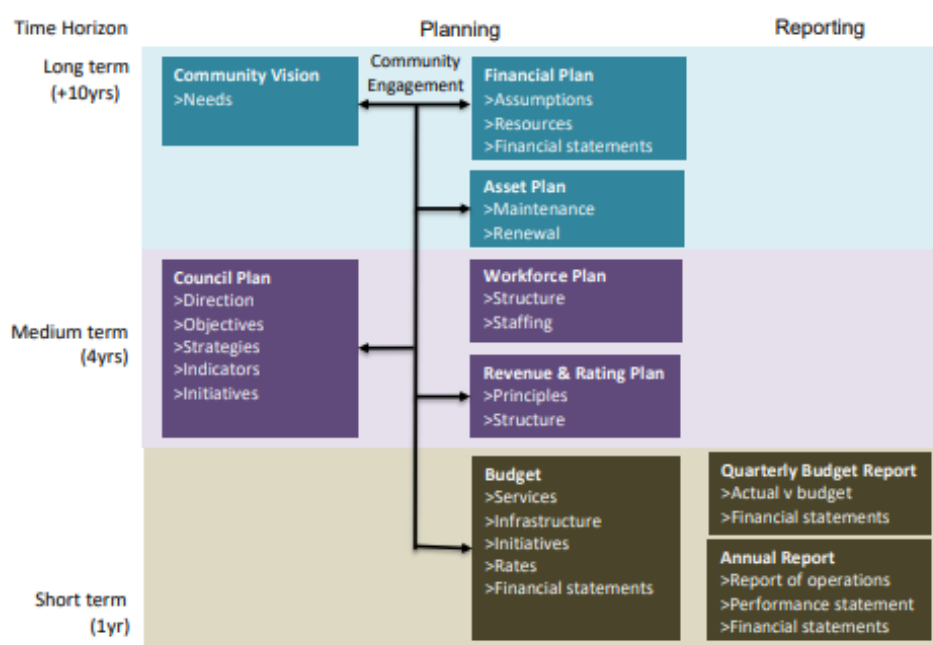
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1.1 PURPOSE

The Revenue and Rating Plan establishes a revenue raising framework within which Council proposes to work. This plan determines the most appropriate and affordable revenue and rating approach for Cardinia Shire Council, which will adequately finance the vision and objectives outlined in the Council Plan.

The *Local Government Act 2020* requires Council to prepare a Revenue and Rating Plan to cover a minimum period of four years following each Council election.

The Revenue and Rating Plan is part of the Council's Integrated Strategic Planning Framework as set out in the following diagram.



Strategies outlined in this plan align with the objectives contained in the Council Plan and feed into Council's Budget and Financial Plan, as well as other strategic planning documents.

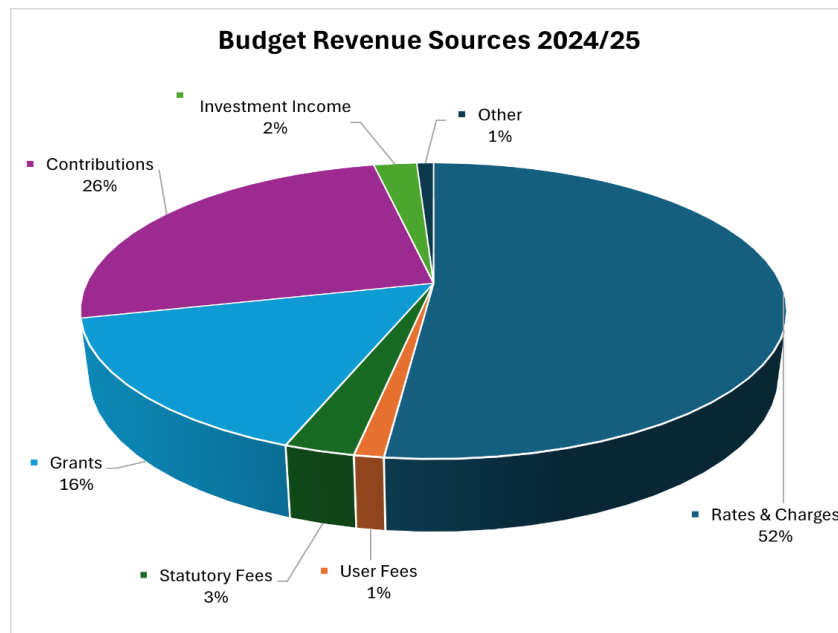
This plan explains how Council calculates the revenue needed to fund its activities, and how the funding burden will be apportioned between ratepayers and other users of Council facilities and services. This plan sets out decisions of Council in relation to rating options available to it under the *Local Government Act 2020* to ensure the fair and equitable distribution of rates across property owners. It also sets out principles used in decision making for other revenue sources such as fees and charges. The plan does not set revenue targets.

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1.2 INTRODUCTION

In line with the Council Plan and Community Vision, Council provides a wide variety of services and facilities to our local community. In doing this, Council must collect revenue to cover the cost of providing these services and facilities.

The below graph presents the various revenue sources that are budgeted for Cardinia Council in 2024/25.



Council's major revenue source is Rates and Charges (\$126million), followed by Developer Contributions (\$62million), and Government Grants (\$38million). This plan seeks to address Council's reliance on rate income and provide alternate revenue options to actively reduce that reliance.

In determining its revenue requirements, Council identifies what each source of revenue is, how much will be raised in each class, and the policy rationale/assumptions for each. Council considers:

- How revenue will be generated through rates on properties
- Fixed service charges that might be applied on services such as waste or recycling
- Fees and charges for services and programs including cost recovery policies and user charges
- Recurrent and non-recurrent operational and capital grants from other levels of Government
- Developer contributions and other revenue
- Revenue generated from the use or allocation of Council assets (including the application of discounts and waivers)
- Entrepreneurial, business, or collaborative activities established to deliver programs or services and generate income or reduce costs.

The Council provides public goods and services, private goods and services and a mix of both to the community. In determining if services should be funded through rates and charges or other revenue sources such as user charges, the Council considers whether services are either entirely or partially public goods. That is, where a service provides a broad benefit to the whole community then it will be funded from rates. Where individual or groups of ratepayers receive a particular benefit, the service will be funded from user charges.

Each revenue source is discussed in more detail within the relevant section of this plan.

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1.3 COMMUNITY ENGAGEMENT

The Revenue and Rating Plan outlines Council's decision-making process on how revenues are calculated and collected. The following public consultation process was followed to ensure due consideration and feedback is received from relevant stakeholders.

Revenue and Rating Plan community engagement process:

- Proposed Revenue and Rating Plan prepared.
- Proposed Revenue and Rating Plan placed on public exhibition via Creating Cardinia, our online Community Engagement Platform for a period of 28 days seeking public feedback.
- Consider public feedback and perform revisions as required; and
- Revenue and Rating Plan presented to the June Council meeting for adoption.

1.4 RATES AND CHARGES

Rates are property taxes that allow Council to raise revenue to fund essential public services within their municipal population. This taxation system provides Council with flexibility in its rating structure to accommodate issues of equity and to ensure fairness in rating for all ratepayers.

Rates and charges are an important source of revenue, accounting for over 50% of revenue received by Council. Council is conscious of achieving a sustainable balance between collecting rate revenue to fund the delivery of essential community services and infrastructure, and the community's ability to manage the financial burden of paying annual rates.

Planning for future rate increases is an essential component of Council's long-term financial sustainability. These increases are considered during the long-term financial planning process and are used to fund both additional service delivery and the increasing costs related to providing Council services.

1.4.1 RATING FRAMEWORK

This plan outlines the principles and strategic framework that Council will utilise in calculating and distributing the rating burden to property owners. The legislative framework determines Council's ability to develop a rating system, the adoption requirements, and how the information is to be presented to the community. Legislation provides significant flexibility for Council to tailor a system that suits the needs of both Council and Community.

Local Government Act 2020

Section 94 states that Council must adopt a budget by 30 June each year (or at another time fixed by the Minister) to include:

- a) the total amount that the Council intends to raise by rates and charges
- b) a statement as to whether the rates will be raised by the application of a uniform rate or a differential rate
- c) a description of any fixed component of the rates, if applicable
- d) if the Council proposes to declare a uniform rate, the matters specified in section 160 of the *Local Government Act 1989*
- e) if the Council proposes to declare a differential rate for any land, the matters specified in section 161(2) of the *Local Government Act 1989*

If applicable, the budget must also contain a statement –

- a) that the Council intends to apply for a special order to increase the Council's average rate cap for the financial year or any other financial year; or
- b) that the Council has made an application to the ESC for a special order and is waiting for the outcome of the application; or
- c) that a special Order has been made in respect of the Council and specifying the average rate cap that applies for the financial year or any other financial year.

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Local Government Act 1989

Section 155 Charges that may be Declared: A Council may declare the following rates and charges on rateable land:

- General rates under Section 158
- Municipal charges under Section 159
- Service rates and charges under Section 162
- Special rates and charges under Section 163.

The recommended strategy in relation to these rates are discussed in the relevant sections within this document.

Fair Go Rates System

The Victorian Government established the Fair Go Rates system (FGRS) in 2015 to govern the amount Victorian Councils can increase rates in a year without seeking additional approval. Each year the Minister for Local Government sets the average rate cap for the following rating year based on the forecast change in the consumer price index (CPI). The annual cap, which applies to Council's average rate and charge, cannot be increased without the permission of the Essential Services Commission.

The FGRS has challenged long-term financial sustainability across local government, and it continues to restrict Council's ability to raise revenue to maintain service delivery levels and invest in community assets. The CPI does not accurately reflect increases in costs faced by Councils because they have a significantly different composition of expenditure compared to households. Key Council expenditures (wages, construction, utilities, etc.) required to provide Council services and deliver infrastructure projects have been increasing faster than the CPI. This Plan seeks to address Council's reliance on rate income and provide options to actively reduce that reliance.

Any applications to the Essential Services Commission to apply for a rate cap variation will be considered by Council during the planning and adoption processes of Council's Annual Budget and Long-Term Financial Plan.

Rating Principles

When developing a Rating Plan, Council considers the following good practice taxation principles:

Wealth Tax: The "wealth tax" principle implies that the rates paid are dependent upon the value of a ratepayer's real property and have no correlation to the individual ratepayer's consumption of services or the perceived benefits derived by individual ratepayers from the expenditures funded from rates.

Equity: *Horizontal equity* – ratepayers in similar situations should pay similar amounts of rates (ensured mainly by accurate property valuations, undertaken in a consistent manner, their classification into homogenous property classes and the right of appeal against valuation). *Vertical equity* – those who are better off should pay more rates than those worse off (the rationale applies for the use of progressive and proportional income taxation. It implies a "relativity" dimension to the fairness of the tax burden).

Efficiency: Economic efficiency is measured by the extent to which production and consumption decisions by people are affected by rates.

Simplicity: How easily a rates system can be understood by ratepayers and the practicality and ease of administration.

Benefit: The extent to which there is a nexus between consumption/benefit and the rate burden.

Capacity to Pay: The capacity of ratepayers or groups of ratepayers to pay rates.

Diversity: The capacity of ratepayers within a group to pay rates.

The rating challenge for Council therefore is to determine the appropriate balancing of competing considerations.

When developing rates and charges revenue, the following good practice principles will apply:

- to be reviewed annually.
- not change dramatically from one year to next; and
- be sufficient to fund current expenditure commitments and deliverables outlined in the Council Plan, Financial Plan and Asset Plan.

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Exemptions

Section 154 of the *Local Government Act 1989* declares that all land is rateable with several exceptions. This includes land held or used for public or municipal purposes, land used exclusively for charitable, education or religious purposes, and certain clubs or memorials under the *Veterans Act 2005*, Returned Services League and related associations as defined.

The *Cultural and Recreational Land Act 1963* (CRLA) requires Council to set an applicable Charge 'in lieu of Rates' for 'recreational lands'. Benefits of cultural and recreational land include social interaction, sporting programs, cultural promotion, provision of premises, employment opportunities and community development/meeting places. Council considers the services utilised by each property occupier and the benefit their land provides to the community and may levy a 'charge in lieu of rates' that provides a 25% discount to the equivalent municipal rates they would otherwise pay.

1.4.2 GENERAL RATES

In line with section 158 of the *Local Government Act 1989*, by 30 June Council must declare; the amount which the Council intends to raise by general rates for the coming year and whether the general rates will be raised by application of a uniform rate, or differential rate.

General Rates are calculated as: **Property Valuation x Rate in the Dollar (Differential or Uniform Rate)**.

These two components of the general rate charge are discussed in the following sections.

Property Valuation

Legislation

Under Section 157 the *Local Government Act 1989*, Council has three options as to the valuation base it elects to use. They are:

- **Capital Improved Value (CIV)** – Value of land and improvements upon the land.
- **Site Value (SV)** – Value of land only.
- **Net Annual Value (NAV)** – Rental valuation based on CIV.

The *Valuation of Land Act 1960* is the principal legislation in determining property valuations and states the Victorian Valuer-General must conduct property valuations on an annual basis. The value of land is always derived by the principal of valuing land for its highest and best use at the relevant time of valuation.

Regular reviews of property values are conducted by the Victorian Valuer-General during the year to ensure consistency and equity for rating purposes. These supplementary valuations are carried out for a variety of reasons including rezoning, subdivisions, amalgamations, renovations, new constructions, extensions, occupancy changes and corrections. Council is advised on a regular basis of valuation and Australian Valuation Property Classification Code (AVPCC) changes and rate adjustments are processed accordingly.

Part 3 of the *Valuation of Land Act 1960* provides that a property owner may lodge an objection against the valuation of a property or the Australian Valuation Property Classification Code (AVPCC) within two months of the issue of the original or amended (supplementary) Rates and Valuation Charges Notice (Rates Notice), or within four months if the notice was not originally issued to the occupier of the land.

Policy

Cardinia Shire Council applies Capital Improved Value (CIV) to all properties within the municipality. This basis of valuation considers the total market value of land plus buildings and other improvements. It also allows for differential rating to be applied where it is believed to improve the equitable distribution of rates.

Capital Improved Value is the most used valuation base by local government with over 90% of Victorian Councils applying this methodology. Based on the value of both land and all improvements on the land, it is generally easily understood by ratepayers as it equates to the market value of the property.

Rate in the Dollar

Application of a rate against property valuations gives Council the opportunity to shift part of the rate burden from some groups of ratepayers to others through different "rates in the dollar" for each class of property. Councils may consider applying this when doing so will contribute to the equitable and efficient distribution of the cost of carrying out of its functions across the municipality.

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Legislation

Section 158 of the *Local Government Act 1989* requires Council to declare whether they intend to apply a differential or uniform rate in their general rate calculation.

Section 161 of the *Local Government Act 1989* allows Council to raise any general rates by the application of a differential rate if it uses the Capital Improved Value (CIV) system of valuing land. If the differential rate method is elected, Section 161 requires Council to specify the objectives of the differential rates and the characteristics of the land which the differential criteria apply. The highest differential rate in a municipal district must be no more than four times the lowest differential rate.

The *Ministerial Guidelines for Differential Rating 2013* provide guidelines which describe what types and classes of land may be considered for differentials and those that may not be appropriate for differential categories. Differential rating should be applied as equitably as is practical.

Policy

Council considers that the application of a differential rate will contribute to the equitable and efficient distribution of the costs associated with carrying out its functions.

The Cardinia Shire Council rating structure comprises 10 differential rates. This includes:

- Base Rate
- Commercial Rate
- Farm Rate
- Industrial Rate
- Urban Commercial Rate
- Urban Farm Rate
- Urban Industrial Rate
- Urban Residential Rate
- Urban Vacant Land Rate
- Vacant Land Rate

Further detail on each of these differential rates can be found in the Appendix section of this document.

The general objectives of each of the differential rates are to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council. These rating differentials are based on the location and purpose for which a property is used. That is, whether the property is used for residential, commercial, industrial, vacant land or farming purposes, with higher rates applied within the Urban Growth Corridor. Further distinction is applied between commercial and industrial land uses to reflect differing impacts on infrastructure, service demand and economic function.

Most Victorian Local Government bodies apply a differential rate. A differential rate allows for a more equitable distribution of the rate burden between all classes of property. They allow consideration for ratepayer's ability to pay, the unique circumstances of some property types, the provision of specific property related services, development activity within the municipality, and any associated income tax benefits. Differential rates can be more complicated to understand and administer compared to applying a uniform rate to all property types.

Changing economic conditions, property valuations and other factors outside of Councils control may impact the equitable distribution of rates. To ensure the desired objectives of a differential rate continue to be achieved, Council review the differential rating definitions during the adoption of the Rating and Revenue Plan every four years, or periodically as required.

1.4.3 MUNICIPAL CHARGE

Legislation

Section 159 of the *Local Government Act 1989* permits Council to declare a municipal charge to cover some of the administrative costs of the Council. The total revenue from a municipal charge in a financial year must not exceed 20 per cent of the combined total of the Council's total rate revenue.

The legislation is not definitive on what comprises administrative costs and does not require Council to specify what is covered by the charge. The application of a municipal charge represents a choice to raise a portion of the rates by a flat fee for all properties.

Policy

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Cardinia Shire Council has not applied a Municipal Charge due to its regressive nature, as it would result in lower valued properties paying comparatively higher rates and charges.

1.4.4 SPECIAL CHARGE SCHEMES

Legislation

Section 163 of the *Local Government Act 1989* permits Council to declare a special rate or charge to recover the cost of works from property owners who will gain special benefit from that work.

The special rates and charges provisions are flexible and can be used to achieve a wide range of community objectives. The fundamental principle of a special rate or charge is proof "special benefit" applies to those being levied.

Policy

The application of special charge schemes will be considered as required by Council, during the medium and long-term financial planning processes.

1.4.5 SERVICE RATES AND CHARGES

Legislation

Section 162 of the *Local Government Act 1989* provides Council with the opportunity to raise service rates and charges for the collection and disposal of refuse or any other prescribed service.

The *Minister's Good Practice Guidelines for Service Rates and Charges* stipulate that service charges for disposal of refuse must only fund services that provide a specific and tangible benefit to the occupancy subject to that charge. This includes the cost of kerbside collection of waste and/or recycling bins that are provided for the exclusive use of the occupancy. It can also reflect the costs of the subsequent management of this waste, including transport, storage, processing and disposal and associated infrastructure.

The *Local Government (Planning and Reporting) Regulations 2020* state that any declared Service Rates or Charges are described in the Council's Annual Budget and The *Local Government (General) Regulations 2015* requires details of declared Service Rate or Charge to be described on the rate notice.

Policy

Council applies a service charge for the collection and disposal of refuse on residential properties (compulsory), rural properties (compulsory), and commercial and industrial properties (optional). These properties have the option to acquire an additional bin or upgrade to a larger bin where available for an extra charge. Council retains the objective of setting the service charge for waste at a sustainable level that recovers the cost of waste services.

Applying a waste service charge is a simple and efficient charge which ensures equity in that those who receive the benefits of kerbside collection cover the costs of that service. If this charge was not applied, the costs would be required to be raised by way of an increased general rate - meaning that residents in higher valued properties would substantially pay for the waste service of lower valued properties.

1.4.6 EMERGENCY SERVICES AND VOLUNTEERS FUND

Legislation

The Victorian State Government legislates the collection of an annual charge for property owners to contribute towards the cost of the Victorian State Emergency Services, through the Emergency Services and Volunteers Fund (ESVF). The ESVF will include two components, a fixed charge, and a variable charge which is linked to the Capital Improved Value of the property. From 1 July 2027, a non-residential fixed charge will apply to all non-principal places of residence.

This charge was originally called the Fire Services Property Levy and was legislated by the *Fire Services Property Levy Act 2012*. On 1 July 2025 this levy was replaced by the ESVF. This fund will help support a wider range of emergency services including but not limited to VICSES, Triple Zero Victoria, Emergency Management Victoria, as well as the Country Fire Authority (CFA) and Fire Rescue Victoria.

Active volunteers with VICSES and CFA may receive an exemption from the ESVF for their primary place of residence. Pensioner Concession Card and Department of Veterans' Affairs Gold Card holders are entitled to a \$50 concession on their ESVF liability for their principal place of residence. Farmers with multiple properties that

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operate as a single enterprise may be eligible to pay a single fixed charge under the single farming enterprise exemption.

Policy

The ESVF charge will be collected by Council and passed through to the State Government as legislated. This charge is not included in the rate cap and increases in the charge are at the discretion of the State Government.

Council will continue to abide by the legislation set by the Victorian State Government and any updates to the calculation or application of this charge will be applied as required.

1.4.7 ADMINISTRATION OF RATES AND CHARGES

Collection Policy

Legislation

Section 167 of the *Local Government Act 1989* allows ratepayers to pay a rate or charge in four instalments. Councils also have the option to allow a lump sum instalment. Instalment dates are set by the Minister by notice published in the Government Gazette.

Section 172 of the *Local Government Act 1989* allows Council to charge interest on all overdue rates. The interest rate applied is fixed under Section 2 of the *Penalty Interest Rates Act 1983*, which is determined by the Minister and published by notice in the Government Gazette.

Policy

Council's Rates and Charges Recovery and Financial Hardship Policy details all rate and charge instalment dates and debt recovery practices. This policy provides the various payment plan options that are available to ratepayers and outlines the collection process and application of interest charges if rates payments become overdue.

Council offers a range of payment options including:

- in person at Council offices (EFTPOS, credit/debit cards and cash),
- online via Council's eNotices portal, MyCardinia
- direct debit via Council's FlexiRates service (weekly, fortnightly, monthly or quarterly),
- BPAY,
- Australia Post (over the counter, over the phone via credit card and on the internet),

Rebates and Concessions

Legislation

Section 169 of the *Local Government Act 1989* provides that a Council may grant a rebate or concession in relation to any rate or charge to:

- Assist the proper development of the municipal district; or
- Preserve buildings or places in the municipal district which are of historical or environmental interest; or
- Restore or maintain buildings or places of historical, environmental, architectural or scientific importance in the municipal district; or
- Assist the proper development of part of the municipal district.

A Council resolution granting a rebate or concession must specify the benefit to the community resulting from the rebate or concession.

Policy

Council do not currently provide rebates in relation to Section 169 of the *Local Government Act 1989*. See the section on Financial Hardship, Rate Deferrals and Waivers for alternate concessions.

Financial Hardship, Rate Deferrals and Waivers

Legislation

Section 170 of the *Local Government Act 1989*, states Council may defer the payment of any rate or charge payable if it considers the payment of the rate or charge would cause financial hardship to that person.

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Section 171 of the *Local Government Act 1989* states a Council may waive whole or part of any rate or charge or interest for an eligible recipient or any other class of persons determined by the Council for the purpose of waiving rates or charges on the grounds of financial hardship.

The *State Concessions Act 2004* provides a waiver of whole or part of any rates, charges or interest obligation for eligible recipients. This process is initiated by the Victorian Government and offers a concession on municipal rates to assist eligible ratepayers in affording rates on their principal place of residence.

To be eligible for the concession, the ratepayer must be the holder of a:

- Pensioner Concession Card issued by Centrelink or Department of Veterans Affairs DVA)
- DVA Gold Card - Totally and Permanently Incapacitated
- DVA Gold Card - War Widow.

Policy

Council acknowledges that various ratepayers may experience financial hardship for a range of reasons and that meeting rate obligations constitutes just one element of many difficulties that may be faced.

Councils Rates and Charges Recovery and Financial Hardship Policy outlines the options available to those ratepayers who are suffering, or who would suffer financial hardship, if they paid the rates and charges for which they are liable. This policy aims to provide viable options for ratepayers facing such circumstances to deal with the situation positively and reduce the strain imposed by financial hardship. Where Council approves an application for the deferral of rates or charges, interest will not be levied on the outstanding balance of rates and charges during the deferral period.

To efficiently recognise financial hardship for ratepayers who have been unemployed over a period, Council offers a \$50 waiver on the principal place of residence to those who are receiving JobSeeker payments. Ratepayers seeking to apply for this initiative will be required to submit a JobSeeker Rates Concession Application form each year.

Council administers the pensioner concession as outlined in the *State Concessions Act 2004* on behalf of the Victorian Government. Eligible ratepayers may claim a rebate on their sole or principal place of residence. Upon initial application with Cardinia, eligibility is confirmed with the Victorian Government. Once confirmation is received, the pensioner rebate is deducted from the rate account.

Eligible ratepayers can apply for the pensioner concession rebate at any time throughout the rating year. Retrospective claims up to a maximum of one previous financial year can be approved by Council on verification of eligibility criteria. For periods prior to this, claims will need to be approved by the relevant government department. Where a rebate was recognised in the previous year and where the ratepayer remains eligible, no further application is required.

1.5 FEES AND CHARGES

The provision of infrastructure and services form a key part of Council's role in supporting the local community. If a service provides a direct benefit or service to a specific group or groups in the community, a fee or charge may be raised for the use of that service. The nature of how a fee and charge is priced depends on whether it is related to the provision of a statutory (legislated) or discretionary service.

Section 106 of *The Local Government Act 2020* provides the following key service performance principles in relation to fee and charge setting which must be met:

- Services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community.
- Services should be accessible to the members of the municipal community for whom the services are intended.
- Quality and costs standards for services set by the Council should provide good value to the municipal community.

1.5.1 USER FEES AND CHARGES

User Fees and Charges are discretionary fees that are set by Council based on the principles outlined in this Revenue and Rating Plan. These charges are to support the delivery of non-statutory services and for public use of community infrastructure. Examples include:

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- Leases and Facility Hire Fees
- Asset Protection Fees
- Parking Fees
- Planning Fees and Building Certificates

In collecting a fee for these services, Council must consider a range of 'Best Value' principles. These include service cost and quality standards, value-for-money, community expectations and values. Council must balance the affordability and accessibility of infrastructure and services with its financial capacity and long-term financial sustainability.

Councils must comply with the government's Competitive Neutrality Policy for significant business activities they provide and adjust their service prices to neutralise any competitive advantages when competing with the private sector.

Services are provided based on one of the following pricing methods:

- a. Market Price
- b. Full Cost Recovery Price
- c. Subsidised Price

Market pricing (A) is where Council sets prices based on the benchmarked competitive prices of alternate suppliers. Generally, market price represents full cost recovery plus an allowance for profit. Market prices will be used when other providers exist in the given market, and Council needs to meet its obligations under the government's Competitive Neutrality Policy.

It should be noted that if a market price is lower than Council's full cost price, then the market price would represent Council subsidising that service. If this situation exists, and there are other suppliers existing in the market at the same price, this may mean that Council is not the most efficient supplier in the marketplace. In this situation, Council will consider whether there is a community service obligation and whether Council should be providing this service at all.

Full cost recovery price (B) aims to recover all direct and indirect costs incurred by Council. This pricing should be used where a service provided by Council benefits individual customers specifically, rather than the whole community. In principle, fees and charges should be set at a level that recovers the full cost of providing the services unless there is an overriding policy or imperative in favour of subsidisation.

Subsidised pricing (C) is where Council subsidises a service by not passing the full cost of that service onto the customer. Subsidies may range from full subsidies (i.e Council provides the service free of charge) to partial subsidies, where Council provides the service to the user with a discount. The subsidy can be funded from Council's rate revenue or other sources such as Commonwealth and State funding programs. Full Council subsidy pricing and partial cost pricing should always be based on knowledge of the full cost of providing a service.

Council will develop a fees and charges schedule as part of the annual Budget process. Proposed pricing changes and the pricing structure will be included in this schedule and stakeholders will be provided the opportunity to review and provide feedback before the fees are finalised by Council adoption.

1.5.2 STATUTORY FEES AND FINES

Council collects statutory fees and fines under the direction of legislation or other government directives. The rates used for statutory fees and fines are advised by the State government department responsible for the corresponding services or legislation, and Councils have limited discretion in applying these fees.

Examples of statutory fees and fines include:

- Planning and subdivision fees
- Building and Inspection fees
- Registration fees
- Infringements and fines
- Land Information Certificate fees.

Penalty and fee units are used in Victoria's Acts and Regulations to describe the amount of a fine or a fee. Any change to the value of a penalty or fee unit will occur on 1 July each year.

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1.6 GRANTS

Grant revenue represents income received from other levels of government to support the delivery of services or infrastructure. Grants can be singular or recurrent in nature and may be conditional on the delivery of specific projects or services.

Grant funding is a critical component of Councils revenue sources. Council pro-actively advocates to other levels of government for grant funding, which enables significant investments in community assets and delivery of valued community services.

When preparing its financial plan, Council considers its project proposal pipeline, advocacy priorities, upcoming grant program opportunities, and co-funding options to determine what grants to apply for. Grant assumptions are clearly detailed in Council's budget document. No project that is reliant on grant funding will proceed until a signed funding agreement is in place.

The opportunity for grant funding may arise at any time of the year. These opportunities will be considered by Council as required and can be approved via resolution outside the budget cycle. Council may use its own funds to leverage the maximum external funding opportunities as required. Council will only apply for and accept external funding if it is consistent with the Community Vision, able to be delivered within the required timeline and does not lead to the distortion of financial sustainability or Council Plan priorities.

1.7 CONTRIBUTIONS

Contributions represent funds received by Council, usually from non-government sources, and are usually linked to projects.

Contributions can be made to Council in the form of either cash payments or physical assets.

Examples of contributions include:

- Monies collected from developers under planning and development agreements.
- Monies collected under developer contribution plans and infrastructure contribution plans.
- Contributions from user groups towards upgrade of facilities
- Assets handed over to Council from developers at the completion of a subdivision, such as roads, drainage, and streetlights.

Contributions should always be linked to a planning or funding agreement. Council will not undertake any work on a contribution-funded project until a signed agreement outlining the contribution details is in place. Contributions linked to developments can be received well before any Council expenditure occurs. In this situation, the funds will be identified and held separately for the specific works identified in the agreements.

1.8 INTEREST ON INVESTMENTS

Council receives interest on funds managed as part of its investment portfolio, where funds are held in advance of expenditure, or reserved for special purposes. Interest is added to Council's general revenue unless legislation requires it to be held and expended for a specific purpose. The investment portfolio is managed per Council's investment policy, which seeks to maximise return on funds, whilst minimising risk.

1.9 OTHER REVENUE

1.9.1 SALE OF ASSETS

Council may consider the sale of Council owned assets if the sale is in line with the objectives set in the Council Plan, Long Term Financial Plan and Asset Management Plan. These strategic decisions will be considered in line with annual and long-term planning processes, or as required, and will be accompanied with a business case outlining the benefits and impacts to community and Council.

The sale of a Council owned asset will be approved by Council resolution.

1.9.2 BORROWINGS

Whilst not a source of income, borrowings can be an important cash management tool in appropriate circumstances. Loans can only be approved by Council resolution. Council will continue to review its existing loans and look for opportunities to renegotiate where possible.

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The following financial sustainability principles must be adhered to with new borrowings:

- Borrowings must not be used to fund ongoing operations. Borrowings are appropriate for funding extraordinary financial events, or large capital works where the benefits are provided to future generations.
- Council will maintain debt at sustainable levels which are line with the Council Plan and VAGO requirements.

1.9.3 ALTERNATE REVENUES

Rates are the most significant revenue source for Council, providing approximately 50% of its annual income and funding the delivery of a wide range of community services. With legislative restrictions and a changing economic environment that impacts the community's financial capacity to pay, Council is limited in how much income can be raised through rates.

Council is committed to maintaining service delivery levels and continuing to invest in quality, fit for purpose community infrastructure. As the cost to deliver services and infrastructure continues to rise with inflation and associated economic conditions, a distinct funding gap is impacting Council's long-term financial sustainability.

To help address the funding-gap, Council will continually assess and advocate for alternate revenue opportunities. These opportunities seek to help reduce the current reliance on rate revenue to fund the delivery of community services and infrastructure.

Alternate revenue streams that are identified will be considered and adopted via Council resolution as and when required.

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APPENDIX – DIFFERENTIAL RATES

Council believes each differential rate will contribute to the equitable and efficient carrying out of council functions. The level of each differential rate is what Council considers necessary to achieve the objectives of that rate. Details of the rates, objectives, and classes of land subject to each differential rate are set out below. The zoning applicable to each category is determined by consulting maps within the relevant Planning Scheme.

The differential rating category relativities comply with legislative requirements, remaining within the 4:1 rate cap, and range from 65% (Farm) to 210% (Urban Vacant Land).

1.9.4 Base Rate

Base Rate includes any rateable land which is:

- a) not in the Urban Growth Corridor and does not have the characteristics of any other specified rate; or
- b) used for retirement village units.

Objectives:

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined Base Rate land properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services.

Level of Rate:

100% of Base Rate.

Geographic Location:

Outside the Urban Growth Corridor of the municipal district; and all retirement villages located within the Urban Growth Corridor of the municipal district.

Use of Land:

Any use permitted under the relevant Planning Scheme.

Types of Buildings:

All buildings which are already constructed on the land, or which are constructed prior to the end of the financial year.

1.9.5 Commercial Rate

Commercial Land is any rateable land, which is:

- c) Outside the Urban Growth Corridor; and
- d) Used primarily for commercial purposes, including the retail sale of goods, provision of services, office-based business activities, hospitality, and tourism-related accommodation (including prescribed accommodation under the Public Health and Wellbeing Act (Vic) 2008); or
- e) Unoccupied building erected which is zoned Commercial under the relevant Cardinia Shire Council Planning Scheme; or
- f) Unoccupied land which is zoned Commercial under the relevant Cardinia Shire Council Planning Scheme.

Objectives:

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined Commercial Rate land properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services.

The commercial businesses of Cardinia Shire Council benefit from ongoing investment by Council in services and infrastructure. Council also notes the tax deductibility of Council rates for commercial properties which is not available to the residential sector, and the income generating capability of commercial based properties.

The Commercial differential rate is applied to recognise the additional demands placed on public infrastructure due to commerce attracting non-residents to the shire, the higher demands of commercial properties on the natural environment, and provision of support services and promotion of business in the municipality.

Level of Rate:

120% of the Base Rate.

Geographic Location:

Outside the Urban Growth Corridor of the municipal district.

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Use of Land:

Any commercial use permitted under the relevant Planning Scheme.

Types of Buildings:

All buildings which are already constructed on the land, or which are constructed prior to the end of the financial year.

1.9.6 Farm Rate

Farm rate includes any rateable land outside the Urban Growth Corridor which is "Farmland" within the meaning of Section 2(1) of the *Valuation of Land Act 1960*. This includes any rateable land that:

- a) is not less than 2 hectares in area; and
- b) is used primarily for primary production through its activities on the land. This includes being used primarily for grazing (including agistment), dairying, pig-farming, poultry farming, fish farming, tree farming, bee keeping, viticulture, horticulture, fruit growing or the growing of crops of any kind or for any combination of those activities; and
- c) is used by a business that:
 - has a significant and substantial commercial purpose of character; and
 - seeks to make a profit on a continuous or repetitive basis from its activities on the land; and
 - is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating.

Objectives:

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined Farmland properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services. Aims to maintain agriculture as a major industry in the municipal district, facilitate the longevity of the farm sector and achieve a balance between providing for municipal growth and retaining the important agricultural economic base.

Level of Rate:

65% of the Base Rate.

Geographic Location:

Outside the Urban Growth Corridor of the municipal district.

Use of Land:

Farmland use permitted under the relevant Planning Scheme.

Types of Buildings:

All buildings which are already constructed on the land, or which are constructed prior to the end of the financial year.

1.9.7 Industrial Rate

Industrial Land is any rateable land, which is:

- Outside the Urban Growth Corridor; and
- a) Used primarily for the manufacture, production, processing, storage or distribution of goods, including logistics, warehousing and industrial operations; or
- b) Unoccupied building erected which is zoned Industrial under the relevant Cardinia Shire Council Planning Scheme; or
- c) Unoccupied land which is zoned Industrial under the relevant Cardinia Shire Council Planning Scheme.

Objectives:

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined Industrial Rate land properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services.

The Industrial differential rate is applied to recognise the higher demands placed on Council infrastructure and services by industrial land uses, including heavy vehicle movements, wear on transport networks, environmental regulation and monitoring, and servicing requirements associated with industrial operations. Council also notes that rates on income-producing industrial properties are generally tax deductible, unlike residential properties.

Level of Rate:

140% of the Base Rate.

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Geographic Location:

Outside the Urban Growth Corridor of the municipal district.

Use of Land:

Any industrial use permitted under the relevant Planning Scheme.

Types of Buildings:

All buildings which are already constructed on the land, or which are constructed prior to the end of the financial year.

1.9.8 Urban Commercial Rate

Urban Commercial Land is any rateable land, which is:

- a) In the Urban Growth Corridor; and
- b) Used primarily for commercial purposes, including the retail sale of goods, provision of services, office-based business activities, hospitality, and tourism-related accommodation (including prescribed accommodation under the Public Health and Wellbeing Act (Vic) 2008); or
- c) Unoccupied building erected which is zoned Commercial under the relevant Cardinia Shire Council Planning Scheme; or
- d) Unoccupied land which is zoned Commercial under the relevant Cardinia Shire Council Planning Scheme.

Objectives:

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined Urban Commercial Rate land properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services.

The commercial businesses of Cardinia Shire Council benefit from ongoing investment by Council in services and infrastructure. Council also notes the tax deductibility of Council rates for commercial properties which is not available to the residential sector, and the income generating capability of commercial based properties.

The Urban Commercial differential rate is applied to recognise the additional demands placed on public infrastructure due to commerce attracting non-residents to the shire, the higher demands of commercial properties on the natural environment, and provision of support services and promotion of business in the municipality.

Level of Rate:

130% of the Base Rate.

Geographic Location:

Within the Urban Growth Corridor of the municipal district.

Use of Land:

Any commercial use permitted under the relevant Planning Scheme.

Types of Buildings:

All buildings which are already constructed on the land, or which are constructed prior to the end of the financial year.

1.9.9 Urban Farm Rate

Urban Farm Rate is any rateable land within the Urban Growth Corridor which is "Farmland" within the meaning of Section 2(1) of the *Valuation of Land Act 1960*. This includes any rateable land that;

- a) is not less than 2 hectares in area; and
- b) is used primarily for primary production through its activities on the land. This includes being used primarily for grazing (including agistment), dairying, pig-farming, poultry farming, fish farming, tree farming, bee keeping, viticulture, horticulture, fruit growing or the growing of crops of any kind or for any combination of those activities; and
- c) is used by a business that:
 - has a significant and substantial commercial purpose or character; and
 - seeks to make a profit on a continuous or repetitive basis from its activities on the land; and
 - is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating.

Objectives:

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To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined Urban Farmland properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services. Aims to encourage commerce, maintain agriculture as a major industry in the municipal district, facilitate the longevity of the farm sector and achieve a balance between providing for municipal growth and retaining the important agricultural economic base.

Level of Rate:

85% of the Base Rate.

Use of Land:

Farmland use permitted under the relevant Planning Scheme.

Geographic Location:

Within the Urban Growth Corridor of the municipal district.

Types of Buildings:

All buildings which are already constructed on the land, or which are constructed prior to the end of the financial year.

1.9.10 Urban Industrial Rate

Urban Industrial Land is any rateable land, which is:

- a) In the Urban Growth Corridor; and
- b) Used primarily for the manufacture, production, processing, storage or distribution of goods, including logistics, warehousing and industrial operations; or
- c) Unoccupied building erected which is zoned Industrial under the relevant Cardinia Shire Council Planning Scheme; or
- d) Unoccupied land which is zoned Industrial under the relevant Cardinia Shire Council Planning Scheme.

Objectives:

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined Urban Industrial Rate land properties is fair and equitable, having regard to the cost and the level of benefits derived from provision of Council services.

The Urban Industrial differential rate is applied to recognise the significantly higher demands placed on Council infrastructure and services arising from industrial activity, including heavy vehicle traffic, logistics operations, environmental impacts and regulatory oversight. Council also notes that rates on income-producing industrial properties are generally tax deductible, unlike residential properties.

Level of Rate:

180% of the Base Rate.

Geographic Location:

Within the Urban Growth Corridor of the municipal district.

Use of Land:

Any industrial use permitted under the relevant Planning Scheme.

Types of Buildings:

All buildings which are already constructed on the land, or which are constructed prior to the end of the financial year.

1.9.11 Urban Residential Rate

Urban Residential land is any rateable land which is;

- a) in the Urban Growth Corridor; and
- b) does not have the characteristics of Urban Farmland, Urban Vacant Land, or Urban Commercial Land and Urban Industrial Land; and
- c) is not used for retirement village units.

Objectives:

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined Urban Residential land properties is fair and equitable. It considers the cost and the level of benefits derived from the provision of Council services given to the greater and easier access properties in the Urban Growth Corridor have to services and infrastructure.

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Level of Rate:

110% of Base Rate.

Geographic Location:

Within the Urban Growth Corridor of the municipal district.

Use of Land:

Residential use permitted under the relevant Planning Scheme.

Types of Buildings:

All buildings which are already constructed on the land, or which are constructed prior to the end of the financial year.

1.9.12 Urban Vacant Land Rate

Urban Vacant Land is any rateable land that:

- a) no dwelling or other building designed or adapted for occupation is constructed; and
- b) is located within the Urban Growth Corridor; and
- c) does not have the characteristics of Urban Commercial and Industrial Land.

Objectives:

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined Urban Vacant land properties is fair and equitable considering the cost and the level of benefits derived from provision of Council services. It aims to encourage development of residential land in the Urban Growth Corridor.

Level of Rate:

210% of the Base Rate.

Geographic Location:

Within the Urban Growth Corridor of the municipal district.

Use of Land:

Any land zoned as Residential or Urban Growth under the relevant Planning Scheme, excluding land zoned or intended for Commercial or Industrial use.

1.9.13 Vacant Land Rate

Vacant Land is any rateable land that:

- a) no dwelling or other building designed or adapted for occupation is constructed; and
- b) is located outside the Urban Growth Corridor; and
- c) does not have the characteristics of Urban Commercial or Urban Industrial Land.

Objectives:

To ensure that Council has adequate funding to undertake its strategic, statutory, service provision and community services obligations and to ensure that the differential rate in the dollar declared for defined Vacant Land properties is fair and equitable considering the cost and the level of benefits derived from provision of Council services. It aims to encourage development of residential land outside the Urban Growth Corridor.

Level of Rate:

200% of the Base Rate.

Geographic Location:

Outside the Urban Growth Corridor of the municipal district.

Use of Land:

Any land zoned as Residential or Urban Growth under the relevant Planning Scheme, excluding land zoned or intended for Commercial or Industrial use.

7.4.2 DRAFT 2026-27 BUDGET, INCLUDING CAPITAL PLAN FOR ADOPTION IN PRINCIPLE

Responsible GM:	Allison Southwell
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5. Responsible Leaders 5.3 Long term financial sustainability - We manage Council's resources prudently and efficiently to ensure long-term financial sustainability.

Recommendation

That Council:

1. Endorse the draft 2026-27 Budget (including the draft 2026-27 Capital Works Program) to be prepared in accordance with section 94 of the *Local Government Act 2020* be approved in principle for the purpose of giving public notice and providing a period of public exhibition of the draft Budget.
2. Authorise the Chief Executive Officer to:
 - a. Give public notice in accordance with Council's Community Engagement Policy of Council's intention to adopt the 2026-27 Budget (including the 2026-27 Capital Works Program) at the Council meeting to be held on 15 June 2026.
 - b. Undertake any and all administrative procedures necessary to enable Council to carry out its functions in accordance with its Community Engagement Policy.

Executive Summary

The draft 2026–27 Budget, together with the supporting Capital Works Program, outlines how Council proposes to fund the delivery of programs, services and major projects over the next four years.

The draft Budget has been developed through a rigorous process, informed by extensive consultation with Councillors and Council officers. This process has balanced competing priorities, constrained resources and the diverse needs and views of our community.

The draft Budget supports the delivery of more than 120 services to the community, while enabling investment in new community facilities and the ongoing maintenance and upgrade of existing assets and infrastructure. This includes parks, sporting grounds and pavilions, footpaths, roads and bridges.

Council recognises the challenging economic environment and the ongoing cost-of-living pressures facing our community. In developing the draft 2026–27 Budget, Council has remained focused on maintaining high-quality services and delivering priority projects, while identifying significant efficiencies to support a sustainable financial position. The draft Budget projects a return to an adjusted underlying surplus, including borrowing of \$20.8 million to support investment in the Capital Works Program for asset renewal. This balanced approach enables Council to meet growing infrastructure demands while maintaining long-term financial sustainability.

Through the Capital Works Program, Council is proposing to invest \$66.3 million, with more than 50 per cent directed towards the renewal and upgrade of existing assets. This includes \$16 million for the renewal of ageing Council facilities, delivery of significant community assets and strategic land acquisition. A further \$11.9 million is allocated to strengthening operational

capability, improving service efficiency and supporting digital transformation through the replacement of essential core IT business systems.

Cardinia Shire Council remains committed to delivering increased value for money for ratepayers. Council continues to review how services are delivered, identifying opportunities to improve processes and reduce overhead costs while maintaining service quality.

There is a common misconception that Council receives a “windfall gain” from growth as new properties are added and property values increase. In reality, increases in property values result in the redistribution of total rates revenue across all properties based on relative values. The proposed increase in total rates revenue for 2026–27 (excluding waste service charges) is determined by the rate cap, which was announced by the Minister for Local Government in December 2025 at 2.75 per cent.

The rate-capping framework remains a significant challenge for the local government sector. It does not fully account for rising costs, the underfunding of Developer Contributions and Infrastructure Contributions Plans in growth areas, or the ongoing cost-shifting of services from other levels of government.

These challenges are further compounded by global uncertainty, geopolitical tensions and broader economic instability. Ongoing global conflicts, including the situation in the Middle East, continue to place pressure on energy markets and supply chains, with potential flow-on impacts to local fuel and transport costs. Council will continue to monitor these pressures, recognising that conditions may evolve and flexibility may be required.

Council invites the Cardinia Shire community to review the draft Budget documents before they are considered for adoption at the Council Meeting to be held on 15 June 2026.

Financial and Resource Implications

The draft 2026-27 Budget outlines Council’s management of financial resources for a four-year period. The draft Budget outlines the proposed resources to be allocated to the delivery of proposed capital works, delivery of services and funding for our key community priorities.

Consultation/Communication

The draft Budget has been prepared in consultation with Councillors and officers from across the organisation. Operating and capital budgets have been prepared based on service and capital program works needs. Additionally, a community engagement plan has been developed to support the exhibition of the draft Budget documents.

The community will have the opportunity to provide feedback or make a submission, which will be reviewed by Councillors prior to considering the Budget for adoption.

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the Gender Equality Act 2020. A Gender Impact Assessment (GIA) has been identified as a requirement for the 2026-27 Budget and will be completed as part of the planning, engagement, and delivery of the project.

As this may include consideration of service level changes and capital program delivery, the requirements of the GIA could be extensive.

Attachments

1. Attachment 1 - DRAFT 2026-27 Budget [7.4.2.1 - 120 pages]

2. Attachment 2 - DRAFT 2026-27 Capital Plan [7.4.2.2 - 8 pages]

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Cardinia Shire Council

Budget 2026 - 27

June 2026

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Table of contents

Table of contents	1
Mayor and CEO introduction	2
Executive summary	5
Where Council spends its funding	6
Budgeted income statement	6
Total revenue	7
Cash and investments	7
Capital works program	7
Economic assumptions	8
Budget influences	9
Review of Council's Financial Plan	10
Budget reports	11
1. Link to Integrated Planning and Reporting Framework.	12
2. Services and service performance indicators	15
3. Financial statements	29
4. Notes to the financial statements	38
5. Performance indicators	62
6. Schedule of fees and charges	70

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Mayor and CEO introduction

We are proud to present Cardinia Shire Council's draft 2026–27 Budget, a responsible and future focused plan, well placed to guide and shape our organisation towards a financially sustainable future.

As we move into the second year of this term of Council, and the delivery of the 2025–29 Council Plan, we remain closely guided by the strategic objectives shaped through a deliberative panel process, to ensure Council's priorities continue to reflect the aspirations of our community.

Council recognises the shifting economic environment and the ongoing cost-of-living crisis that continues to place pressure on our community. In developing the draft 2026-27 budget, Council has remained focussed on maintaining and delivering high quality services and priority projects while identifying significant efficiencies to support a sustainable financial position. Our draft budget returns to an adjusted underlying surplus, which includes a borrowing \$20.8 million to support our investment in the capital program for asset renewal. This balanced approach allows Council to maintain long-term financial sustainability while meeting growing infrastructure demands.

Through our Capital Works Program, we are investing \$66.3 million with more than 50% of this focused on the renewal and upgrade of our existing assets. Of this, \$16 million is allocated for the renewal of ageing Council facilities, the delivery of significant community assets and strategic land acquisition, while \$11.9 million will support operational capability, service efficiency and digital transformation through the replacement of essential core IT business systems.

Spending on key capital works infrastructure projects includes:

- \$23.4 million on roads.
- \$645 thousand on bridges.
- \$1.2 million on footpaths and cycleways.
- \$790 thousand on drainage.
- \$2.9 million on recreational, leisure and community facilities.
- \$775 thousand on parks, open space and streetscapes.

The draft 2026–27 Budget also outlines an investment of \$143.8 million towards the ongoing delivery of Council's services to the community, including:

- \$2.4 million to support Arts and Creative Industries, including continued investment in key community arts venues, Cardinia Cultural Centre and Hills Hub Art Space.
- \$15.5 to maintain safe and functional roads, drains and related assets, including fixing and maintaining roads and gravel footpaths by smoothing surfaces and filling holes.
- \$2.9 million to enable community involvement in recreation activities and support the development and delivery of accessible recreation facilities and services.
- \$13.9 million to keep parks and playgrounds safe and well maintained, including repairing and replacing playground equipment, ensuring adequate mulch coverage, clean footpaths and hard surfaced areas, maintain timber bridges, boardwalks and lookouts.
- \$24.6 million to support efficient, safe and cost-effective waste and recycling services including a range of collection and processing services for garbage, recycling and food and green waste.
- \$6.8 million allocated to law enforcement services, including parking, animal management and building and planning enforcement to support community safety and amenity.
- \$2.6 million to support Council's library services, providing access through the Pakenham and Emerald Libraries and a mobile library service.

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- \$6.3 million to support maternal child and health services that promote healthy development for young children and their families.

The draft 2026–27 Budget has been developed with a strong focus on balancing essential services and key projects while responding to ongoing pressures. With this context, Council has chosen not to apply to the Essential Services Commission (ESC) for a variation on the rate cap. The Minister for Local Government has set the rate cap at 2.75% for the 2026-27 financial year. The rate-capping framework remains a challenge for the local government sector, especially where it does not adequately account for rising costs, the underfunding of Developer Contributions and Infrastructure Contributions Plans for growth councils and the ongoing cost-shifting of services from other levels of government.

These challenges are being compounded by ongoing global uncertainty, geopolitical tensions and shifting economic stability, increasing the pressure on Council's ability to deliver services in a sustainable manner. Global conflicts including the situation in the Middle East continue to place pressure on energy markets and supply chains, with the potential to drive higher fuel and transport costs locally. While we are doing what we can to respond to these challenges, we recognise that impacts may evolve and that flexibility may be required.

In response, Council has worked to maintain high quality community facing services while identifying efficiencies where possible, ensuring the achievement of an adjusted underlying surplus to support long-term financial sustainability. Cardinia Shire Council's Long Term Financial Plan (LTFP) provides a 10-year roadmap to support the organisation's ongoing financial sustainability. Community engagement and regular review throughout the development of the LTFP have helped clarify Council's financial capacity, constraints and the changes required to sustainably deliver high-value services and programs. To maintain a future focused budget, Council continues to explore ways to reduce expenditure and drive efficiencies and productivity to address the growing cost of services.

Investment in digital transformation is a key strategic action in the LTFP. Over four financial years, Council is investing \$32 million to upgrade its core enterprise business systems, replacing multiple outdated systems with a single, modern, integrated, cloud-based platform. Timely investment in these systems is critical as they underpin almost all of Council's operations and legislative responsibilities including, but not limited to, Property and Rating, Planning and Building and Asset Management. The upgrade will improve service delivery by enhancing system reliability, strengthening cybersecurity and providing a more efficient and seamless customer experience. This investment is also expected to deliver a strong return over the long term through operating cost savings, productivity improvements, reduced system and cyber risk and improved decision-making capability, that supports ongoing organisational and financial sustainability.

Understanding current service levels and planning for the services our community will need in the future is an ongoing requirement for Council and a strategic action in the LTFP. To ensure the community receives value for money, Council must balance key principles including service cost and quality standards, community expectations, affordability and accessibility. Throughout this financial year, Council will continue to regularly review its key services to understand service costs and performance, ensuring services are operating efficiently, evolving in response to community needs and building future-readiness to meet ongoing community growth.

Waste management continues to present a significant challenge for councils. Costs associated with waste collection, processing and disposal continue to rise, driven by legislation and volatility in global markets. Environment Protection Agency (EPA) regulatory requirements create ongoing compliance obligations for both current and legacy landfill sites, placing sustained pressure on councils. The EPA landfill levy continues to rise and is forecast to reach \$172.47 per tonne in 2026-27, reinforcing the need for more sustainable waste solutions and reduced reliance on

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landfill. Broader industry factors, including increasing levies and the renegotiation of waste and resource recovery contracts, are also contributing to the rising waste disposal costs.

As one of Victoria's fastest growing local government areas with a population that is expected to grow by 40,000 over the next 10 years, it's vital that we continue to seek support and investment from other levels of government for what our community needs and deserves. In the lead up to the state election in November, we will be ramping up our advocacy efforts to seek external funding sources for vital community infrastructure and services. We encourage you to visit Council's website for further details on our advocacy priority projects.

Over the next year, Council will remain focused on reviewing and investing in our existing assets, prioritising the services our community needs most while working towards a financially sustainable future. We will continue to seek operational efficiencies, ensuring that our community receives the best value for money and continues to enjoy Cardinia Shire as a great place to live.

We look forward to working with our community throughout the year, celebrating our shared successes and continuing to deliver the infrastructure and services that support our community now and into the future.

Cr Brett Owen
Mayor

James Collins
Chief Executive Officer

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Executive summary

Council has prepared a budget in line with the 2025-29 Council plan that funds a range of projects, programs and services while managing significant ongoing financial challenges and prioritising long term financial sustainability.

This budget seeks to enable the delivery of high-quality services, projects and infrastructure that are valued by our community, while ensuring Council remains financially sustainable to continue to invest in the future generations of our people and communities.

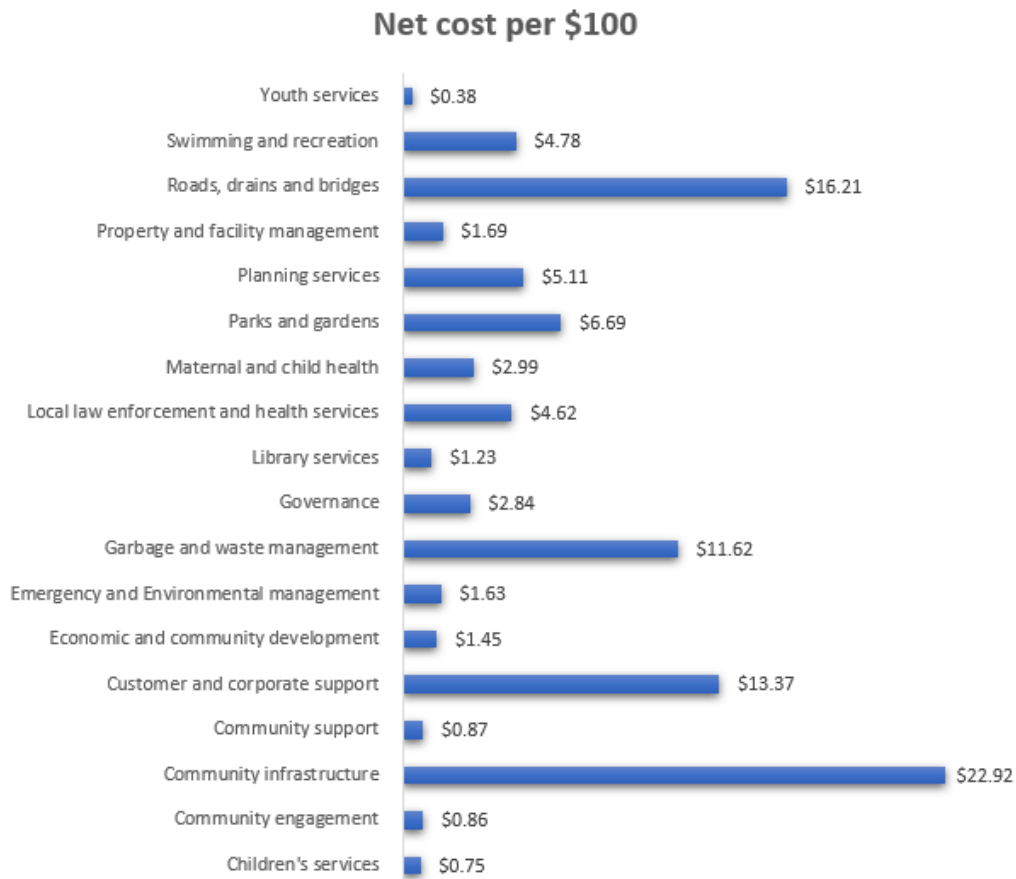
Key statistics	2026/27 Budget	2025/26 Forecast Actual
	(\$,000)	(\$,000)
Total revenue	263,953	265,572
Total expenditure	180,891	185,959
Comprehensive operating surplus (The comprehensive operating surplus reflects the anticipated annual performance of Council's day-to-day operations based on recurrent incomes and expenditures)	83,062	79,613
Underlying operating surplus/(deficit) (Underlying operating result is an important measure of financial sustainability as it excludes income which is to be used for capital from being allocated to cover operating expenses)	160	(19,344)
Capital works program	66,265	60,196
Funding the capital works program		
Grants	26,305	13,144
Contributions	2,877	660
Council cash	16,211	32,392
Borrowings	20,872	14,000

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Where Council spends its funding

The chart below provides an indication of how Council allocates its expenditure across the main services that it delivers. It shows how much is allocated to each service area for every \$100 that Council spends.



Budgeted income statement

The budgeted income statement shows a comprehensive operating surplus of \$83 million for the year ending 30 June 2027.

The comprehensive operating surplus is required to be reported but is not a true indication of Council's underlying result or financial sustainability.

This is because it includes external capital contributions which are not available for operational expenditure and must be used for capital works (the purpose the funding was received).

When capital contributions are removed from the comprehensive operating surplus, the adjusted underlying result is a surplus of \$160 thousand.

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Total revenue

Council is expecting to generate total revenue of \$264 million, with revenue from general rates is projected to be \$109.8 million, which incorporates the average rate increase of 2.75%.

This is in line with the Fair Go Rates System (FGRS) which caps rates increases by Victorian Councils for the 2026/27 financial year.

Council has elected to not apply to the Essential Services Commission (ESC) for a variation.

Cash and investments

Cash and investments are expected to increase by \$17.1 million. Council is required to maintain a reasonable amount of cash to meet the requirements of Council's operations.

This ensures all accounts can be paid during times of low income and that we have the required funds for our long-term reserve commitments.

Capital works program

Expenditure on Council assets is detailed in the Capital Works Program and this amounts to \$66.2 million, (\$16.2 million funded by rates, \$29.2 million from grants and contributions and \$20.9 million from borrowings).

- **Infrastructure (\$38.4 million)**
Focused on improving road safety and asset condition, delivering key activity centre upgrades, and enhancing sport and recreation facilities. Key projects include delivery of the Pakenham Revitalisation program, court resurfacing works at Heatherbrae Recreation Reserve and lighting upgrades at the Pakenham Regional Tennis Centre.
- **Property (\$16.0 million)**
Prioritises renewal of ageing Council facilities, delivery of significant community assets, and strategic land acquisition. Key investments include the Cardinia Youth Hub, major renewal works at Cardinia Life, and upgrades to improve asset condition, accessibility and compliance.
- **Plant & Equipment (\$11.9 million)**
Supports operational capability, service efficiency and digital transformation through replacement of essential plant and renewal of core IT assets. The primary investment is the enterprise systems replacement, modernising digital platforms to improve service delivery, data management and internal operations.

The Statement of Capital Works can be found in Section 3.5 and further details on the capital works program can be found in Section 4.5.

It is noted that construction costs (materials and labour) are escalating beyond that which can be reliably estimated. This will increase pressure on our budgets as we seek to deliver the program of projects that have been costed with known escalation rates built in.

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Economic assumptions

The budget is based on several key assumptions about what might happen in the future.

Whilst we take every care in assessing each of these assumptions, the information is sensitive to changes that are often outside the control of Council.

In preparing our assumptions, we need to balance our financial opportunities and our risks. In determining our assumptions, we use a range of information that includes historical trends, State or Federal Government sources, census data and projected cost estimates.

Our confidence in the accuracy of our assumptions is greatest in the near-future and decreases as we approach the outer years.

An overview and context for each of the key assumption areas has been included below:

Assumption	Notes	Forecast 2025/26	Budget 2026/27	Projections			Trend +/o/-
				2027-28	2028-29	2029-30	
Rate cap increase	1	3.00%	2.75%	2.50%	2.50%	2.50%	-
Population growth	2	2.50%	2.60%	2.60%	2.65%	2.60%	+
CPI	3	3.00%	2.75%	2.50%	2.50%	2.50%	-
Materials and services	4	4.50%	4.00%	4.00%	4.00%	4.00%	o

Notes to assumptions

1. Rate cap

Under the “Fair Go Rates System”, the Minister for Local Government sets the maximum amount that total rates revenue can be increased each year. The rate cap for 2026/27 has been set at 2.75%.

2. Population growth

Cardinia's population was an estimated 137,278 in 2026 and forecasts suggest that population will grow to 184,300 in 2041. Over the budget period, this is an annual average growth of 2.6%. (Source: [Remplan – Cardinia Districts Population](#))

3. Consumer Price Index (CPI)

Consumer price index is consistent with the Victorian State Government's CPI outlook, which has been set in its 2025/26 Budget Update. A conservative approach has been adopted in the outer years. (Source: [2025/26 Budget Update](#))

4. Materials and services

Materials and services basic indexation has been set at 4.5% for 2026/27 and 4% per annum for the remaining years (with the exception of major contracts and utilities). This

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lower than CPI increase reflects Council's commitment to continuous improvement and finding efficiencies to continue delivering Council services without seeking an exemption from the rate cap.

Budget influences

This section sets out the key budget influences arising from the internal and external environment in which Council operates.

External influences

- **Population growth** averaging at 2.6% per annum over the budget period will continue to place significant stress on Council's resources.
- **Rate capping** – the Victorian State Government continues to apply a cap on average rate revenue increases. The cap for 2026/27 has been set at 2.75%. The cumulative financial impact of the historical lower rate cap compared to CPI continues to lead Council to review its services and capital works program and to source alternative funding streams.
- **Cost shifting** – this occurs where Council provides a service to the community on behalf of the State or Federal Government. Over time, the funds received through funding agreements do not increase in line with real cost increases, which adds pressure to meet service obligations within financial constraints. Council will continually review its service levels to ensure that we are meeting community needs within financially sustainable limits.
- **Natural disasters** – the timing and impact of these events are unknown and unfortunately the regularity is increasing because of climate change. Whilst Council undertakes significant prevention and recovery measures, these events have a significant impact on the community, businesses, and the economy, as well as Council's human and financial resources.
- **Public infrastructure maintenance** – Councils across Australia raise approximately 3% of the total taxation collected by all levels of government in Australia. In addition, Councils are entrusted with the maintenance of more than 30% of all public assets, including roads, bridges, parks, footpaths, and public buildings. This means that a large proportion of Council's income must be allocated to the maintenance and replacement of these valuable public assets to ensure the quality of public infrastructure is maintained at satisfactory levels.
- **Defined benefits superannuation** – Council has an obligation to fund any investment shortfalls in the Defined Benefits Superannuation Scheme. The last call on Local Government was in the 2012-13 financial year, where Council was required to pay \$2.7 million to top up its share in the Defined Benefits Scheme. The amount and timing of any liability is dependent on the global investment market. At present, actuarial ratios are at a level that additional calls from the sector are not expected in the next 12 months.
- **Enterprise Agreement (EA)** – Impacts of Council's 2024 Enterprise Agreement have been included in current and future budgets.
- **Waste disposal costs** – The Environment Protection Agency (EPA) regulation has a sustained impact on Council regarding compliance with existing and past landfill sites. Waste disposal costs are also impacted by industry changes such as levies and negotiation of contracts.
- **Supply chain disruption** – Global supply chain delays remain unpredictable due to geopolitical tensions, manufacturing constraints, and shipping disruptions. These delays impact Council's capital works delivery timeframes and can increase project costs where materials become scarce or require alternative procurement pathways.

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- **Economic volatility** – The unpredictability of interest rate and inflation forecasts are creating challenges in long term financial planning. Council will continue to monitor economic conditions closely and apply prudent financial management to mitigate these impacts.

Internal influences

As well as the above external influences, there are a number of internal influences expected to impact the budget projections, including:

- Continued demands on Council resources for the renewal of existing assets.
- The value of developer contributed assets and completed capital works, together with an increase in the value of existing assets, is impacting depreciation and maintenance expenditure.

Review of Council's Financial Plan

Following the preparation of the draft 2026/27 Budget, Council has reviewed the impact the budget has on the long-term projections contained in its Financial Plan to ensure Council's financial sustainability is being maintained. The budget principles outlined above have not changed from the full document adopted by Council in October 2025, apart from the amendment to the rate cap from 2026/27 forecasted 2.5% to 2026/27 actual 2.75%.

Council's long-term financial sustainability remains sound, as demonstrated by the VAGO indicators. This outcome reflects an intentional and sustained focus on prioritising significant efficiency improvements across Council and careful management and reprioritisation of the capital program, ensuring expenditure aligns with Council's capacity.

VAGO Ratio	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36
	Forecast	Budget	Projections								
Net result	29.9%	31.5%	26.6%	23.0%	23.9%	19.3%	21.1%	21.0%	21.2%	20.8%	20.4%
Adjusted underlying result	(11.6%)	0.1%	0.1%	0.3%	0.1%	0.2%	0.1%	0.1%	0.5%	0.6%	0.8%
Liquidity	3.63	3.75	3.96	3.60	3.70	3.53	3.25	3.18	3.09	3.18	3.21
Internal financing	158.6%	105.6%	94.5%	85.9%	110.0%	89.7%	79.9%	92.7%	115.7%	110.9%	103.7%
Indebtedness	22.7%	25.2%	27.2%	26.4%	24.5%	23.2%	21.5%	21.2%	21.5%	21.5%	21.8%
Capital replacement ratio	1.51	2.09	1.94	2.08	1.74	1.77	2.26	1.98	1.77	1.71	1.85
Renewal gap ratio	1.40	1.03	1.22	1.23	0.98	0.82	1.07	1.02	0.97	0.98	0.89

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Budget reports

The following reports include all statutory disclosures of information and are supported by the analyses contained in Section 4 of this report.

This section includes the following reports and statements in accordance with the *Local Government Act 2020* and the Local Government Model Budget.

1. Link to Integrated Planning and Reporting Framework
2. Services and service performance indicators
3. Financial statements
4. Notes to financial statements
5. Performance indicators
6. Schedule of fees and charges

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1. Link to Integrated Planning and Reporting Framework.

This section describes how the Budget links to the achievement of the Community Vision and Council Plan within an overall integrated strategic planning and reporting framework.

This framework guides the Council in identifying community needs and aspirations over the long term (Community Vision and Financial Plan), medium term (Council Plan, Workforce Plan, and Revenue and Rating Plan) and short term (Budget) and holding itself accountable (Annual Report).

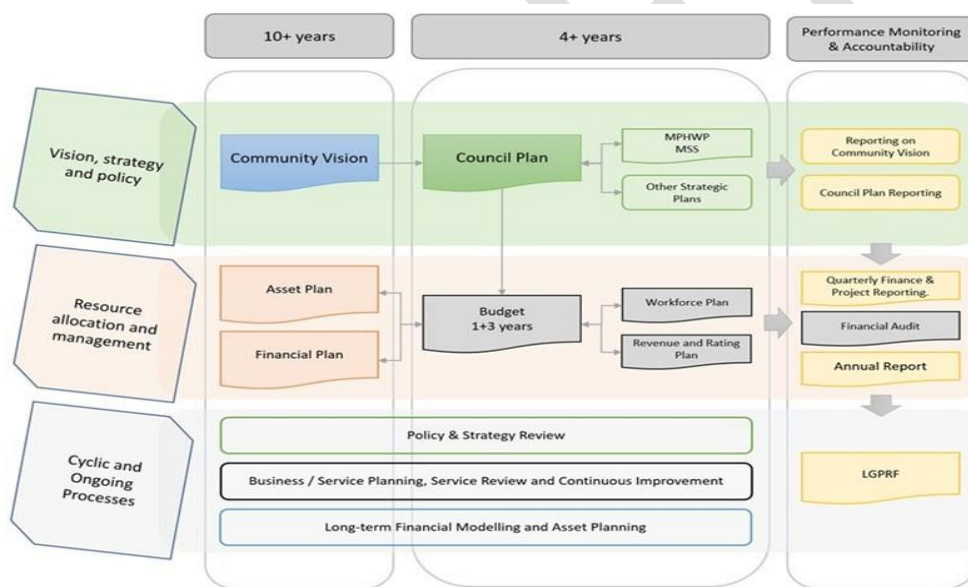
1.1. Legislative planning and accountability framework

The Budget is a rolling four-year plan that outlines the financial and non-financial resources that Council requires to achieve the strategic objectives described in the Council Plan.

The diagram below depicts the integrated strategic planning and reporting framework that applies to local government in Victoria.

At each stage of the integrated strategic planning and reporting framework there are opportunities for community and stakeholder input.

This is important to ensure transparency and accountability to both residents and ratepayers.



Source: Department of Jobs, Precinct and Regions

The timing of each component of the integrated strategic planning and reporting framework is critical to the successful achievement of the planned outcomes.

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Key planning considerations

Service level planning

Although councils have a legal obligation to provide some services (such as animal management, local roads, food safety and statutory planning), most council services are not legally mandated, including some services closely associated with councils, such as libraries and sporting facilities. Further, over time, the needs and expectations of communities can change.

Therefore, councils need to have robust processes for service planning and review to ensure all services continue to provide value for money and are in line with community expectations.

In doing so, councils should engage with communities to determine how to prioritise resources and balance service provision against other responsibilities such as asset maintenance and capital works.

Community consultation needs to be in line with the Council's adopted Community Engagement Policy and Public Transparency Policy.

1.2. Our purpose

Our vision

The unique identity of our urban, hills and rural areas is strengthened. We meet the challenges we face together as a community. How we respond balances the needs of our people, businesses, our productive land and natural environments.

Our mission

We partner with our community to build a better Cardinia – where diversity and culture thrive, productive land and natural environments are protected, we look after today and we plan for the future.

Our values

Underpinning Council's Human Resources Strategy, our values framework considers how staff work as individuals, across the organisation, and with the local community.

The framework also supports Council's vision with the five key values:

- Teamwork
- Respect
- Accountability
- Communication
- Customer focus

Each of these values includes four key behaviours to demonstrate and call to account the way staff behave each day at work.

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1.3. Strategic objectives

The Council delivers activities and initiatives under 46 major service area categories. Each contributes to the achievement of Council's Vision as set out in the Council Plan.

Council has identified five Strategic Objective Areas for 2025-29, which are integral to achieving the Council Plan.

The Annual Budget converts these activities and initiatives into financial terms to ensure that there are sufficient resources for their achievement.

The following table lists the Strategic Objectives as described in the Council Plan.

Strategic objective	Description
Thriving communities <i>The programs, facilities and places that we support are safe, inclusive, and enhance participation, wellbeing and resilience.</i>	With our many partner agencies and community groups, we promote community wellbeing, resilience, and a strong sense of belonging across our diverse and multicultural municipality. We provide opportunities for meaningful engagement and expression, support volunteerism, and maintain safe and accessible places and spaces.
Vibrant places <i>We value our well-designed towns and infrastructure that fosters belonging and connections.</i>	Our vibrant places are built on thoughtful planning that balances growth with the preservation of Cardinia's unique character and natural landscapes. Residents feel a strong sense of belonging and pride in their distinctive local identity. We plan and advocate for the infrastructure that our growing and changing community needs.
Adaptive environments <i>We care for our natural environment and support recovery from challenges.</i>	We take a collaborative approach to environmental stewardship, working alongside community and partners to build climate resilience and mitigate the impacts of climate change. We continuously improve our practices, promote circular economies, and strengthen our collective capacity to respond to environmental challenges.
Prosperous economies <i>We encourage urban and rural business and local employment to grow.</i>	We work to position our Shire for long-term investment, attract new industries, encourage innovation, and to generate jobs within our community. We balance our unique local history and opportunities, with our role in regional planning.
Responsible leaders <i>We demonstrate responsible leadership and financial stewardship.</i>	We aspire to set the standard for responsible governance through community engagement, service excellence and prudent financial management. Our decisions are transparent and accountable. Through careful resource management and forward-thinking decision-making, we provide for current residents and generations to come.

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2. Services and service performance indicators

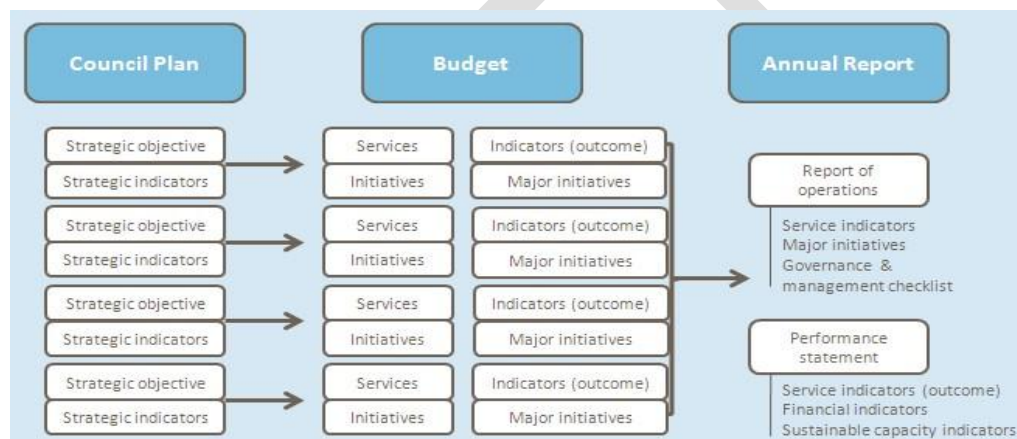
This section provides a description of the services to be funded in the Budget for the 2026/27 year and how these will contribute to achieving the strategic objectives outlined in the Council Plan.

It also describes the service performance outcome indicators for key areas of Council's operations.

Council is required by legislation to identify major initiatives, other initiatives and service performance outcome indicators in the Budget and report against them in their Annual Report to support transparency and accountability.

At the time of developing its budget, Council is still working through the development of its Council Plan, along with the strategic objectives and initiatives that will support the successful delivery of the Council Plan. Council's services are being aligned as per the 2025-29 Council Plan.

The relationship between these accountability requirements in the Council Plan, the Budget and the Annual Report is shown below.



Source: Department of Jobs, Precincts and Regions

Unless otherwise stated, amounts in the budget have been entered in whole dollars and cents then rounded to the nearest thousand dollars.

Total figures in the financial statements and accompanying notes and schedules reflect the true budgeted amount and may differ slightly when rounded figures are manually added due to rounding.

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Cardinia

2.1. THRIVING COMMUNITIES: The programs, facilities and places that we support are safe, inclusive, and enhance participation, wellbeing and resilience.

Service area	Description of services provided		2024/25	2025/26	2026/27
			Actual \$'000	Forecast \$'000	Budget \$'000
Arts and Creative Industries	Centred around the Cardinia Cultural Centre (CCC) and extending to the Hills Hub Art Space, this service provides the community and visitors with high quality venues for community, civic, cultural, social, business, and entertainment events and services.	Income	186	292	683
		Expense	2,095	2,278	2,383
		Net cost	(1,909)	(1,986)	(1,700)
Health and Social Planning	To provide consistent and integrated planning for positive health and social outcomes across Council services, with partner agencies and the community.	Income	71	-	-
		Expense	667	820	759
		Net cost	(595)	(820)	(759)
Early Years	Provides families with the opportunity to access quality, inclusive early years services and improve social connectedness with the wider community.	Income	1,214	877	1,041
		Expense	1,086	1,080	1,246
		Net cost	127	(203)	(205)
Social Infrastructure Planning	Oversees the planning for the existing, new and future community infrastructure that is required for the provision of community services, programs or needs within Cardinia Shire.	Income	23	-	-
		Expense	552	347	396
		Net cost	(529)	(347)	(396)
Connected Communities	Supports the development of strong and resilient communities that have the ability to identify and meet their needs, achieve self-reliance, contribute to solutions and support their own advocacy efforts.	Income	525	301	303
		Expense	1,798	1,679	1,665
		Net cost	(1,273)	(1,378)	(1,361)
Compliance Services	Compliance Services perform law enforcement functions, including parking, animal management and safety, Local Laws, building site and planning enforcement.	Income	3,997	3,711	4,448
		Expense	6,239	6,229	6,815
		Net cost	(2,242)	(2,518)	(2,367)
Environmental Health	To minimise environmental problems within the community and as far as practicable to ensure food safety within the community.	Income	891	845	771
		Expense	1,897	2,040	2,203
		Net cost	(1,006)	(1,195)	(1,433)
Library	Council's Library program services the Pakenham and Emerald Libraries and provides for a mobile library service to other townships within the Shire.	Income	-	-	-
		Expense	2,409	2,496	2,595
		Net cost	(2,409)	(2,496)	(2,595)
		Income	3,050	3,061	3,033

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Service area	Description of services provided		2024/25	2025/26	2026/27
			Actual \$'000	Forecast \$'000	Budget \$'000
Maternal and Child Health	Promotes healthy outcomes for children from birth to school age and their families, by providing a comprehensive and focused approach for the prevention & early identification of the physical, emotional and social factors affecting young children & their families.	Expense	5,258	5,459	6,343
		Net cost	(2,208)	(2,397)	(3,309)
Community Safety and Inclusion	Supports our diverse community to be connected, safe, empowered and engaged through equality, social justice and respect.	Income	307	182	153
		Expense	1,964	2,127	2,181
		Net cost	(1,657)	(1,945)	(2,029)
Youth Services	Youth Services provides a range of health, well-being, social, recreation and life skills programs, services, activities and events to young people, enabling them to build resilience around issues they may face, fulfil their potential and develop themselves as young adults.	Income	183	76	56
		Expense	991	832	813
		Net cost	(808)	(756)	(758)

Initiatives

1	We engage with our first nations communities to develop and implement Reconciliation Action Plans 2025-2027.
2	Support the delivery of an annual calendar of events, programs and grants that celebrate our diverse community, its arts and culture.
3	Implement Arts and Creative Industries Strategy.
4	Implement the Volunteers' Strategy.
5	Establish a Youth Action & Advisory Committee to ensure that the voices of young people are heard and considered, and so they have an opportunity to engage in democracy at a local level.
6	Develop a Volunteers' Strategy to support volunteers and encourage volunteer participation.
7	Co-ordinate public health planning processes in partnership with local agencies.

Service performance outcome indicators

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Domain	Indicator	Performance	Computation
Community	Library services	Library membership (Percentage of the population that are registered library members)	[Number of registered library members / Population] x100
Cost	Library services	Cost of library services (direct cost of library services per head of population)	Direct cost of library services / Population
Community	Maternal and Child Health	Participation in the MCH service. (Percentage of children enrolled who participate in the MCH service)	[Number of children who attend the MCH service at least once (in the financial year) / Number of children enrolled in the MCH service] x100
Community	Maternal and Child Health	Participation in the MCH service by Aboriginal children. (Percentage of Aboriginal children enrolled who participate in the MCH service)	[Number of Aboriginal children who attend the MCH service at least once (in the financial year) / Number of Aboriginal children enrolled in the MCH service] x100
Responsiveness	Food safety	Critical and major non-compliance outcome notifications. (Percentage of critical and major non-compliance outcome notifications that are followed up by Council)	[Number of critical non-compliance outcome notifications and major non-compliance outcome notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about food premises] x100

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2.2. **VIBRANT PLACES: We value our well-designed towns and infrastructure that fosters belonging and connections.**

Service area	Description of services provided	2024/25 Actual \$'000	2025/26 Forecast \$'000	2026/27 Budget \$'000
Aquatic and Leisure Facilities	Oversees the planning, development and maintenance of quality aquatic and leisure facilities to support and encourage community use and participation in sport and active recreation.	Income	-	-
		Expense	1,290	456
		Net cost	(1,290)	(980)
Asset Management	To ensure that Council's strategic and corporate objectives in relation to assets and infrastructure are lead and effectively implemented.	Income	-	-
		Expense	1,306	1,709
		Net cost	(1,306)	(1,550)
Civil maintenance	Ensure the safety and functionality of roads, drains and most assets associated with its function. This includes fixing and maintaining roads and gravel footpaths by smoothing out bumps and filling holes.	Income	84	65
		Expense	13,843	14,590
		Net cost	(13,758)	(14,525)
Building Project Delivery	To ensure Council can adequately respond to reactive and routine maintenance and repairs of all Council buildings in compliance with regulations and Council expectations. This includes servicing of Council plant, equipment and vertical transport.	Income	-	-
		Expense	5,166	5,028
		Net cost	(5,166)	(5,028)
Facilities Maintenance and Management	Manages all Council buildings, plant, equipment and lifts to ensure they comply with regulations and Council standards. The service manages reactive and routine maintenance, repairs, cleaning, access management, facility security, utilities management, and asbestos management for Council facilities.	Income	-	-
		Expense	4,652	7,471
		Net cost	(4,652)	(7,471)
Community Infrastructure (Civil Projects and Open Spaces)	To deliver and renew Council's civil community and open space Infrastructure, including roads, drains, footpaths and recreation reserves.	Income	54	13
		Expense	2,892	2,287
		Net cost	(2,838)	(2,275)
Sports and Active Recreation	Support our community to participate in a range of recreation activities and engage them in the planning and delivery of community recreation facilities and services.	Income	309	151
		Expense	2,993	3,007
		Net cost	(2,683)	(2,856)
Development	To assess, support and coordinate engineering and landscape development to ensure that Council's strategic and corporate objectives in relation to developer delivered assets and infrastructure are effectively implemented.	Income	2,681	2,776
		Expense	2,231	1,868
		Net cost	451	908
Precinct Structure Plans, Developer and Infrastructure Contribution Plan Management	To perform legislated duties of collection agency for DCP and ICPs, including record the operating income and expenditure of Developer & Infrastructure Contribution Plans (DCPs and ICPs) for existing Precinct Structure Plans (PSPs).	Income	-	4,000
		Expense	2	648
		Net cost	(2)	3,352

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Service area	Description of services provided		2024/25 Actual \$'000	2025/26 Forecast \$'000	2026/27 Budget \$'000
Traffic and Transport	Maintain a plant fleet in an efficient manner, whilst minimising Council's costs, to deliver the standards agreed to by Council.	Income	109	200	-
		Expense	1,046	1,536	1,623
		Net cost	(937)	(1,337)	(1,623)
Growth Area Planning and Subdivisions	Prepare and implement Precinct Structure Plans, Infrastructure Contributions Plans and Urban Design Frameworks.	Income	-	-	-
		Expense	1,433	1,694	1,878
		Net cost	(1,433)	(1,694)	(1,878)
Major Roads Projects	Deliver major roads capital projects, including Sealing the Hills project, plus other civil capital works outlined in the capital works budget	Income	-	-	-
		Expense	1,498	1,126	1,020
		Net cost	(1,498)	(1,126)	(1,020)
Major Projects	This service plans, advocates, develops and delivers major projects outlined in the Council Plan and budget with a strong focus on facilitating and bringing to life the Major Activity Centre Structure Plan objectives to create precincts that are well planned, loved and enjoyed by the community.	Income	80	-	-
		Expense	1,391	1,081	847
		Net cost	(1,311)	(1,081)	(847)
Open Space Maintenance	Repair and replace playground equipment, ensuring safety and adequate mulch coverage. They refurbish park infrastructure and furniture, clean footpaths and hard surfaced areas, and maintain timber bridges, boardwalks, and lookouts.	Income	-	25	10
		Expense	15,676	13,758	13,895
		Net cost	(15,676)	(13,733)	(13,885)
Parks Planning	Quality open spaces are vital to supporting the health and wellbeing of our community and the environment they live and work in.	Income	277	264	344
		Expense	872	765	738
		Net cost	(595)	(501)	(394)
Statutory Planning	To assess planning permit applications against the Cardinia Planning Scheme to maintain and facilitate orderly development consistent with both local and state policies.	Income	2,056	1,920	1,938
		Expense	2,934	3,045	3,308
		Net cost	(878)	(1,125)	(1,371)
Strategic Planning and Urban Design	Develop and maintain a sound planning policy framework to provide for the sustainable development of the natural and built environment in the Shire.	Income	-	20	65
		Expense	1,406	2,406	2,256
		Net cost	(1,406)	(2,387)	(2,191)

Initiatives

1	Work with government, development agencies and landowners to progress the Officer Town Centre.
2	Develop and endorse a Yarra Valley and Dandenong Ranges and Southern Ranges Green Wedge Management Plan.

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3	Undertake a census of all facility utilisation and develop a strategy to maximise community benefit.
4	Deliver funded stages of Pakenham Revitalisation and advocate for funding for additional stages.
5	Plan and deliver infrastructure upgrades to our road network and public assets to meet the needs of the current and future population.
6	Develop an Unsealed Roads Improvement Plan to improve the maintenance of unsealed roads and improve the resident experience and then implement the adopted plan.
7	Develop a Drainage Improvement Plan to improve the operation and maintenance of our drainage networks and implement the adopted plan.
8	Plan and deliver accessible and inclusive recreation and community facilities.
9	Undertake cost-effective works across townships to improve amenity and presentation, including garden bed renewal, tree planting and street furniture maintenance.
10	Assess the feasibility of the Golf Course at Deep Creek Reserve and develop a plan for identified future use.
11	Plan for a library and community facilities in the Officer Town Centre and advocate for funding to ensure the successful delivery of the facilities.
12	Advocate for further funding to expand and redevelop Cardinia Life.

Service performance outcome indicators

Domain	Indicator	Performance	Computation
Responsiveness	Statutory planning	Planning applications decided within the relevant required time (percentage of regular and VicSmart planning application decisions made within the relevant required time)	[Number of planning application decisions made within 60 days for regular permits and 10 days for VicSmart permits / Number of planning application decisions made] x100
Environment	Roads	Sealed local roads below the intervention level (percentage of sealed local roads that are below the renewal intervention level set by Council and not requiring renewal)	[Number of kilometres of sealed local roads below the renewal intervention level set by Council / Kilometres of sealed local roads] x100

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2.3. **ADAPTIVE ENVIRONMENTS: We care for our natural environment and support recovery from challenges.**

Service area	Description of services provided		2024/25 Actual \$'000	2025/26 Forecast \$'000	2026/27 Budget \$'000
Biodiversity	Preserve and actively care for the natural environment, for future generations, through delivery of relevant legislation and strategies, in partnership with the community.	Income	181	123	117
		Expense	1,361	1,353	1,355
		Net cost	(1,180)	(1,230)	(1,238)
Climate Change and Heritage	To assist Council and the community to reduce emissions and transition to renewable energy, adapt to climate change, conserve heritage assets and move to a model of integrated water management.	Income	79	32	-
		Expense	1,115	1,182	1,172
		Net cost	(1,035)	(1,150)	(1,172)
Waste Management	Delivers an efficient, safe and cost-effective waste and recycling service to the community. This includes a variety of collection and processing services for garbage, recycling, food and green waste.	Income	75	15	16
		Expense	20,646	23,644	24,609
		Net cost	(20,572)	(23,629)	(24,593)
Natural Reserves	To effectively manage shire's natural reserves and vegetated road reserve network, with a long-term aim to achieve a reduction in weed coverage and improve biodiversity values.	Income	32	-	33
		Expense	920	1,102	1,236
		Net cost	(888)	(1,102)	(1,204)

Initiatives

1	Develop new Integrated Water Management Plan and implement the plan.
2	Implement initiatives in the Climate Change Adaptation Strategy 2022-2033, the Biolinks Plan 2023-2033 and the Biodiversity Conservation Strategy 2019- 2029 and Weed Management Strategy 2019-2029.
3	Develop a Towards Zero Emissions Plan and implement the Plan.
4	Develop a future Waste and Resource Recovery Strategy 2026-2036 and implement the actions under the strategy.

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Service performance outcome indicators



Domain	Indicator	Performance Measure	Computation
Environment	Waste management	Kerbside collection waste to landfill per serviced property (amount of waste collected from kerbside waste collection services that is sent to landfill per serviced property)	Amount of waste in tonnes (t) collected from kerbside waste collection services that is sent to landfill / Number of serviced properties
Cost	Waste management	Cost of kerbside waste collection services (direct cost of kerbside waste collection services per serviced property)	Direct cost of kerbside waste collection services / Number of serviced properties

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2.4. **PROSPEROUS ECONOMIES: We encourage urban and rural business and local employment to grow.**

Service area	Description of services provided	2024/25	2025/26	2026/27
		Actual \$'000	Forecast \$'000	Budget \$'000
Economic Development	The Economic Development service is responsible for shaping the economic landscape and tourism potential of Cardinia Shire. Through strategic partnerships and targeted programs, the service delivers initiatives to attract and nurture businesses, stimulate job creation, facilitate private investment, respond to industry issues, develop the local workforce and showcase the unique offerings of Cardinia Shire to visitors.	<i>Income</i>	40	-
		<i>Expense</i>	818	1,062
		Net cost	(778)	(1,062)
				(1,191)

Initiatives

1	Partner with GSEM and key stakeholders to progress planning and advocacy for a Southeast Melbourne Airport and Thompsons Road Upgrade and Extension, that supports regional economic growth, freight movement, and improved access to national and global markets.
2	Implement initiatives in accordance with the Investment Attraction Plan.
3	Deliver the 2025 Agribusiness Audit, using its findings to inform the development of a Food and Agribusiness Strategy and guide the implementation of strategic actions to strengthen the sector.
4	Develop a framework to implement the recommendations of the gap analysis and implement the framework.
5	Conduct a comprehensive gap analysis of community and human services, and education and skills with recommendations to support advocacy and funding to attract service providers (i.e. integrated community information and support hubs, financial counselling, further education providers and health services) to operate in Cardinia Shire.
6	Support implementation of the Tourism East Destination Management Plan and report progress annually.
7	Review and refine the Economic Development strategy, while implementing key initiatives to drive business & industry development.

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2.5. RESPONSIBLE LEADERSHIP: We demonstrate responsible leadership and financial stewardship.

Service area	Description of services provided		2024/25 Actual \$'000	2025/26 Forecast \$'000	2026/27 Budget \$'000
Advocacy	The Advocacy service champions the interests and needs of the Cardinia community and the broader south-east (GSEM) region. This service is responsible for strategically navigating policy landscapes, interfaces with government bodies and other external stakeholders, and seeking alternative funding or grant opportunities.	Income	-	-	-
		Expense	192	209	213
		Net cost	(192)	(209)	(213)
Communications	Raise awareness of Council programs and initiatives and deliver effective communication between Council, the community and other stakeholders.	Income	-	-	-
		Expense	1,435	1,643	1,743
		Net cost	(1,435)	(1,643)	(1,743)
Engagement	Support effective community engagement between Council and the community through the preparation of engagement plans in accordance with Local Govt Act requirements.	Income	-	-	-
		Expense	45	58	86
		Net cost	(45)	(58)	(86)
Rates and Revenue Services	Manage Cardinia's rateable properties and provide a responsive, solution focused service to rate queries.	Income	146	174	202
		Expense	1,725	1,470	1,484
		Net cost	(1,579)	(1,296)	(1,282)
Customer Support	Provide a professional customer service experience with an inclusive, respectful, and positive attitude.	Income	-	-	-
		Expense	1,497	1,496	1,467
		Net cost	(1,497)	(1,496)	(1,467)
Emergency Management	Capture all income and expenditure relating to Emergency Events (floods, storms, bushfires) and the COVID-19 pandemic.	Income	141	198	88
		Expense	957	1,044	924
		Net cost	(816)	(845)	(837)
Financial Strategy, Management and Procurement	Manages all financial functions of Council including the planning for balanced budget outcomes and prudent management of debts and assets. This is to ensure Council has a sustainable financial position, recognising inter-generational responsibility.	Income	(4,652)	8,187	2,521
		Expense	9,700	3,901	779
		Net cost	(14,352)	4,286	1,741
Governance, Mayor and Councillors	Ensures that Council complies with the governance requirements of the Local Government Acts and ensures that Council and Town Planning meetings are transparent and effective, distributing agendas and minutes promptly.	Income	197	293	102
		Expense	3,193	2,769	2,513
		Net cost	(2,996)	(2,477)	(2,411)
Property Services	Manage Council's property portfolio ensuring any sales and acquisitions comply with legislation and best practice guidelines achieving the best outcome for Council and the community. Ensure appropriate tenancy agreements are in place and managed, seeking the best return for Council where possible.	Income	352	323	382
		Expense	584	878	852
		Net cost	(232)	(555)	(469)

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Service area	Description of services provided	2024/25 Actual \$'000	2025/26 Forecast \$'000	2026/27 Budget \$'000
People and Culture	Provide services that are responsive to organisational needs, ensure legislative compliance, and support the development of a competent, flexible, and focused workforce committed to our shared values.	<i>Income</i>	-	-
		<i>Expense</i>	2,623	2,835
		Net cost	(2,623)	(2,835)
				(2,787)
Information Services	The Information Services business unit exists to work with the business to provide information services that maximise Council's ability to achieve its vision and objectives. This includes Information and Communication Technology, Geographic Information System and Records Management Services.	<i>Income</i>	39	-
		<i>Expense</i>	5,834	7,351
		Net cost	(5,795)	(7,351)
				(6,648)
Risk, Health and Safety	Minimise Council's exposure to risk and ensure Council staff have received the appropriate training and are operating in a safe workplace.	<i>Income</i>	-	-
		<i>Expense</i>	2,362	3,354
		Net cost	(2,362)	(3,354)
				(3,509)
Performance and Improvement	Provide consistent integrated business planning processes ensuring actions align to the key directions of Council, monitor the effectiveness of these plans and associated service delivery through corporate performance and business activity monitoring, and build a culture of innovation through a continued focus on analysis, improvement and change implementation.	<i>Income</i>	-	-
		<i>Expense</i>	841	999
		Net cost	(841)	(999)
				(1,048)

Initiatives

1	Provide opportunities for meaningful, informed and representative community engagement to guide Council's decision-making.
2	Identify, assess and implement alternative revenue and investment opportunities.
3	Develop and review Financial Plan to ensure that it supports long term financial sustainability.
4	Adopt the Advocacy Agenda 2025-2029, annually review Council advocacy priorities and report on efforts and outcomes.
5	Develop a Transformation Roadmap to enhance Council processes and systems, improve customer experience, ensure future readiness, and implement the roadmap.
6	Undertake focused service reviews to ensure alignment to the Council Plan and optimal service delivery.
7	Undertake Gender Impact Assessments when developing or reviewing any Council policy, program or service that has a direct and significant impact on the public, and ensure our organisation implements our Gender Equality Action Plan.

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Service performance outcome indicators



Domain	Indicator	Performance Measure	Computation
Governance	Consultation and engagement	Satisfaction with the opportunities offered by Council to be consulted on or engaged in Council decisions (community satisfaction rating out of 100 with the consultation and engagement efforts of Council)	Community satisfaction rating out of 100 with how Council has performed on community consultation and engagement
Governance	Financial decisions	Total unpaid rates and charges (total unpaid rates and charges and unpaid interest on rates and charges for all financial years as a percentage of all rates and charges for the financial year)	[Sum of unpaid rates and charges and unpaid interest on rates and charges for all financial years / Sum of all rates and charges for the financial year] x100

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2.6. Reconciliation with budgeted operating result

	Surplus/ (Deficit)	Expenditure	Income / Revenue
	\$'000	\$'000	\$'000
Thriving Communities	(16,911)	27,398	10,486
Vibrant Places	(57,371)	62,767	5,395
Adaptive Environments	(28,206)	28,372	166
Prosperous Economies	(1,191)	1,191	-
Responsible Leaders	(20,758)	24,053	3,295
Total	(124,437)	143,780	19,343
Expenses added in:			
Depreciation/Amortisation	35,345		
Finance costs	1,765		
Surplus/(Deficit) before funding sources	(161,548)		
Funding sources added in:			
Rates and charges revenue	137,735		
Capital grants and contributions	83,824		
Grants commission funding	17,408		
Interest income	5,644		
Total funding sources	244,610		
Operating surplus/(deficit) for the year	83,062		

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3. Financial statements

This section presents information regarding the Financial Statements and Statement of Human Resources. The budget information for the year 2026/27 has been supplemented with projections to 2029-30

This section includes the following financial statements prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

3.1 Comprehensive Income Statement

3.2 Balance Sheet

3.3 Statement of Changes in Equity

3.4 Statement of Cash Flows

3.5 Statement of Capital Works

3.6 Statement of Human Resources

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3.1. Comprehensive Income Statement

For the four years ending 30 June 2030

		Forecast Actual 2025/26	Budget 2026/27	Projections		
		2025/26	2026/27	2027/28	2028/29	2029/30
	NOTES	\$'000	\$'000	\$'000	\$'000	\$'000
Income / Revenue						
Rates and charges	4.1.1	133,022	137,735	145,110	152,913	160,117
Statutory fees and fines	4.1.2	7,992	8,259	8,486	8,719	8,959
User fees	4.1.3	3,551	4,171	4,286	4,404	4,525
Grants - operating	4.1.4	11,668	21,997	22,538	23,093	23,661
Grants - capital	4.1.4	13,143	26,305	5,068	4,087	4,000
Contributions - monetary	4.1.5	45,989	10,956	22,541	14,801	23,386
Contributions - non-monetary	4.1.5	40,475	45,936	41,038	39,724	37,411
Net gain (or loss) on disposal of property, infrastructure, plant and equipment		(582)	500	500	500	500
Other income	4.1.6	10,314	8,094	8,227	8,922	8,913
Total income / revenue		265,572	263,953	257,794	257,164	271,472
Expenses						
Employee costs	4.1.7	62,479	61,045	65,631	68,260	70,995
Materials and services	4.1.8	83,563	80,253	83,902	87,718	91,707
Depreciation	4.1.9	35,277	34,773	34,449	35,861	37,956
Amortisation - intangible assets	4.1.10	171	155	107	107	107
Depreciation - right of use assets	4.1.11	418	416	416	416	416
Allowance for impairment losses		294	350	220	220	220
Borrowing costs		819	1,391	2,027	2,439	2,618
Finance costs - leases		32	18	13	8	3
Other expenses	4.1.12	2,906	2,490	2,552	3,216	2,681
Total expenses		185,959	180,891	189,317	198,245	206,703
Surplus/(deficit) for the year		79,613	83,062	68,476	58,919	64,769
Other comprehensive income						
Items that will not be reclassified to surplus or deficit in future periods						
Net asset revaluation gain /(loss)		96,918	-	-	-	-
Total other comprehensive income		96,918	-	-	-	-
Total comprehensive result		176,531	83,062	68,476	58,919	64,769
Adjusted underlying result		(19,344)	160	125	602	267

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3.2. Balance Sheet

For the four years ending 30 June 2030

		Forecast Actual 2025/26	Budget 2026/27	Projections		
	NOTES	\$'000	\$'000	2027/28 \$'000	2028/29 \$'000	2029/30 \$'000
Assets						
Current assets						
Cash and cash equivalents		212,354	229,405	233,580	226,203	228,228
Trade and other receivables		23,036	18,277	18,217	18,382	19,716
Other assets		2,890	2,890	2,890	2,890	2,890
Total current assets	4.2.1	238,280	250,572	254,687	247,475	250,833
Non-current assets						
Trade and other receivables		2,561	2,561	2,561	2,561	2,561
Property, infrastructure, plant & equipment		3,490,122	3,567,549	3,635,410	3,707,405	3,767,056
Right-of-use assets	4.2.4	1,663	1,247	831	416	-
Intangible assets		1,421	1,266	1,159	1,052	945
Total non-current assets	4.2.1	3,495,767	3,572,624	3,639,962	3,711,433	3,770,562
Total assets		3,734,047	3,823,195	3,894,649	3,958,908	4,021,396
Liabilities						
Current liabilities						
Trade and other payables		9,153	7,481	7,795	8,221	8,534
Trust funds and deposits		16,482	16,482	16,482	16,482	16,482
Contract and other liabilities		26,991	20,981	14,375	14,375	14,375
Provisions		11,292	11,051	10,810	10,569	10,328
Interest-bearing liabilities	4.2.3	1,451	10,285	14,437	18,646	18,133
Lease liabilities	4.2.4	220	504	509	514	-
Total current liabilities	4.2.2	65,589	66,783	64,408	68,807	67,851
Non-current liabilities						
Provisions		5,069	5,209	5,349	5,489	5,629
Interest-bearing liabilities	4.2.3	28,265	33,799	39,521	40,836	39,370
Lease liabilities	4.2.4	1,805	1,023	514	-	-
Total non-current liabilities	4.2.2	35,139	40,031	45,384	46,325	44,999
Total liabilities		100,728	106,814	109,792	115,132	112,851
Net assets		3,633,319	3,716,381	3,784,857	3,843,776	3,908,545
Equity						
Accumulated surplus		1,529,996	1,605,274	1,659,116	1,721,581	1,781,290
Reserves		2,103,323	2,111,107	2,125,741	2,122,195	2,127,255
Total equity		3,633,319	3,716,381	3,784,857	3,843,776	3,908,545

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3.3. Statement of Changes in Equity

For the four years ending 30 June 2030

	NOTES	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
2026 Forecast Actual					
Balance at beginning of the financial year		3,456,788	1,496,789	1,846,937	113,062
Surplus/(deficit) for the year		79,613	79,613	-	-
Net asset revaluation gain/(loss)		96,918	-	96,918	-
Transfers (to)/from other reserves		-	(46,406)	-	46,406
Transfers from other reserves		-	-	-	-
Balance at end of the financial year		3,633,319	1,529,996	1,943,855	159,468
2027 Budget					
Balance at beginning of the financial year		3,633,319	1,529,996	1,943,855	159,468
Surplus/(deficit) for the year		83,062	83,062	-	-
Net asset revaluation gain/(loss)		-	-	-	-
Transfers (to)/from other reserves	4.3.1	(0)	(7,784)	-	7,784
Transfers from other reserves	4.3.1	-	-	-	-
Balance at end of the financial year	4.3.2	3,716,381	1,605,274	1,943,855	167,252
2028					
Balance at beginning of the financial year		3,716,381	1,605,274	1,943,855	167,252
Surplus/(deficit) for the year		68,476	68,476	-	-
Net asset revaluation gain/(loss)		-	-	-	-
Transfers (to)/from other reserves		(0)	(14,634)	-	14,634
Transfers from other reserves		-	-	-	-
Balance at end of the financial year		3,784,857	1,659,116	1,943,855	181,886
2029					
Balance at beginning of the financial year		3,784,857	1,659,116	1,943,855	181,886
Surplus/(deficit) for the year		58,919	58,919	-	-
Net asset revaluation gain/(loss)		-	-	-	-
Transfers (to)/from other reserves		0	3,546	-	(3,546)
Transfers from other reserves		-	-	-	-
Balance at end of the financial year		3,843,776	1,721,581	1,943,855	178,340
2030					
Balance at beginning of the financial year		3,843,776	1,721,581	1,943,855	178,340
Surplus/(deficit) for the year		64,769	64,769	-	-
Net asset revaluation gain/(loss)		-	-	-	-
Transfers (to)/from other reserves		(0)	(5,060)	-	5,060
Transfers from other reserves		-	-	-	-
Balance at end of the financial year		3,908,545	1,781,290	1,943,855	183,400

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3.4. Statement of Cash Flows

For the four years ending 30 June 2030

	Notes	Forecast	Budget	Projections		
		Actual 2025/26 \$'000	2026/27 \$'000	2027/28 \$'000	2028/29 \$'000	2029/30 \$'000
		Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)
Cash flows from operating activities						
Rates and charges		121,323	141,209	144,312	152,091	159,367
Statutory fees and fines		8,013	9,314	9,301	9,559	9,824
User fees		3,620	4,704	4,697	4,827	4,961
Grants - operating		15,392	22,552	22,463	23,019	23,591
Grants - capital		12,799	26,968	6,771	4,162	4,003
Contributions - monetary		45,989	10,956	22,541	14,801	23,386
Interest received		5,999	5,644	5,716	6,348	6,274
Trust funds and deposits taken		1,160	-	-	-	-
Other receipts		21,245	(1,848)	(2,660)	4,971	4,439
Net GST refund / payment		13,225	11,005	10,571	12,335	11,270
Employee costs		(62,658)	(61,146)	(65,732)	(68,361)	(71,096)
Materials and services		(98,908)	(89,900)	(91,983)	(96,124)	(100,517)
Short-term, low value and variable lease payments		(401)	-	-	-	-
Other payments		(2,184)	(2,789)	(2,802)	(3,477)	(2,998)
Net cash provided by/(used in) operating activities	4.4.1	84,614	76,669	63,194	64,150	72,505
Cash flows from investing activities						
Payments for property, infrastructure, plant and equipment		(53,359)	(72,629)	(66,899)	(74,645)	(65,916)
Proceeds from sale of property, infrastructure, plant and equipment		249	550	550	550	550
Net cash provided by/ (used in) investing activities	4.4.2	(53,110)	(72,079)	(66,349)	(74,095)	(65,366)
Cash flows from financing activities						
Finance costs		(819)	(1,391)	(2,027)	(2,439)	(2,618)
Proceeds from borrowings		14,000	20,872	20,454	20,248	16,902
Repayment of borrowings		(1,794)	(6,504)	(10,580)	(14,724)	(18,881)
Interest paid - lease liability		(32)	(18)	(13)	(8)	(3)
Repayment of lease liabilities		(204)	(499)	(504)	(509)	(514)
Net cash provided by/(used in) financing activities	4.4.3	11,151	12,461	7,330	2,568	(5,114)
Net increase/(decrease) in cash & cash equivalents		42,655	17,051	4,175	(7,377)	2,025
Cash and cash equivalents at the beginning of the financial year		169,699	212,354	229,405	233,580	226,203
Cash and cash equivalents at the end of the financial year		212,354	229,405	233,580	226,203	228,228
Restricted cash		220,354	228,138	242,772	239,226	244,286
Unrestricted cash		(8,000)	1,267	(9,192)	(13,023)	(16,058)

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3.5. Statement of Capital Works

For the four years ending 30 June 2030

	NOTES	Forecast Actual 2025/26	Budget 2026/27	Projections		
		\$'000	\$'000	2027/28	2028/29	2029/30
		\$'000	\$'000	\$'000	\$'000	\$'000
Property						
Land		1,721	2,622	5,000	3,000	3,000
Buildings		7,041	13,346	12,976	20,000	17,385
Total property		8,762	15,968	17,976	23,000	20,385
Plant and equipment						
Plant, machinery and equipment		3,214	365	2,026	2,700	2,700
Fixtures, fittings and furniture		1,680	1,165	2,046	2,104	1,839
Computers and telecommunications		391	10,380	10,550	10,550	550
Total plant and equipment		5,285	11,910	14,622	15,354	5,089
Infrastructure						
Roads		28,451	23,372	18,079	18,739	20,013
Bridges		671	645	700	700	1,400
Footpaths and cycleways		1,855	1,202	2,360	2,630	2,813
Drainage		1,390	790	850	950	1,050
Recreational, leisure and community facilities		2,568	2,910	2,675	4,465	6,400
Parks, open space and streetscapes		1,574	775	2,110	1,893	2,647
Off street car parks		144	-	-	-	-
Other infrastructure		9,496	8,693	1,900	400	400
Total infrastructure		46,149	38,387	28,673	29,778	34,723
Total capital works expenditure	4.5.1	60,196	66,265	61,272	68,132	60,197
Represented by:						
New asset expenditure		6,001	11,217	11,026	18,320	22,520
Asset renewal expenditure		19,725	18,374	27,020	27,893	26,440
Asset expansion expenditure		4,936	19,255	8,271	5,850	400
Asset upgrade expenditure		29,534	17,420	14,954	16,069	10,836
Total capital works expenditure	4.5.1	60,196	66,265	61,272	68,132	60,197
Funding sources represented by:						
Grants		13,144	26,305	5,068	4,087	4,000
Contributions		660	2,877	7,612	18,052	18,031
Council cash		32,392	16,211	28,138	25,744	21,263
Borrowings		14,000	20,872	20,454	20,248	16,902
Total capital works expenditure	4.5.1	60,196	66,265	61,272	68,132	60,197

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3.6. Statement of Human Resources

For the four years ending 30 June 2030

	Forecast	Budget	Projections		
	Actual				
	2025/26	2026/27	2027/28	2028/29	2029/30
	\$'000	\$'000	\$'000	\$'000	\$'000
Staff expenditure					
Employee costs - operating	60,331	57,719	62,056	64,542	67,128
Employee costs - capital	2,148	3,326	3,575	3,718	3,867
Total staff expenditure	62,479	61,045	65,631	68,260	70,995
	FTE	FTE	FTE	FTE	FTE
Staff numbers					
Employees	527.30	537.62	537.62	537.62	537.62
Total staff numbers	527.30	537.62	537.62	537.62	537.62

A summary of human resources expenditure categorised to the organisational structure of Council is included below:

Department	Budget	Comprises			
		Permanent		Casual	Temporary
		Full Time	Part time		
	2026/27				
	\$'000	\$'000	\$'000	\$'000	\$'000
Community & Planning Services	27,733	19,205	7,717	573	238
Corporate Services	16,078	13,403	2,276	43	356
Infrastructure & Environment	21,970	21,092	805	-	73
Total permanent staff expenditure	65,781	53,700	10,798	616	667
Other employee related expenditure	(1,410)				
Capitalised labour costs	(3,326)				
Total expenditure	61,045				

A summary of the number of full time equivalent (FTE) Council staff in relation to the above expenditure is included below:

Summary of planned human resources

Department	Budget	Comprises			
		Permanent		Casual	Temporary
		Full Time	Part time		
	2026/27				
Community & Planning Services	225.35	148.60	65.25	8.00	3.50
Corporate Services	121.99	95.00	21.99	1.00	4.00
Infrastructure & Environment	190.28	181.00	7.47	-	1.81
Total staff	537.62	424.60	94.71	9.00	9.31

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Summary of Planned Human Resources Expenditure

Expenditure for the four years ending 30 June 2030

	2026/27 \$'000	2027/28 \$'000	2028/29 \$'000	2029/30 \$'000
Community & Planning Services				
Permanent - Full time	19,207	20,654	21,484	22,349
Women	12,738	13,700	14,251	14,827
Men	5,152	5,538	5,760	5,990
Vacant positions	710	763	794	826
New positions	607	653	679	706
Permanent - Part time	7,716	8,295	8,626	8,972
Women	5,538	5,953	6,191	6,439
Men	660	710	738	768
Vacant positions	533	573	596	620
New positions	985	1,059	1,101	1,145
Total Community & Planning Services	26,923	28,949	30,110	31,321
Corporate Services				
Permanent - Full time	13,404	14,410	14,987	15,587
Women	9,062	9,742	10,132	10,537
Men	4,016	4,317	4,490	4,670
Vacant positions	89	96	100	104
New positions	237	255	265	276
Permanent - Part time	2,275	2,446	2,544	2,646
Women	1,831	1,968	2,047	2,129
Men	436	469	488	508
Vacant positions	8	9	9	9
Total Corporate Services	15,679	16,856	17,531	18,233
Infrastructure & Environment				
Permanent - Full time	21,092	22,674	23,581	24,522
Women	5,034	5,412	5,628	5,853
Men	14,045	15,098	15,703	16,329
Vacant positions	1,382	1,486	1,545	1,607
New positions	631	678	705	733
Permanent - Part time	805	865	900	936
Women	721	775	806	838
Men	84	90	94	98
Total Infrastructure & Environment	21,897	23,539	24,481	25,458
Casuals, temporary and other expenditure	(128)	(138)	(144)	(150)
Capitalised labour costs	(3,326)	(3,575)	(3,718)	(3,867)
Total staff expenditure	61,045	65,631	68,260	70,995

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Staff numbers (FTE) for the four years ending 30 June 2030

	2026/27 FTE	2027/28 FTE	2028/29 FTE	2029/30 FTE
Community & Planning Services				
Permanent - Full time	148.60	148.60	148.60	148.60
Women	98.60	98.60	98.60	98.60
Men	38.00	38.00	38.00	38.00
Vacant positions	7.00	7.00	7.00	7.00
New positions	5.00	5.00	5.00	5.00
Permanent - Part time	65.25	65.25	65.25	65.25
Women	46.69	46.69	46.69	46.69
Men	6.48	6.48	6.48	6.48
Vacant positions	4.85	4.85	4.85	4.85
New positions	7.23	7.23	7.23	7.23
Total Community & Planning Services	213.85	213.85	213.85	213.85
Corporate Services				
Permanent - Full time	95.00	95.00	95.00	95.00
Women	68.00	68.00	68.00	68.00
Men	24.00	24.00	24.00	24.00
Vacant positions	1.00	1.00	1.00	1.00
New positions	2.00	2.00	2.00	2.00
Permanent - Part time	21.99	21.99	21.99	21.99
Women	17.81	17.81	17.81	17.81
Men	4.08	4.08	4.08	4.08
Vacant positions	0.10	0.10	0.10	0.10
Total Corporate Services	116.99	116.99	116.99	116.99
Infrastructure & Environment				
Permanent - Full time	181.00	181.00	181.00	181.00
Women	40.00	40.00	40.00	40.00
Men	121.00	121.00	121.00	121.00
Vacant positions	14.00	14.00	14.00	14.00
New positions	6.00	6.00	6.00	6.00
Permanent - Part time	7.47	7.47	7.47	7.47
Women	6.57	6.57	6.57	6.57
Men	0.90	0.90	0.90	0.90
Total Infrastructure & Environment	188.47	188.47	188.47	188.47
Casuals and temporary staff	18.31	18.31	18.31	18.31
Capitalised labour	17.6	17.6	17.6	17.6
Total staff numbers	537.62	537.6	537.6	537.6

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4. Notes to the financial statements

This section presents detailed information on material components of the financial statements.

Unless otherwise stated, amounts in the budget have been entered in whole dollars and cents then rounded to the nearest thousand dollars.

Total figures in the financial statements and accompanying notes and schedules reflect the true budgeted amount and may differ slightly when rounded figures are manually added due to rounding.

4.1. Comprehensive Income Statement

4.1.1. Rates and charges

Rates and charges are required by the Act and the Regulations to be disclosed in Council's budget.

As per the *Local Government Act 2020*, Council is required to have a Revenue and Rating Plan which is a four year plan for how Council will generate income to deliver the Council Plan, program and services and capital works commitments over a four-year period.

In developing the Budget, rates and charges were identified as an important source of revenue. Planning for future rate increases has therefore been an important component of the financial planning process. The Fair Go Rates System (FGRS) sets out the maximum amount councils may increase rates in a year. For 2026/27 the FGRS cap has been set at 2.75%. The cap applies to both general rates and municipal charges and is calculated on the basis of council's average rates and charges.

The level of required rates and charges has been considered in this context, with reference to Council's other sources of income and the planned expenditure on services and works to be undertaken for the community.

To achieve these objectives while maintaining service levels and a strong capital expenditure program, the average general rate will increase by 2.75% in line with the rate cap. It should be noted that Cardinia Shire Council does not apply a municipal charge.

The total garbage charge for 2026/27 is budgeted to increase by \$977 thousand (4%) from \$24 million to \$25 million.

The charge for the optional green waste service is budgeted to increase by \$222 thousand (5.1%) from \$4.3 million to \$4.5 million.

This will raise total rates and charges for 2026/27 to \$137.7 million, which also includes interest on rates and charges of \$934 thousand in 2026/27.

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4.1.1(a) The reconciliation of the total rates and charges to the Comprehensive Income Statement is as follows:

	2025/26 Forecast Actual	2026/27 Budget	Change	%
	\$'000	\$'000	\$'000	
General rates*	105,195	109,780	4,585	4.36%
Service rates and charges	24,044	25,021	977	4.06%
Supplementary rates and rate adjustments	2,434	2,000	(434)	-17.83%
Interest on rates and charges	1,349	934	(415)	-30.76%
Total rates and charges	133,022	137,735	4,713	3.54%

* This item is subject to the rate cap established under the FGRS.

4.1.1(b) The rate in the dollar to be levied as general rates under section 158 of the Act for each type or class of land compared with the previous financial year.

Type or class of land	2025/26 cents/\$CIV*	2026/27 cents/\$CIV*	Change
General rate for rateable residential properties (base rate)	0.0021630	0.0022821	5.50%
General rate for rateable farming properties	0.0016219	0.0016526	1.90%
General rate for rateable urban residential properties	0.0023159	0.0021855	-5.63%
General rate for rateable urban farming properties	0.0018395	0.0020388	10.83%
General rate for rateable urban vacant properties	0.0043286	0.0042686	-1.39%
General rate for rateable urban commercial and industrial properties	0.0031391	0.0025966	-17.28%
Concession rate for cultural and recreational land	0.0016296	0.0016002	-1.81%

4.1.1(c) The estimated total amount to be raised by general rates in relation to each type or class of land, and the estimated total amount to be raised by general rates, compared with the previous financial year.

Type or class of land	2025/26 \$'000	2026/27 \$'000	Change \$'000	%
Residential (base rate)	35,925	38,589	2,664	7.42%
Farming	4,274	4,397	123	2.88%
Urban Residential	48,632	49,979	1,347	2.77%
Urban Farming	2,342	2,407	65	2.78%
Urban Vacant Land	5,657	5,813	156	2.76%
Urban commercial and industrial	8,283	8,512	229	2.76%
Cultural and recreational	82	83	1	1.22%
Total amount to be raised by general rates	105,195	109,780	4,585	4.36%

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4.1.1(d) The number of assessments in relation to each type or class of land, and the total number of assessments, compared with the previous financial year.

Type or class of land	2025/26	2026/27	Change	
	Number	Number	Number	%
Residential (base rate)	17,543	17,650	107	0.61%
Farming	1,163	1,170	7	0.60%
Urban Residential	31,123	32,115	992	3.19%
Urban Farming	40	34	(6)	-15.00%
Urban Vacant Land	2,131	1,874	(257)	-12.06%
Urban commercial and industrial	1,833	2,053	220	12.00%
Cultural and recreational	5	5	0	0.00%
Total number of assessments	53,838	54,901	1,063	1.97%

4.1.1(e) The basis of valuation to be used is the Capital Improved Value (CIV).

4.1.1(f) The estimated total value of each type or class of land, and the estimated total value of land, compared with the previous financial year.

Type or class of land	2025/26	2026/27	Change	
	\$'000	\$'000	\$'000	%
Residential (base rate)	16,608,508	16,909,268	300,760	1.81%
Farming	2,635,255	2,660,640	25,385	0.96%
Urban Residential	20,999,595	22,868,860	1,869,265	8.90%
Urban Farming	1,273,170	1,180,600	(92,570)	-7.27%
Urban Vacant Land	1,306,893	1,361,805	54,913	4.20%
Urban commercial and industrial	2,638,652	3,278,079	639,428	24.23%
Cultural and recreational	50,320	51,870	1,550	3.08%
Total value of land	45,512,392	48,311,122	2,798,730	6.15%

4.1.1(g) The municipal charge under Section 159 of the Act compared with the previous financial year. Cardinia Shire Council does not apply a municipal charge.

4.1.1(h) The estimated total amount to be raised by municipal charges compared with the previous financial year. Cardinia Shire Council does not apply a municipal charge.

4.1.1(i) The rate or unit amount to be levied for each type of service rate or charge under Section 162 of the Act compared with the previous financial year.

Type of Charge	Per Rateable Property	Per Rateable Property	Change	
	2025/26	2026/27	\$	%
	\$	\$		
General garbage charge (120l)	384.50	388.60	4.10	1.07%
General garbage charge (80l)	354.50	358.60	4.10	1.16%
Green waste charge (240l)	139.45	138.70	(0.75)	-0.54%
Green waste charge (120l)	109.45	108.70	(0.75)	-0.69%

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- 4.1.1(j)** The estimated total amount to be raised by each type of service rate or charge, and the estimated total amount to be raised by service rates and charges, compared with the previous financial year

Type of Charge	2025/26	2026/27	Change	
	\$'000	\$'000	\$'000	%
General garbage charge	19,739	20,494	755	3.82%
Green waste charge	4,305	4,527	222	5.16%
Total	24,044	25,021	977	4.06%

- 4.1.1(k)** The estimated total amount to be raised by all rates and charges compared with the previous financial year.

	2025/26	2026/27	Change	
	\$'000	\$'000	\$'000	%
General rates	105,195	109,780	4,585	4.36%
General garbage charge	19,739	20,494	755	3.82%
Green waste charge	4,305	4,527	222	5.16%
Total Rates and charges	129,239	134,801	5,562	4.30%

Excludes interest on rates and charges

4.1.1(l) Fair Go Rates System Compliance

Cardinia Shire Council is required to comply with the State Government's Fair Go Rates System (FGRS). The table below details the budget assumptions consistent with the requirements of the Fair Go Rates System.

	2025/26	2026/27
Total Rates	\$ 105,113,000	\$ 109,697,000
Number of rateable properties	53,833.00	54,896.00
Base Average Rate	1,952.58	1,998.27
Maximum Rate Increase (set by the State Government)	3.00%	2.75%
Capped Average Rate	\$ 1,962	\$ 2,006
Maximum General Rates and Municipal Charges Revenue	\$ 105,603,296	\$ 110,146,556
Budgeted General Rates and Municipal Charges Revenue	\$ 105,113,000	\$ 109,697,000
Budgeted Supplementary Rates	\$ 2,434,000	\$ 2,000,000
Budgeted Total Rates and Municipal Charges Revenue	\$ 107,547,000	\$ 111,697,000

** Excludes Cultural and Recreational Land*

- 4.1.1(m)** Any significant changes that may affect the estimated amounts to be raised by rates and charges.

There are no known significant changes which may affect the estimated amounts to be raised by rates and charges. However, the total amount to be raised by rates and charges may be affected by:

- The making of supplementary valuations (2026/27: estimated \$2 million and 2025/26: \$2.43 million)
- The variation of returned levels of value (e.g. valuation appeals)
- Changes of use of land such that rateable land becomes non-rateable land and vice versa
- Changes of use of land such that residential land becomes business land and vice versa.

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4.1.1(n) Differential rates

Rates to be levied

The rate in the dollar and the amount of rates payable per category of differential are:

Type or class of land	2026/27	2026/27
	cents / \$CIV	Rates payable (\$'000)
Residential (base rate)	0.0022821	38,589
Farming	0.0016526	4,397
Urban Residential	0.0021855	49,979
Urban Farming	0.0020388	2,407
Urban Vacant land	0.0042686	5,813
Urban commercial & industrial	0.0025966	8,512
Cultural and recreational	0.0016002	83
Total		109,780

Council's Rating and Revenue Plan outlines the differential rates which Council applies when collecting property rates. Council considers that each differential rate will contribute to the equitable and efficient carrying out of council functions.

An overview of each differential rate is provided below. Detailed information on these differentials can be found in Council's proposed Rating and Revenue Plan.

1. Base Rate

Base Rate includes any rateable land which is:

- not in the Urban Growth Corridor and does not have the characteristics of any other specified rate; or
- used for retirement village units.

Level of Rate: 100% of Base Rate.

Geographic Location: Outside the Urban Growth Corridor of the municipal district; and all retirement villages located within the Urban Growth Corridor of the municipal district.

Use of Land: Any use permitted under the relevant Planning Scheme.

Types of Buildings: All buildings which are already constructed on the land, or which are constructed prior to the end of the financial year.

2. Farm Rate

Farm rate includes any rateable land outside the Urban Growth Corridor which is "Farmland" within the meaning of Section 2(1) of the *Valuation of Land Act 1960*. This includes any rateable land that:

- is not less than 2 hectares in area; and
- is used primarily for primary production through its activities on the land. This includes being used primarily for grazing (including agistment), dairying, pig-farming, poultry farming, fish farming, tree farming, bee keeping, viticulture, horticulture, fruit growing or the growing of crops of any kind or for any combination of those activities; and
- is used by a business that:
 - has a significant and substantial commercial purpose of character.

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- seeks to make a profit on a continuous or repetitive basis from its activities on the land; and
- is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating.

Level of Rate: 75% of the Base Rate.

Geographic Location: Outside the Urban Growth Corridor of the municipal district.

Use of Land: Farmland use permitted under the relevant Planning Scheme.

Types of Buildings: All buildings which are already constructed on the land, or which are constructed prior to the end of the financial year.

3. Urban Farm Rate

Urban Farm Rate is any rateable land within the Urban Growth Corridor which is "Farmland" within the meaning of Section 2(1) of the *Valuation of Land Act 1960*. This includes any rateable land that;

- a. is not less than 2 hectares in area; and
- b. is used primarily for primary production through its activities on the land. This includes being used primarily for grazing (including agistment), dairying, pig-farming, poultry farming, fish farming, tree farming, bee keeping, viticulture, horticulture, fruit growing or the growing of crops of any kind or for any combination of those activities; and
- c. is used by a business that:
 - has a significant and substantial commercial purpose or character.
 - seeks to make a profit on a continuous or repetitive basis from its activities on the land; and
 - is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating.

Level of Rate: 85% of the Base Rate.

Use of Land: Farmland use permitted under the relevant Planning Scheme.

Geographic Location: Within the Urban Growth Corridor of the municipal district.

Types of Buildings: All buildings which are already constructed on the land, or which are constructed prior to the end of the financial year.

4. Urban Residential Rate

Urban Residential land is any rateable land which is;

- a. in the Urban Growth Corridor; and
- b. does not have the characteristics of Urban Farmland, Urban Vacant Land, or Urban Commercial and Industrial Land; and
- c. is not used for retirement village units.

Level of Rate: 107% of Base Rate.

Geographic Location: Within the Urban Growth Corridor of the municipal district.

Use of Land: Residential use permitted under the relevant Planning Scheme.

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Types of Buildings: All buildings which are already constructed on the land, or which are constructed prior to the end of the financial year.

5. Urban Vacant Land Rate

Urban Vacant Land is any rateable land that:

- a. no dwelling or other building designed or adapted for occupation is constructed; and
- b. is located within the Urban Growth Corridor; and
- c. does not have the characteristics of Urban Commercial and Industrial Land.

Level of Rate: 200% of the Base Rate.

Geographic Location: Within the Urban Growth Corridor of the municipal district.

Use of Land: Any land zoned as Residential or Urban Growth under the relevant Planning Scheme.

6. Urban Commercial and Industrial Rate

Urban Commercial and Industrial Land is any rateable land, which is:

- a. In the Urban Growth Corridor; and
- b. Used primarily for carrying out the manufacture or production of, or trade in goods or services (including tourist facilities and in the case of a business providing accommodation for tourists, is prescribed accommodation under the *Public Health and Wellbeing Act (Vic) 2008*; or
- c. Unoccupied building erected which is zoned Commercial or Industrial under the relevant Cardinia Shire Council Planning Scheme; or
- d. Unoccupied land which is zoned Commercial or Industrial under the relevant Cardinia Shire Council Planning Scheme.

Level of Rate: 145% of the Base Rate.

Geographic Location: Within the Urban Growth Corridor of the municipal district.

Use of Land: Any commercial or industrial use permitted under the relevant Planning Scheme.

Types of Buildings: All buildings which are already constructed on the land, or which are constructed prior to the end of the financial year.

Note: A proposed rating and revenue plan is currently out for exhibition, if adopted, there may be changes to the current rating and revenue plan.

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4.1.2. Statutory fees and fines

	Forecast Actual		Budget		Change	
	2025/26		2026/27			
	\$'000		\$'000		\$'000	%
Infringements and costs	1,042		1,099		57	5.47%
Statutory registration fees	1,635		1,834		199	12.17%
Town planning fees	3,947		4,071		124	3.14%
Land information certificates	168		188		20	11.90%
Permits	1,084		967		(117)	-10.79%
Other statutory fees	116		100		(16)	-13.79%
Total statutory fees and fines	7,992		8,259		267	3.34%

Statutory fees and fines relate mainly to fees and fines levied in accordance with legislation and include animal registrations, Health Act registrations and parking fines. Increases in statutory fees and fines are made in accordance with legislative requirements and are not set by Council.

Revenue from statutory fees and fines is estimated to increase by \$267 thousand or 3.34% from 2025/26. The projected increase in fees and fines will be driven by both CPI and volume increases. This includes a rise in fines, which are non-voting, as well as higher statutory registration fees, with a specific push for pet registration. Additionally, town planning fees will see an increase, encompassing statutory planning and development fees.

4.1.3. User fees

	Forecast Actual		Budget		Change	
	2025/26		2026/27			
	\$'000		\$'000		\$'000	%
Leisure centre and recreation	1,550		1,874		324	20.90%
Childcare/children's programs	182		185		3	1.65%
Parking	137		205		68	49.64%
Registration and other permits	564		644		80	14.18%
Other fees and charges	1,118		1,263		145	12.97%
Total user fees	3,551		4,171		620	17.46%

User fees relate mainly to the recovery of service delivery costs through the charging of fees to users of Council's services. These include income from Community Asset Committees, the use of leisure, entertainment and other community facilities. One of three pricing strategies is applied to determine the level of budgeted user charges; Market price; Full cost recovery price; or Subsidised price.

Revenue from user fees is projected to increase by \$620 thousand or 17.5% from 2025/26. The increase is mainly from leisure centres and recreation facilities, parking, and compliance services.

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4.1.4. Grants

Grants are required by the Act and the Regulations to be disclosed in Council's annual budget.

	Forecast Actual	Budget	Change	
	2025/26	2026/27		
	\$'000	\$'000	\$'000	%
Grants were received in respect of the following:				
Summary of grants				
Commonwealth funded grants	15,237	27,370	12,133	79.6%
State funded grants	9,575	20,931	11,356	118.6%
Total grants received	24,812	48,302	23,490	94.7%
(a) Operating Grants				
Recurrent - Commonwealth Government				
Financial Assistance Grants	6,976	17,408	10,432	149.5%
Recurrent - State Government				
Early Years	138	257	119	86.2%
Ageing Well	84	71	(13)	-15.5%
School crossing supervisors	668	695	28	4.1%
Youth	20	-	(20)	-100.0%
Maternal and child health	3,061	2,776	(285)	-9.3%
Playgroup Support Groups	-	259	259	100.0%
Liveable Communities	56	-	(56)	-100.0%
Community safety	45	50	5	11.1%
Peri Urban Weed Mgt Partnership	102	97	(5)	-4.8%
Roadside weeds and pests	-	33	33	100.0%
Total recurrent grants	11,150	21,646	10,497	94.1%
Non-recurrent - Commonwealth Government				
Youth Transition to independent living allowance	-	3	3	100.0%
Environmental planning	100	-	(100)	-100.0%
Non-recurrent - State Government				
Community health	7	280	273	3900.0%
VLGAA data enhancement	-	27	27	100.0%
MOU Level Crossing Removal Project	185	-	(185)	-100.0%
Community safety	193	38	(155)	-80.5%
Family and children	34	3	(31)	-91.1%
Total non-recurrent grants	518	351	(168)	-32.4%
Total operating grants	11,668	21,997	10,329	88.5%

Operating grants include all monies received from State and Federal Government sources for the purpose of funding the delivery of Council's services to ratepayers. Overall, the level of operating grants is expected to increase by \$10.3 million or 88.5% from 2025/26. This is primarily due to the timing of the Victorian Local Government Grants Commission payment is outside of Council's control and is not known at the time of adopting the budget.

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	Forecast Actual	Budget	Change	
	2025/26	2026/27		
	\$'000	\$'000	\$'000	%
(b) Capital Grants				
Recurrent - Commonwealth Government				
Roads to recovery	6,358	3,213	(3,145)	-49.5%
Recurrent - State Government				
Total recurrent grants	6,358	3,213	(3,145)	-49.5%
Non-recurrent - Commonwealth Government				
Buildings	1,803	3,761	1,958	108.6%
Non Capital Infrastructure	-	2,985	2,985	100.0%
Non-recurrent - State Government				
Roads	4,352	14,581	10,229	235.0%
Bridges	-	120	120	100.0%
Recreational, leisure and community facilities	36	-	(36)	-100.0%
Parks, open space and streetscapes	90	-	(90)	-100.0%
Non Capital Infrastructure	505	1,645	1,139	225.4%
Total non-recurrent grants	6,786	23,091	16,306	240.3%
Total capital grants	13,144	26,305	13,161	100.1%
Total Grants	24,812	48,302	23,490	94.7%

Capital grants include all monies received from State and Federal Government sources for the purpose of funding the capital works program. Budgeted capital grants are expected to increase by \$13.2 million or 100.1% from 2025/26. In total, \$26.3 million in capital grants are budgeted.

Some of the more significant budgeted capital grants for 2026/27 are \$12.7 million for Growth Area Infrastructure Contributions (GAIC) and \$3.2 million in Roads to Recovery.

Due to the implementation of AASB1058 *Income for Not-for-Profit Entities* from 1 July 2019, grant income is recognised on the fulfilment of performance obligation on the funding agreement rather than cash receipt. Therefore, some grant cash payments would be deferred to be recognised as income across financial years until Council achieves the project milestones.

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4.1.5. Contributions

	Forecast Actual	Budget	Change	
	2025/26 \$'000	2026/27 \$'000	\$'000	%
Monetary	45,989	10,956	(35,033)	-76.2%
Non-monetary	40,475	45,936	5,461	13.5%
Total contributions	86,464	56,892	(29,572)	-34.2%

Contributions relate to monies paid by non-government third parties for the purpose of funding the delivery of Council's services to ratepayers. Non-monetary contributions relate to the gifting of assets by third parties after they have been constructed.

Revenue from contributions is projected to decrease by \$29.6 million or 34.2% from 2025/26. This is primarily due to an estimated decrease in the value of monetary developer levies, being partially offset by an increase in estimated gifted assets (non-monetary contributions).

4.1.6. Other income

	Forecast Actual	Budget	Change	
	2025/26 \$'000	2026/27 \$'000	\$'000	%
Interest	5,999	5,644	(355)	-5.9%
Cost recoveries	2,774	1,474	(1,300)	-46.9%
Other rent	596	576	(20)	-3.4%
Other income	945	400	(545)	-57.7%
Total other income	10,314	8,094	(2,220)	-21.5%

Other income relates to a range of items such as cost recoveries, rent/lease income and other miscellaneous income items, and includes interest revenue on investments, including DCP investments.

Other income is budgeted to decrease by \$2.2 million or 21.5% from 2025/26, primarily due to lower one-off storm recoveries.

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4.1.7. Employee costs

	Forecast Actual	Budget	Change	
	2025/26 \$'000	2026/27 \$'000	\$'000	%
Wages and salaries	54,958	57,921	2,673	4.8%
WorkCover	2,080	1,212	(868)	-41.7%
Superannuation	6,396	6,648	252	3.9%
Fringe Benefits Tax	409	366	(43)	-10.5%
Staff capitalisation (transfer to capital program)	(2,148)	(3,326)	1,178	54.8%
Other	494	(1,776)	(2,270)	-459.5%
Total employee costs	62,479	61,045	(1,434)	-2.3%

Employee costs include all labour-related expenditure, such as wages and salaries, and on-costs, such as allowances, leave entitlements, employer superannuation, and work cover premiums. It also includes Fringe Benefits Tax (FBT).

Employee costs overall are expected to decrease by \$1.4 million or 2.3% from 2025/26. This decrease is primarily due to a combination of:

- Proposed efficiency measures identified through organisational and service reviews. These initiatives focus on optimising workforce structures, improving role alignment, and streamlining service delivery, while minimising impacts on service outcomes.
- Workcover premium decreases, reflecting improved claims experience and premium reassessments.
- Staff capitalisation increases, reflecting a greater proportion of employee time allocated to delivering the capital works program.
- Superannuation Guarantee Levy increase consistent with higher wage costs and incremental movements.
- Annual increments, the full-year effect of staff appointed in the prior year, and classification changes.

A summary of human resources expenditure categorised according to the organisational structure of Council is included in Section 3.6 Statement of Human Resources.

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4.1.8. Materials and services

	Forecast Actual 2025/26 \$'000	Budget 2026/27 \$'000	Change	
			\$'000	%
Contract payments				
- Waste and garbage contracts	22,085	23,080	995	4.5%
- Parks and gardens contracts	7,502	7,449	(53)	-0.7%
- Library contract	2,481	2,569	88	3.6%
Building maintenance	5,076	5,043	(33)	-0.7%
General maintenance	3,877	3,347	(530)	-13.7%
Utilities	3,273	3,773	500	15.3%
Information Technology	3,976	3,442	(534)	-13.4%
General administration	17,070	12,564	(4,506)	-26.4%
Insurance	2,265	2,434	169	7.5%
Consultants	2,298	1,634	(665)	-28.9%
Materials and services	10,048	11,382	1,334	13.3%
Community events	1,569	1,555	(14)	-0.9%
Contractors and temporary staff	254	200	(54)	-21.4%
Plant and equipment	127	160	33	26.2%
Marketing and promotion	375	455	79	21.2%
Legal and professional	1,286	1,166	(120)	-9.3%
Total materials and services	83,563	80,253	(3,310)	-4.0%

Materials and services include the purchases of consumables, contractor payments for the provision of services, and utility costs, as well as the costs for operational projects that are not capital in nature. Materials and services are budgeted to decrease by \$3.3 million or 4% from 2025/26.

The reduction is mainly due to lower spending in general administration, consultants, information technology and general maintenance, reflecting reduced reliance on external services. These savings are partly offset by higher waste and garbage contract costs due to population growth, as well as increases in utilities and insurance due to market conditions.

4.1.9. Depreciation

	Forecast Actual 2025/26 \$'000	Budget 2026/27 \$'000	Change	
			\$'000	%
Property	7,200	7,098	(102)	-1.4%
Plant and equipment	2,244	1,991	(253)	-11.3%
Infrastructure	25,833	25,684	(149)	-0.6%
Total depreciation	35,277	34,773	(504)	-1.4%

Depreciation is an accounting measure which attempts to allocate the value of an asset over its useful life for Council's property, plant and equipment including infrastructure assets such as roads, bridges, footpaths, and drains.

The decrease of \$504 thousand or 1.4% from 2025/26 reflects a conservative risk based approach to depreciation. Assumptions are reviewed annually to ensure they appropriately reflect asset condition, remaining service potential, and the risk of asset failure.

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4.1.10. Amortisation - Intangible assets

	Forecast Actual 2025/26 \$'000	Budget 2026/27 \$'000	Change	
			\$'000	%
Intangible assets - software	171	155	(16)	-9.4%
Total amortisation - intangible assets	171	155	(16)	-9.4%

4.1.11. Depreciation - Right of use assets

	Forecast Actual 2025/26 \$'000	Budget 2026/27 \$'000	Change	
			\$'000	%
Right of use assets - Property	16	33	17	106.3%
Right of use assets - Vehicles	402	383	(19)	-4.7%
Total depreciation - right of use assets	418	416	(2)	-0.5%

4.1.12. Other expenses

	Forecast Actual 2025/26 \$'000	Budget 2026/27 \$'000	Change	
			\$'000	%
Auditor remuneration - VAGO	74	80	7	8.8%
Auditor remuneration - Internal audit	183	171	(12)	-6.3%
Bank charges	506	478	(27)	-5.4%
Other expenses	682	513	(168)	-24.7%
Short-term leases	3	4	1	33.3%
Leases of low value	363	350	(13)	-3.7%
Government Fees & Charges	738	537	(201)	-27.2%
Bank charges	358	357	(1)	-0.4%
Total other expenses	2,906	2,490	(416)	-14.3%

Other expenses relate to a range of unclassified items including audit fees, rent and lease expenditure, government fees & charges and other miscellaneous expenditure items.

Other expenses are budgeted to decrease by \$416 thousand or 14.3% from 2025/26.

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4.2. Balance Sheet

4.2.1. Assets

Current assets are those assets which can be converted to cash within twelve months.

Current assets are forecast to increase to \$250.6 million during 2026/27, mainly due to an increase in cash and cash equivalents of \$17.1 million as detailed in 3.4 Statement of Cash Flows.

Conversely, non-current assets are those assets that are not expected to be converted to cash within twelve months.

Non-current assets are expected to increase to \$3,572.6 million during the 2026/27 year, mainly in property, infrastructure, plant and equipment due to the addition of completed capital works and the recognition of gifted assets from developers and the state government.

4.2.2. Liabilities

Current liabilities are those obligations Council must pay within the next year.

These liabilities are budgeted to increase to \$66.8 million, mainly due to the change in current interest-bearing liabilities.

Non-current liabilities (obligations Council must pay beyond the next year) are expected to increase to \$40 million.

This is mainly due to increase in interest-bearing liabilities, with Council anticipating drawing down borrowings of \$20.9 million in 2026/27 to partially fund capital works.

4.2.3. Borrowings

The table below shows information on borrowings specifically required by the Regulations.

	Forecast Actual	Budget	Projections		
	2025/26	2026/27	2027/28	2028/29	2029/30
	\$'000	\$'000	\$'000	\$'000	\$'000
Amount borrowed as at 30 June of the prior year	17,510	29,211	44,084	53,958	59,481
Amount proposed to be borrowed	14,000	20,872	20,454	20,248	16,902
Amount projected to be redeemed	(1,794)	(5,999)	(10,580)	(14,724)	(18,881)
Amount of borrowings as at 30 June	29,716	44,084	53,958	59,481	57,503

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4.2.4. Leases by category

As a result of the introduction of AASB 16 Leases, right-of-use assets and lease liabilities have been recognised as outlined in the table below.

	Forecast Actual 2025/26 \$'000	Budget 2026/27 \$'000
Right-of-use assets		
Property	6	4
Vehicles	1,657	1,243
Total right-of-use assets	1,663	1,247
Lease liabilities		
Current lease liabilities		
Land and buildings	17	39
Plant and equipment	203	465
Total current lease liabilities	220	504
Non-current lease liabilities		
Land and buildings	7	4
Plant and equipment	1,798	1,019
Total non-current lease liabilities	1,805	1,023
Total lease liabilities	2,025	1,527

Where the interest rate applicable to a lease is not expressed in the lease agreement, Council applies the average incremental borrowing rate in the calculation of lease liabilities.

Generally, Council uses an appropriate incremental borrowing rate as the discount rate.

4.3. Statement of Changes in Equity

4.3.1. Reserves

Transfers from reserves is the movement of developer infrastructure levies collected in previous years to partly fund the Developer Contribution Plan (DCP) projects in the current year capital works program.

4.3.2. Equity

Total equity always equals net assets and is made up of the following components:

- Asset revaluation reserve which represents the difference between the previously recorded value of assets and their current valuations.
- Other reserves, which are funds that Council wishes to separately identify as being set aside to a specific purpose in the future and to which there is no existing liability. These amounts are transferred from Council's Accumulated Surplus and is separately disclosed.
- Accumulated surplus which is the value of all net assets less reserves that have accumulated over time.

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4.4. Statement of Cash Flows

4.4.1. Net cash flows provided by/used in operating activities

Operating activities refer to the cash generated or used in the normal service delivery functions of Council.

Net cash inflow of operating activities is forecast to decrease by \$7.9 million from 2025/26 primarily due to increase in cash inflows for rates and charges, capital grants, development levies, being offset by a decreased cash outflows from monetary contributions and other receipts.

4.4.2. Net cash flows provided by/used in investing activities

Investing activities refer to activities that are generated or used in the enhancement or creation of infrastructure and other assets. These activities also include the acquisition and sale of other assets such as vehicles, property, equipment, etc.

Net cash outflow of investing activities is expected to increase by \$19 million from 2025/26 due to increases in payments for the capital works program.

4.4.3. Net cash flows provided by/used in financing activities

Financing activities refer to activities that are generated or used in the financing of Council functions and includes borrowings from financial institutions. These activities also include repayment of the principal and interest components of loan repayments for the year.

Net cash inflow from financing activities is expected to increase by \$1.3 million from 2025/26 due to changes in Council's borrowing levels, with older debt being retired and the anticipated draw down of new borrowings.

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4.5. Capital works program

This section presents a listing of the capital works projects that will be undertaken for the 2026/27 year, classified by expenditure type and funding source. Works are also disclosed as current budget or carried forward from prior year.

4.5.1. Summary

	Forecast Actual	Budget	Change	%
	2025/26	2026/27		
	\$'000	\$'000	\$'000	
Property	8,762	15,968	7,206	82.24%
Plant and equipment	5,285	11,910	6,625	125.35%
Infrastructure	46,149	38,387	(7,762)	-16.82%
Total	60,196	66,265	6,069	190.78%

	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contributions	Council cash	Borrowings
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Property	15,968	9,872	5,772	265	60	3,761	1,513	5,336	5,359
Plant and equipment	11,910	-	1,260	10,450	200	-	-	1,165	10,745
Infrastructure	38,387	1,345	11,342	6,705	18,995	22,544	1,364	9,711	4,768
Total	66,265	11,217	18,374	17,420	19,255	26,305	2,877	16,211	20,872

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4.5.2. Current Budget

Capital Works Area	Project Cost \$'000	Asset expenditure types				Summary of Funding Sources			
		New \$'000	Renewal \$'000	Upgrade \$'000	Expansion \$'000	Grants \$'000	Contributions \$'000	Council cash \$'000	Borrowings \$'000
PROPERTY									
Land									
Land Acquisition	2,622	2,622	-	-	-	-	1,163	-	1,459
Buildings									
Living Learning Refresh	450	-	450	-	-	-	-	450	-
Cardinia Youth Hub	6,900	6,900	-	-	-	3,000	-	-	3,900
Public Toilets Renewals	380	-	380	-	-	-	-	380	-
Public Buildings Major Renewals Program	900	-	900	-	-	-	-	900	-
Building Minor Renewal Program Reactive	1,000	-	1,000	-	-	-	-	1,000	-
Building Minor Renewal Program Strategic	2,942	-	2,942	-	-	761	-	2,181	-
Universal Design (Incl Rec Pav Renewal)	60	-	-	-	60	-	-	60	-
Council facility upgrades/improvements	265	-	-	265	-	-	-	265	-
Deep Creek Kinder	350	350	-	-	-	-	350	-	-
Lifecycle Painting renewal program	100	-	100	-	-	-	-	100	-
TOTAL PROPERTY	15,968	9,872	5,772	265	60	3,761	1,513	5,336	5,359
PLANT AND EQUIPMENT									
Plant, Machinery and Equipment									
Plant Replacement Program	365	-	365	-	-	-	-	-	365
Fixtures, Fittings and Furniture									
Electronic Access Upgrade Program	200	-	-	-	200	-	-	200	-
Furniture and Equipment Renewal Program	165	-	165	-	-	-	-	165	-
CCC Minor Equipment	100	-	-	100	-	-	-	100	-
Disability Access Upgrade Program	240	-	-	240	-	-	-	240	-
Energy and water strategy programs	110	-	-	110	-	-	-	110	-
HVAC renewal program	350	-	350	-	-	-	-	350	-
Computers and Telecommunications									
IT Strategy	380	-	380	-	-	-	-	-	380
Business improvement program	10,000	-	-	10,000	-	-	-	-	10,000
TOTAL PLANT AND EQUIPMENT	11,910	-	1,260	10,450	200	-	-	1,165	10,745

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Capital Works Area	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contributions	Council cash	Borrowings
		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
INFRASTRUCTURE									
Roads									
Road Pavement Renewal Program	1,890	-	1,890	-	-	747	-	150	993
Sealed Road Resurfacing Program	1,316	-	1,316	-	-	-	-	1,316	-
Carpark resurfacing Program	50	-	50	-	-	-	-	50	-
Lighting (Road Reserves) Program	75	-	75	-	-	-	-	75	-
Local Area Traffic Improvements Program	430	-	-	430	-	430	-	-	-
Unsealed Road Resheeting Program	2,034	-	2,034	-	-	-	-	2,034	-
Main Street Central	100	-	-	-	100	100	-	-	-
Strategic Road Sealing program	621	-	-	621	-	371	-	250	-
Sealing of the Hills Program	3,407	-	-	3,407	-	3,407	-	-	-
GAIC - Drake Place	5,673	-	-	-	5,673	5,673	-	-	-
GAIC - John Street extension	4,095	-	-	2,047	2,047	4,085	-	10	-
GAIC - McGregor/Henty	3,481	-	-	-	3,481	2,981	-	-	500
Special charge scheme roads	200	-	-	200	-	-	-	200	-
Bridges									
Bridge Renewal Program	645	-	645	-	-	120	-	525	-
Footpaths and Cycleways									
Sealed Pathway Renewal Program	1,000	-	1,000	-	-	-	-	1,000	-
Gravel Pathway Renewal	102	-	102	-	-	-	-	102	-
Footpath network expansion program	100	100	-	-	-	-	-	100	-
Drainage									
Drainage Renewal and Upgrade Program	290	-	290	-	-	-	-	290	-
WSUD Assets Renewal Program	500	-	500	-	-	-	-	500	-
Recreational, Leisure & Community Facilities									
Netball/Tennis Court Resurfacing Program	1,000	-	1,000	-	-	-	-	-	1,000
Rec Reserve lighting and power renewal	1,175	-	1,175	-	-	-	-	400	775
Rec reserve turf resurfacing program	300	-	300	-	-	-	-	300	-
Swimming Facilities Renewal Program	130	-	130	-	-	-	-	130	-
New sports reserves - DCP	75	75	-	-	-	-	75	-	-

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Capital Works Area	Project Cost \$'000	Asset expenditure types				Summary of Funding Sources			
		New \$'000	Renewal \$'000	Upgrade \$'000	Expansion \$'000	Grants \$'000	Contributions \$'000	Council cash \$'000	Borrowings \$'000
Public art	100	100	-	-	-	-	-	100	-
Equestrian facilities renewal program	130	-	130	-	-	-	-	130	-
Parks, Open Space and Streetscapes									
Emerald Lake Park	300	-	300	-	-	-	-	300	-
Playspace and supporting infra renewal	340	-	340	-	-	-	-	340	-
Basketball court renewal program	65	-	65	-	-	-	-	65	-
Eaststone Reserve basketball court	70	70	-	-	-	-	-	70	-
Other Infrastructure	-	-	-	-	-	-	-	-	-
Capital advancement fund	1,000	1,000	-	-	-	-	-	1,000	-
GAIC - Arena Pde	2,934	-	-	-	2,934	1,645	1,289	-	-
Upper Beaconsfield Rec Reserve Pavilion	1,500	-	-	-	1,500	-	-	-	1,500
Princes Highway state intersections	3,259	-	-	-	3,259	2,985	-	274	-
TOTAL INFRASTRUCTURE	38,387	1,345	11,342	6,705	18,995	22,544	1,364	9,711	4,768
TOTAL NEW CAPITAL WORKS	66,265	11,217	18,374	17,420	19,255	26,305	2,877	16,211	20,872

4.5.3. Works carried forward from the 2025/26 year

As at the time of developing the draft budget, there are no confirmed carry-forwards.

Capital Works Area	Project Cost \$'000	Asset expenditure types				Summary of Funding Sources			
		New \$'000	Renewal \$'000	Upgrade \$'000	Expansion \$'000	Grants \$'000	Contributions \$'000	Council cash \$'000	Borrowings \$'000
TOTAL CARRIED FORWARD CAPITAL WORKS	-	-	-	-	-	-	-	-	-
TOTAL 2026/27 CAPITAL WORKS	66,265	11,217	18,374	17,420	19,255	26,305	2,877	16,211	20,872

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4.6. Summary of Planned Capital Works Expenditure

For the years ending 30 June 2028, 2029 & 2030

2027/28	Total \$'000	Asset Expenditure Types				Total \$'000	Funding Sources			
		New \$'000	Renewal \$'000	Expansion \$'000	Upgrade \$'000		Grants \$'000	Contributions \$'000	Council Cash \$'000	Borrowings \$'000
Property										
Land	5,000	5,000	-	-	-	5,000	-	2,000	-	3,000
Buildings	12,976	4,000	6,700	2,000	276	12,976	-	4,000	8,976	-
Total Property	17,976	9,000	6,700	2,000	276	17,976	-	6,000	8,976	3,000
Plant and Equipment										
Plant, machinery and equipment	2,026	100	1,926	-	-	2,026	-	-	100	1,926
Fixtures, fittings and furniture	2,046	-	903	200	943	2,046	-	-	2,046	-
Computers and telecommunications	10,550	-	550	-	10,000	10,550	-	-	-	10,550
Total Plant and Equipment	14,622	100	3,379	200	10,943	14,622	-	-	2,146	12,476
Infrastructure										
Roads	18,079	-	9,772	4,571	3,735	18,079	4,814	200	11,564	1,500
Bridges	700	-	700	-	-	700	-	-	700	-
Footpaths and cycleways	2,360	531	1,829	-	-	2,360	-	90	872	1,398
Drainage	850	-	850	-	-	850	-	-	850	-
Recreational, leisure and community facilities	2,675	495	2,180	-	-	2,675	-	75	520	2,080
Parks, open space and streetscapes	2,110	500	1,610	-	-	2,110	-	-	2,110	-
Capital advancement fund	400	400	-	-	-	400	-	-	400	-
Non Capital Infrastructure	1,500	-	-	1,500	-	1,500	253	1,247	-	-
Total Infrastructure	28,673	1,926	16,941	6,071	3,735	28,673	5,068	1,612	17,016	4,978
Total Capital Works Expenditure	61,272	11,026	27,020	8,271	14,954	61,272	5,068	7,612	28,138	20,454

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2028/29	Asset Expenditure Types					Funding Sources				
	Total \$'000	New \$'000	Renewal \$'000	Expansion \$'000	Upgrade \$'000	Total \$'000	Grants \$'000	Contributions \$'000	Council Cash \$'000	Borrowings \$'000
Property										
Land	3,000	3,000	-	-	-	3,000	-	1,500	-	1,500
Buildings	20,000	13,100	5,050	1,850	-	20,000	-	13,100	6,900	-
Total Property	23,000	16,100	5,050	1,850	-	23,000	-	14,600	6,900	1,500
Plant and Equipment										
Plant, machinery and equipment	2,700	100	2,600	-	-	2,700	-	-	100	2,600
Fixtures, fittings and furniture	2,104	-	1,013	200	891	2,104	-	-	2,104	-
Computers and telecommunications	10,550	-	550	-	10,000	10,550	-	-	550	10,000
Total Plant and Equipment	15,354	100	4,163	200	10,891	15,354	-	-	2,754	12,600
Infrastructure										
Roads	18,739	-	9,762	3,800	5,177	18,739	4,087	2,802	8,850	3,000
Bridges	700	-	700	-	-	700	-	-	700	-
Footpaths and cycleways	2,630	620	2,010	-	-	2,630	-	50	1,182	1,398
Drainage	950	-	950	-	-	950	-	-	950	-
Recreational, leisure and community facilities	4,465	1,100	3,365	-	-	4,465	-	600	2,115	1,750
Parks, open space and streetscapes	1,893	-	1,893	-	-	1,893	-	-	1,893	-
Capital advancement fund	400	400	-	-	-	400	-	-	400	-
Total Infrastructure	29,778	2,120	18,680	3,800	5,177	29,778	4,087	3,452	16,090	6,148
Total Capital Works Expenditure	68,132	18,320	27,893	5,850	16,069	68,132	4,087	18,052	25,744	20,248

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2029/30	Asset Expenditure Types					Funding Sources				
	Total \$'000	New \$'000	Renewal \$'000	Expansion \$'000	Upgrade \$'000	Total \$'000	Grants \$'000	Contributions \$'000	Council Cash \$'000	Borrowings \$'000
Property										
Land	3,000	3,000	-	-	-	3,000	-	1,500	-	1,500
Buildings	17,385	13,100	4,285	-	-	17,385	-	13,100	1,285	3,000
Total Property	20,385	16,100	4,285	-	-	20,385	-	14,600	1,285	4,500
Plant and Equipment										
Plant, machinery and equipment	2,700	100	2,600	-	-	2,700	-	-	100	2,600
Fixtures, fittings and furniture	1,839	-	520	200	1,119	1,839	-	-	1,839	-
Computers and telecommunications	550	-	550	-	-	550	-	-	550	-
Total Plant and Equipment	5,089	100	3,670	200	1,119	5,089	-	-	2,489	2,600
Infrastructure										
Roads	20,013	-	10,095	200	9,718	20,013	-	2,631	9,154	8,228
Bridges	1,400	-	1,400	-	-	1,400	-	-	1,400	-
Footpaths and cycleways	2,813	600	2,213	-	-	2,813	-	-	2,813	-
Drainage	1,050	-	1,050	-	-	1,050	-	-	1,050	-
Recreational, leisure and community facilities	6,400	5,120	1,280	-	-	6,400	4,000	600	1,800	-
Parks, open space and streetscapes	2,647	200	2,447	-	-	2,647	-	200	873	1,574
Capital advancement fund	400	400	-	-	-	400	-	-	400	-
Total Infrastructure	34,723	6,320	18,485	200	9,718	34,723	4,000	3,431	17,490	9,802
Total Capital Works Expenditure	60,197	22,520	26,440	400	10,836	60,197	4,000	18,031	21,263	16,902

5. Performance indicators

The following tables highlight Council's current and projected performance across a selection of targeted service and financial performance indicators. These indicators provide a useful analysis of Council's intentions and performance and should be interpreted in the context of the organisation's objectives.

The targeted performance indicators below are the prescribed performance indicators contained in Schedule 4 of the Local Government (Planning and Reporting) Regulations 2020. Results against these indicators and targets will be reported in Council's Performance Statement included in the Annual Report.

Key to Forecast Trend:

- + Forecasts improvement in Council's financial performance/financial position indicator
- o Forecasts that Council's financial performance/financial position indicator will be steady
- Forecasts deterioration in Council's financial performance/financial position indicator

5. Targeted performance indicators (Council selected)

Note 5 has been updated to include the new requirement from 2026/27 for Council to select any eight other measures (in addition to the existing eight mandatory measures) from the prescribed LGPRF measures to provide targets for in their 2026/27 budget.

Council is still determining which additional indicators it wishes to report against. This section will be updated and finalised prior to the adoption of the Budget.

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5a Targeted performance indicators**Targeted performance indicators**

Domain / Indicator	Measure	Notes	Actual	Forecast	Target	Target Projections			Trend
			2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	+/-
Governance									
Consultation engagement (Council decisions made and implemented with community input)	Satisfaction with community consultation and engagement Community satisfaction rating out of 100 with the consultation and engagement efforts of Council	9	69.00	69.00	69.00	70.00	71.00	72.00	+
Environment									
Roads (sealed local roads are maintained and renewed to ensure a safe network)	Sealed local roads below the intervention level Number of kms of sealed local roads below the renewal intervention level set by Council / Kms of sealed local roads	10	99.41%	99.41%	99.00%	99.00%	99.00%	99.00%	o
Responsiveness									
Statutory Planning (Councils decide on planning applications and fulfill their legislative duties in a timely manner)	Planning applications decided within the relevant required time Number of planning application decisions made within the relevant required time / Number of planning application decisions made	11	50.53%	62.74%	65.00%	65.00%	65.00%	65.00%	o
Environment									
Waste Management * (waste is minimised and sustainability is promoted)	Kerbside collection waste to landfill per serviced property Waste in tonnage collected from kerbside waste collection services sent to landfill / Number of serviced properties	12	%	%	%	%	%	%	o

*The measure definition has been revised for 2026–27, and the calculation methodology will be finalised once the updated data and parameters are confirmed.

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Targeted financial performance indicators

Domain / Indicator	Measure	Notes	Actual	Forecast	Target	Target Projections			Trend
			2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	+/-
Financial management									
Liquidity (sufficient working capital and cash is available to cover expenses)	Current assets compared to current liabilities Current assets / current liabilities	13	322.1%	363.3%	375.2%	395.2%	359.0%	365.8%	+/-
Financial forecasting									
Asset renewal and upgrade (renewal and upgrade of assets is planned and delivered)	Asset renewal and upgrade compared to depreciation Asset renewal and upgrade expenses / Asset depreciation	14	129.4%	139.6%	102.9%	123.8%	123.5%	105.9%	+/-
Financial management									
Rates concentration (revenue is generated from a range of sources)	Rates compared to adjusted underlying revenue Rate revenue / adjusted underlying revenue	15	70.3%	78.4%	75.0%	75.5%	75.8%	76.3%	+/-
Financial management									
Expenditure and revenue level (resources are used efficiently in the delivery of services)	Expenses per property assessment Total expenses / no. of property assessments	16	\$3,332.2	\$3,447.4	\$3,255.8	\$3,308.2	\$3,363.6	\$3,405.1	+/-

Notes to indicators 5a

9. **Satisfaction with community consultation and engagement** – Council is currently reviewing its Community Engagement Policy and Guidelines to build stronger engagement skills and improve how we engage with the community. This work is expected to result in improved Community Engagement satisfaction scores.
10. **Sealed local roads below the intervention level** – The target is based on average performance over the last five years.
11. **Planning applications decided within the relevant required time** – The methodology used for calculations has been updated to reflect advice received from Local Government Victoria and has altered the results. A target has been set to demonstrate ongoing improvement and exceeds growth area averages.
12. **Kerbside collection waste diverted from landfill** – The target is based on the average performance over the last five years.

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13. **Working Capital** - The proportion of current liabilities represented by current assets. Working capital is forecast to increase from 2025/26 due to higher cash position mainly due to cash contributions from DCP and ICP developments for future capital works.

14. **Asset renewal** - This percentage indicates the extent of Council's asset renewal and upgrade expenditure in relation to its depreciation charge, which represents the annual consumption or decline in value of existing capital assets. A ratio greater than 100% indicates that Council is investing at a level sufficient to maintain its existing asset base.

Across the planning period, the ratio remains consistently above 100%, demonstrating a continued commitment to renewing and upgrading Council's infrastructure. Although the ratio moderates in the budget for 2026/27, it continues to exceed depreciation and is projected to strengthen in later years, supporting long-term asset sustainability.

15. **Rates concentration** - Reflects the extent of Council's reliance on rate revenue to fund ongoing services. The trend indicates the Council will become slightly more reliant on rate revenue compared to other revenue sources over the planning period.

Council is working to identify alternative revenue sources in order to reduce this reliance. Additional funding will assist funding of key services in addition to enhancing service delivery.

16. **Expenditure level** - Reflects the average level of Council expenditure per assessment, indicating the cost of delivering services to each property. The reduction in budget for 2026/27 reflects efficiencies achieved through a review of services delivered by Council, supporting improved cost management while continuing to meet community service needs.

From 2027/28 onwards, expenditure per assessment is forecast to increase gradually, primarily reflecting inflationary pressures and indexation applied to operating costs.

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5b Financial performance indicators

The following table highlights Council's current and projected performance across a range of key financial performance indicators.

These indicators provide a useful analysis of Council's financial position and performance and should be interpreted in the context of the organisation's objectives.

The financial performance indicators below are the prescribed financial performance indicators contained in Part 3 of Schedule 3 of the *Local Government (Planning and Reporting) Regulations 2020*.

Results against these indicators will be reported in Council's Performance Statement included in the Annual Report.

Domain / Indicator	Measure	Notes	Actual	Forecast	Budget	Projections			Trend
			2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	+/-
Financial forecasting									
Indebtedness (level of long term liabilities is appropriate to the size and nature of a Council's activities)	Non-current liabilities compared to own-source revenue	17	17.5%	22.7%	25.2%	27.4%	26.5%	25.8%	+
	Non-current liabilities / own source revenue								
Loans and borrowings (level of interest bearing loans and borrowings is appropriate to the size and nature of Council's activities)	Loans and borrowings compared to own-source revenue	18	12.2%	19.2%	27.7%	32.6%	34.1%	32.9%	+
	Loans and borrowings repayments compared to own-source revenue								
	Interest and principal repayments on interest bearing loans and borrowings / own-source revenue	19	8.4%	1.7%	5.0%	7.6%	9.8%	11.8%	+
Population (population is a key driver of a Council's ability to fund the delivery of services to the community)	Expenses per head of population	20	\$1.3	\$1.4	\$1.3	\$1.3	\$1.3	\$1.4	o
	Total expenses/ Population								
	Infrastructure per head of population	21	\$17,877	\$17,377	\$17,469	\$17,469	\$17,495	\$17,444	o
	Value of infrastructure / Population								
Revenue and grants (revenue is generated from a range of sources to fund the delivery of services to the community)	Own-source revenue per head of population	22	\$1,072	\$1,126	\$1,129	\$1,155	\$1,185	\$1,205	+
	Own source revenue / Population								
	Recurrent grants per head of population	23	\$226	\$83	\$154	\$154	\$153	\$153	o
	Recurrent grants / Population								

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Financial management

Liquidity (sufficient working capital and cash is available to cover expenses)	Cash compared to current liabilities Cash / current liabilities	24	269.9%	323.8%	343.5%	362.3%	327.9%	332.8%	-
Operating position (an adjusted underlying surplus is generated in the ordinary course of business)	Adjusted underlying surplus (or deficit) Adjusted underlying surplus (deficit) / Adjusted underlying revenue	25	-0.2%	-11.6%	0.1%	0.1%	0.3%	0.1%	o
Rates effort (rating level is set based on the community's capacity to pay)	Rates compared to property value Rate revenue / CIV of rateable properties in the municipal district	26	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%	o
Rates effort (resources are used efficiently in the delivery of services)	Average rate per property assessment General rates and municipal charges / no. of property assessments	27	\$2,371.4	\$2,466.0	\$2,479.0	\$2,535.7	\$2,594.2	\$2,637.3	+
Rates collection (rates and charges are being responsibly collected)	Rates and charges debt Unpaid rates and charges / all rates and charges	28	15.0%	15.0%	15.0%	15.0%	15.0%	15.0%	o

Notes to indicators 5b

17. **Indebtedness** - Indebtedness measures Council's ability to meet its long-term liabilities relative to its own-sourced revenue. A lower ratio indicates a stronger capacity to manage long-term obligations. This reflects planned increases in borrowing to support Council's capital works program and the delivery of essential infrastructure for the community. While borrowings increase in the medium term, debt levels remain manageable and are expected to stabilise and gradually reduce in future years as population growth supports stronger revenue outcomes.
18. **Loans and borrowings compared to own-source revenue** - This indicator measures whether the level of the Council's debt and long-term obligations is appropriate for the size and nature of Council activities. The increase in the ratio over the planning period reflects Council's planned use of borrowing to help deliver its capital works program and key infrastructure projects, while also supporting effective cash-flow management.
19. **Loans and borrowings repayments compared to own-source revenue** - This indicator measures Council's debt servicing costs as a proportion of own-source revenue. While the ratio increases from Budget 2026/27 onwards, as borrowings are utilised to fund the capital works program, repayments remain at manageable levels, indicating Council's ongoing capacity to service debt from internal revenue sources.

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20. **Expenses per head of population** - This indicator reflects the average cost of service delivery per resident. Following a reduction in the 2026/27 budget, expenses per head are forecast to increase moderately while remaining broadly stable and demonstrating continued expenditure control.
21. **Infrastructure per head of population** - This indicator measures the value of infrastructure assets per resident, providing an indication of the level of infrastructure investment relative to population growth. While the total value of infrastructure increases over the planning period, growth in population results in infrastructure per head remaining relatively stable, indicating that capital investment is broadly keeping pace with demand generated by population growth.
22. **Own-source revenue per head of population** - This indicator measures Council's own-source revenue per resident, reflecting its capacity to fund services from internally generated income. Own-source revenue per head increases steadily across the planning period, indicating that revenue growth is broadly keeping pace with population growth and supporting the long-term financial sustainability of Council's service delivery.
23. **Recurrent grants per head of population** - This indicator measures recurrent grant funding per resident, reflecting Council's reliance on ongoing grant support to fund services. The reduction in the forecast period of 2025/26 is primarily due to the timing of the Victorian Local Government Grants Commission (VLGGC) funding, with 50% of the 2025/26 grant received in advance in 2024/25. From 2026/27 onwards, recurrent grants per head are expected to recover and stabilise, highlighting the timing volatility of grant funding and the Council's continued reliance on own-source revenue to support recurrent service delivery.
24. **Cash compared to current liabilities** - This indicator measures Council's cash position relative to current liabilities, providing an assessment of short-term liquidity and financial flexibility. The increase reflects higher cash balances driven by cash contributions received from Development Contribution Plan (DCP) and Infrastructure Contribution Plan (ICP) developments.
25. **Adjusted underlying surplus (or deficit)** - This indicator measures Council's adjusted underlying operating result as a proportion of adjusted underlying revenue, providing an assessment of whether recurrent income is sufficient to fund recurrent operating costs. The result is marginally negative in the actual position 2024/25 and deteriorates further in Forecast 2025/26, reflecting one-off and timing impacts on the operating position.
From Budget 2026/27 onwards, the adjusted underlying result returns to a modest surplus, remaining positive across the projection period. This shows that Council's finances are expected to steady over the medium term, helping to support ongoing services in a financially responsible and sustainable way.
26. **Rates compared to property value** - This indicator measures rate revenue as a proportion of the total capital improved value (CIV) of rateable properties, providing an indication of the overall rate burden on the community. The ratio remains stable at around 0.25% across the planning

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period, reflecting that rate revenue growth is broadly aligned with growth in property values and indicating a consistent and predictable rating effort over time.

27. **Average rate per property assessment** - This indicator shows a moderate and predictable increase in average rates per property assessment across the planning period, driven by growth in assessments and annual rate movements in line with the rate cap. The trend demonstrates Council's balanced approach to affordability, while ensuring sufficient revenue to support essential services and infrastructure investment.

28. **Rates and charges debt** - This indicator measures the level of outstanding rates and charges debt as a proportion of total rates and charges levied. The ratio is expected to remain stable at 15.0% across the planning period, indicating consistent debtor management practices and a steady approach to revenue collection.

5c Additional indicators

The following table presents indicators that are not prescribed in the *Local Government (Planning and Reporting) Regulations 2020*.

These indicators are used by the Department of Treasury and Finance to conduct credit assessments on councils under the Treasury Corporation of Victoria (TCV) loans framework.

Subject to these financial covenants being satisfied over the prior three years to the budget year, the budget year, and subsequent three projected financial years, a borrowing limit will be determined under the framework.

Indicator	Measure	Notes	Actual	Forecast	Budget	Projections			Trend
			2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	+/-
TCV loans framework indicators									
Interest Cover Ratio	EBITDA : interest expenses	29	2397:7	53:1	168:5	63:4	42:5	46:5	-
Interest bearing liabilities to own source revenue	Interest bearing liabilities / own source revenue	30	12.2%	19.2%	27.7%	32.3%	33.8%	31.4%	+

Notes to indicators 5c

29. **Interest cover ratio** - The interest cover ratio demonstrates Council's ability to pay interest on outstanding debt. Interest cover remains well above prudent levels, indicating Council's ongoing capacity to comfortably service interest costs as borrowings increase.

30. **Interest bearing liabilities to own source revenue** - This indicator measures the level of interest-bearing liabilities relative to Council's own-source revenue, providing an indication of Council's capacity to service debt from internally generated income. The increase in this ratio reflects the planned use of borrowings to support capital investment, with debt levels remaining manageable relative to own-source revenue.

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6. Schedule of fees and charges

This section presents the fees and charges of a non-statutory nature which will be charged in respect to various goods and services during the financial year 2026/27.

6.1. Fees and charges schedule – sports and aquatics

Fees and charges are based on information available at the time of publishing and may vary during the financial year subject to any changes in Council's policy or legislation.

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				Fee Increase/(Decrease)		
Description of Fees and Charges	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Cardinia Life - Aquatics (Casual)						
Adult Rec Swim	Taxable	8.50	9.00	0.50	5.88%	Non Statutory Fee
Child Rec Swim	Taxable	7.00	7.50	0.50	7.14%	Non Statutory Fee
Concession Rec Swim	Taxable	7.00	7.50	0.50	7.14%	Non Statutory Fee
Family Rec Swim	Taxable	22.70	25.00	2.30	10.13%	Non Statutory Fee
Casual Health Club	Taxable	19.70	23.00	3.30	16.75%	Non Statutory Fee
Casual Health Club (Concession)	Taxable	19.70	20.50	0.80	4.06%	Non Statutory Fee
Cardinia Life - Group Fitness						
Aqua Aerobics	Taxable	18.60	19.60	1.00	5.38%	Non Statutory Fee
Aqua Aerobics (Concession)	Taxable	14.90	15.40	0.50	3.36%	Non Statutory Fee
Group Fitness	Taxable	18.60	19.60	1.00	5.38%	Non Statutory Fee
Group Fitness (Concession)	Taxable	14.90	15.40	0.50	3.36%	Non Statutory Fee
Group Fitness Virtual	Taxable	11.10	11.50	0.40	3.60%	Non Statutory Fee
Cardinia Life - Memberships						
Health and Wellness Membership Fortnightly Fee	Taxable	53.00	54.90	1.90	3.58%	Non Statutory Fee
Health and Wellness Membership Start-up Fee	Taxable	108.20	112.00	3.80	3.51%	Non Statutory Fee
Health and Wellness Commitment Membership Start-up Fee	Taxable	32.00	33.10	1.10	3.44%	Non Statutory Fee
Health and Wellness Membership (Concession) Fortnightly Fee	Taxable	42.80	44.30	1.50	3.50%	Non Statutory Fee
Health and Wellness Membership (Concession) Start-up Fee	Taxable	108.20	112.00	3.80	3.51%	Non Statutory Fee
Health and Wellness Membership (Concession/Restricted) Fortnightly Fee	Taxable	34.20	35.40	1.20	3.51%	Non Statutory Fee
Health and Wellness Membership (Concession/Restricted) Start-up Fee	Taxable	108.20	112.00	3.80	3.51%	Non Statutory Fee
Health and Wellness Membership (Family) Fortnightly Fee	Taxable	42.80	44.30	1.50	3.50%	Non Statutory Fee

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Description of Fees and Charges	GST Status	Fee Increase/(Decrease)				
		2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Health and Wellness Membership (Family) Start-up Fee	Taxable	108.20	112.00	3.80	3.51%	Non Statutory Fee
Health and Wellness Membership (Concession / Family) Fortnightly Fee	Taxable	34.20	35.40	1.20	3.51%	Non Statutory Fee
Health and Wellness Membership (Concession / Family) Start-up Fee	Taxable	108.20	112.00	3.80	3.51%	Non Statutory Fee
Aquatic Membership Fortnightly Fee	Taxable	34.20	35.40	1.20	3.51%	Non Statutory Fee
Aquatic Membership Start-up Fee	Taxable	108.20	112.00	3.80	3.51%	Non Statutory Fee
Aquatic Commitment Membership Start-up Fee	Taxable	32.00	33.10	1.10	3.44%	Non Statutory Fee
Aquatic Membership Fortnightly Fee (Concession)	Taxable	27.40	28.40	1.00	3.65%	Non Statutory Fee
Aquatic Membership Start-up Fee (Concession)	Taxable	108.20	112.00	3.80	3.51%	Non Statutory Fee
Aquatic Membership Fortnightly Fee (Family)	Taxable	27.40	28.40	1.00	3.65%	Non Statutory Fee
Aquatic Membership Start-up Fee (Family)	Taxable	108.20	112.00	3.80	3.51%	Non Statutory Fee
Aquatic Membership Fortnightly Fee (Concession & Family)	Taxable	21.90	22.70	0.80	3.65%	Non Statutory Fee
Aquatic Membership Start-up Fee (Concession & Family)	Taxable	108.20	112.00	3.80	3.51%	Non Statutory Fee
Pryme Mover Membership (Restricted) Fortnightly Fee	Taxable	34.20	35.40	1.20	3.51%	Non Statutory Fee
Pryme Mover Membership (Restricted) Start-up Fee	Taxable	108.20	112.00	3.80	3.51%	Non Statutory Fee
Aquatic Education Membership Fortnightly Fee Month by Month (School Age - Adult)	Taxable	49.40	51.10	1.70	3.44%	Non Statutory Fee
Aquatic Education Membership Fortnightly Fee Month by Month (School Age - Adult Sibling Discount)	Taxable	47.00	48.60	1.60	3.40%	Non Statutory Fee
Aquatic Education Membership UPFRONT TERM FEE (per class - School Age)	Taxable	29.00	30.00	1.00	3.45%	Non Statutory Fee

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Description of Fees and Charges	GST Status	Fee Increase/(Decrease)				
		2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Aquatic Education Membership Fortnightly Fee Month by Month (Pre School Age)	Taxable	44.30	45.90	1.60	3.61%	Non Statutory Fee
Aquatic Education Membership Fortnightly Fee Month by Month (Pre School Age - Sibling Discount)	Taxable	42.10	43.60	1.50	3.56%	Non Statutory Fee
Aquatic Education Membership UPFRONT TERM FEE (per class - Pre School Age)	Taxable	25.60	26.50	0.90	3.52%	Non Statutory Fee
Aquatic Education Membership Fortnightly Fee month by month (Pre Squad)	Taxable	59.85	61.70	1.85	3.09%	Non Statutory Fee
Aquatic Education UPFRONT TERM FEE (per class - Pre Squad)	Taxable	35.90	37.20	1.30	3.62%	Non Statutory Fee
Aquatic Education Membership Fortnightly Fee month by month (Squad)	Taxable	70.30	72.80	2.50	3.56%	Non Statutory Fee
Aquatic Education Membership UPFRONT TERM FEE (per class - Squad)	Taxable	41.90	43.40	1.50	3.58%	Non Statutory Fee
Aquatic Education Membership Fortnightly Fee month by month (Private)	Taxable	89.50	92.60	3.10	3.46%	Non Statutory Fee
Aquatic Education Membership UPFRONT TERM FEE (per class - Private)	Taxable	49.30	51.00	1.70	3.45%	Non Statutory Fee
Aquatic Education Membership Fortnightly Fee month by month (Access & Inclusion)	Taxable	58.70	60.80	2.10	3.58%	Non Statutory Fee
Aquatic Education Membership UPFRONT TERM FEE (per class - Access & Inclusion)	Taxable	34.90	36.10	1.20	3.44%	Non Statutory Fee
Personal Training (Average Fee) - 1/2 hour session per fortnight	Taxable	42.80	44.30	1.50	3.50%	Non Statutory Fee
Cardinia Life - Older Adults Programs						
Aqua Movers	Taxable	9.50	10.00	0.50	5.26%	Non Statutory Fee
Gentle Exercise	Taxable	9.50	10.00	0.50	5.26%	Non Statutory Fee
Cardinia Life - Schools - Aquatic						
Aquatic Education (1:6) - Per Participant	Taxable	10.10	10.10	0.00	0.00%	Non Statutory Fee

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Description of Fees and Charges	GST Status	Fee Increase/(Decrease)				
		2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Aquatic Education (1:7) - Per Participant	Taxable	9.80	9.80	0.00	0.00%	Non Statutory Fee
Aquatic Education (1:8) - Per Participant	Taxable	9.50	9.50	0.00	0.00%	Non Statutory Fee
Aquatic Education (1:9) - Per Participant	Taxable	9.20	9.20	0.00	0.00%	Non Statutory Fee
Aquatic Education (1:10) - Per Participant	Taxable	8.90	8.90	0.00	0.00%	Non Statutory Fee
Kinder Group	Taxable	15.80	15.80	0.00	0.00%	Non Statutory Fee
Homes School	Taxable	17.80	17.80	0.00	0.00%	Non Statutory Fee
Carnival Hire	Taxable	965.50	970.10	4.60	0.48%	Non Statutory Fee
Lane Hire	Taxable	45.00	46.60	1.60	3.56%	Non Statutory Fee
Casual Stadium Participant - Basketball - VBA Teamsheet						
Netball - Junior Teamsheet	Taxable	81.00	84.00	3.00	3.70%	Non Statutory Fee
Netball - Senior Teamsheet	Taxable	89.90	93.00	3.10	3.45%	Non Statutory Fee
Netball - Senior Teamsheet (Midweek Competition)	Taxable	89.90	93.00	3.10	3.45%	Non Statutory Fee
Netball - Junior Registration	Taxable	64.40	70.00	5.60	8.70%	Non Statutory Fee
Netball - Senior Registration	Taxable	93.40	96.70	3.30	3.53%	Non Statutory Fee
Late Registration Fee	Taxable	27.60	28.60	1.00	3.62%	Non Statutory Fee
Average Umpire Fee per game (Junior)	Taxable	19.90	20.60	0.70	3.52%	Non Statutory Fee
Average Umpire Fee per game (Senior)	Taxable	24.70	25.60	0.90	3.64%	Non Statutory Fee
Floorball / Soccer / Volleyball - Teamsheet	Taxable	87.10	90.10	3.00	3.44%	Non Statutory Fee
Floorball / Soccer / Volleyball Registration	Taxable	89.90	93.00	3.10	3.45%	Non Statutory Fee
Average Floorball / Soccer / Volleyball Referee Fee per game	Taxable	20.40	21.10	0.70	3.43%	Non Statutory Fee
Childcare - Members	Taxable	11.80	12.20	0.40	3.39%	Non Statutory Fee
Childcare - Casuals	Taxable	13.40	14.00	0.60	4.48%	Non Statutory Fee
Childcare - Members (Occasional)	Taxable	11.80	12.20	0.40	3.39%	Non Statutory Fee
Childcare - Casuals (Occasional)	Taxable	16.20	17.00	0.80	4.94%	Non Statutory Fee
Children Birthday Parties (per participant) - Option A	Taxable	34.00	35.20	1.20	3.53%	Non Statutory Fee

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Description of Fees and Charges	GST Status	Fee Increase/(Decrease)				
		2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Children Birthday Parties (per participant) - Option B	Taxable	35.20	36.40	1.20	3.41%	Non Statutory Fee
Children Birthday Parties (per participant) - Option C	Taxable	36.50	37.80	1.30	3.56%	Non Statutory Fee
Court Rental - Teams	Taxable	47.90	50.00	2.10	4.38%	Non Statutory Fee
Court Rental - Badminton	Taxable	26.00	27.00	1.00	3.85%	Non Statutory Fee
Court Rental - Regular	Taxable	67.10	70.00	2.90	4.32%	Non Statutory Fee
Court Rental - School	Taxable	42.00	45.00	3.00	7.14%	Non Statutory Fee
Court Rental - Casual	Taxable	73.90	77.00	3.10	4.20%	Non Statutory Fee
Facility Rental-Group Fitness Room	Taxable	65.00	67.30	2.30	3.54%	Non Statutory Fee
Casual Stadium Participant - Door Entry						
Casual Stadium Participant	Taxable	7.00	7.30	0.30	4.29%	Non Statutory Fee
Officer Community Hub - Court Hire Casual						
Regular	Taxable	52.30	54.10	1.80	3.44%	Non Statutory Fee
Casual	Taxable	64.90	67.20	2.30	3.54%	Non Statutory Fee
Officer Community Hub - Function						
Room Community (Half-room) Rate / hr	Taxable	52.30	54.10	1.80	3.44%	Non Statutory Fee
Room Community (Full-room) Rate / hr	Taxable	88.10	91.20	3.10	3.52%	Non Statutory Fee
Room Community (Conference room) Rate / hr	Taxable	38.60	40.00	1.40	3.63%	Non Statutory Fee
Outdoor Pools - Aquatic Entry						
Adult Rec Swim	Taxable	6.40	6.80	0.40	6.25%	Non Statutory Fee
Child Rec Swim	Taxable	5.50	5.80	0.30	5.46%	Non Statutory Fee
Concession Rec Swim	Taxable	5.50	5.80	0.30	5.46%	Non Statutory Fee
Family Rec Swim	Taxable	19.90	21.00	1.10	5.53%	Non Statutory Fee
Outdoor Pools - Facility Hire						
Carnival Hire - Full Day	Taxable	868.90	899.00	30.10	3.46%	Non Statutory Fee

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Fee Increase/(Decrease)						
Description of Fees and Charges	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Carnival Hire - Half Day	Taxable	421.80	449.00	27.20	6.45%	Non Statutory Fee
Lane Hire (per hour)	Taxable	39.10	45.00	5.90	15.09%	Non Statutory Fee
Lane Hire (paid individually, minimum 10 people)	Taxable	9.90	9.90	0.00	0.00%	Non Statutory Fee
Outdoor Pools - Season Passes						
Adult	Taxable	149.90	155.10	5.20	3.47%	Non Statutory Fee
Concession/Child	Taxable	124.70	129.10	4.40	3.53%	Non Statutory Fee
Family	Taxable	347.20	359.40	12.20	3.51%	Non Statutory Fee
25 Visit Pass - Adult	Taxable	117.70	121.80	4.10	3.48%	Non Statutory Fee
25 Visit Pass - Child	Taxable	94.60	97.90	3.30	3.49%	Non Statutory Fee
Pakenham Regional Tennis Centre - Coaching						
Average Fee	Taxable	76.00	78.70	2.70	3.55%	Non Statutory Fee
Pakenham Regional Tennis Centre - Court Hire Casual						
M-F No Lights	Taxable	26.10	27.00	0.90	3.45%	Non Statutory Fee
M-F Lights	Taxable	32.70	33.80	1.10	3.36%	Non Statutory Fee
WE No Lights	Taxable	32.70	33.80	1.10	3.36%	Non Statutory Fee
WE Lights	Taxable	39.10	40.50	1.40	3.58%	Non Statutory Fee
Racquet	Taxable	4.40	4.60	0.20	4.54%	Non Statutory Fee
Ball	Taxable	3.30	3.40	0.10	3.03%	Non Statutory Fee
Pakenham Regional Tennis Centre - Court Hire Members						
M-F No Lights	Taxable	15.70	16.20	0.50	3.19%	Non Statutory Fee
M-F Lights	Taxable	22.10	22.90	0.80	3.62%	Non Statutory Fee
WE No Lights	Taxable	15.70	16.20	0.50	3.19%	Non Statutory Fee
WE Lights	Taxable	22.10	22.90	0.80	3.62%	Non Statutory Fee
Club and School Court Hire/court & hour (2 hours or less) per court	Taxable	15.30	15.80	0.50	3.27%	Non Statutory Fee

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Description of Fees and Charges	GST Status	Fee Increase/(Decrease)				
		2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Club and School Court Hire/court (2 - 4 hours) per court	Taxable	24.00	24.80	0.80	3.33%	Non Statutory Fee
Club and School Court Hire/hour (4+ hours) per court	Taxable	25.80	26.70	0.90	3.49%	Non Statutory Fee
Tournament Court Hire (all day)	Taxable	49.10	50.80	1.70	3.46%	Non Statutory Fee
Tournament Light Hire	Taxable	14.70	15.20	0.50	3.40%	Non Statutory Fee
Racquet	Taxable	4.20	4.30	0.10	2.38%	Non Statutory Fee
Ball	Taxable	3.00	3.10	0.10	3.33%	Non Statutory Fee
Guest Fee	Taxable	6.40	6.60	0.20	3.12%	Non Statutory Fee
Full Access Light Fee	Taxable	10.50	10.90	0.40	3.81%	Non Statutory Fee
Full Access 12 Month Light Fee Per Year	Taxable	122.40	126.70	4.30	3.51%	Non Statutory Fee
Pakenham Regional Tennis Centre - Equipment						
Used Tennis Balls	Taxable	6.40	6.60	0.20	3.12%	Non Statutory Fee
Pakenham Regional Tennis Centre - Function Room Hire						
5 hour base rate (includes 2 staff, security additional)	Taxable	1,361.70	1,409.40	47.70	3.50%	Non Statutory Fee
Full Room Meeting Rate / h	Taxable	95.00	98.30	3.30	3.47%	Non Statutory Fee
Half Room Meeting Rate / h	Taxable	67.40	69.80	2.40	3.56%	Non Statutory Fee
Full Room Party Hire Rate / h	Taxable	122.40	126.70	4.30	3.51%	Non Statutory Fee
Half Room Party Hire Rate / h	Taxable	85.30	88.30	3.00	3.52%	Non Statutory Fee
Pakenham Regional Tennis Centre - Membership						
Family	Taxable	519.20	537.40	18.20	3.50%	Non Statutory Fee
Single	Taxable	234.90	243.10	8.20	3.49%	Non Statutory Fee
Concession	Taxable	168.50	174.40	5.90	3.50%	Non Statutory Fee
Junior	Taxable	131.10	135.70	4.60	3.51%	Non Statutory Fee
Pakenham Regional Tennis Centre - Program Costs						
Tennis Hot Shots (Blue / Red)	Taxable	13.00	14.00	1.00	7.69%	Non Statutory Fee

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Description of Fees and Charges	GST Status	Fee Increase/(Decrease)				
		2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Tennis Hot Shots (Orange)	Taxable	15.50	16.50	1.00	6.45%	Non Statutory Fee
Hot Shot Match Play	Taxable	12.80	13.80	1.00	7.81%	Non Statutory Fee
Hot Shots Squad	Taxable	12.80	13.80	1.00	7.81%	Non Statutory Fee
BDTA Squad	Taxable	12.80	13.80	1.00	7.81%	Non Statutory Fee
Youth Group Coaching and Tennis Hot Shots (Green)	Taxable	20.00	21.00	1.00	5.00%	Non Statutory Fee
Girls Squad	Taxable	15.30	16.00	0.70	4.58%	Non Statutory Fee
Adult Beginners Coaching	Taxable	20.00	21.00	1.00	5.00%	Non Statutory Fee
Holiday Program (Half Day)	Taxable	38.00	45.00	7.00	18.42%	Non Statutory Fee
Holiday Program (Full Day)	Taxable	63.00	65.00	2.00	3.17%	Non Statutory Fee
School Coaching Fee	Taxable	63.00	65.00	2.00	3.17%	Non Statutory Fee
Wheelchair Tennis	Taxable	12.80	13.80	1.00	7.81%	Non Statutory Fee
Cardio Tennis	Taxable	15.30	16.00	0.70	4.58%	Non Statutory Fee
Outlook Coaching	Taxable	7.30	8.30	1.00	13.70%	Non Statutory Fee
Schools Coaching (Coach per hour)	Taxable	73.90	80.00	6.10	8.25%	Non Statutory Fee
Fast 4 Tennis	Taxable	15.10	16.00	0.90	5.96%	Non Statutory Fee
Doubles	Taxable	12.80	14.00	1.20	9.38%	Non Statutory Fee
Red Ball Comp	Taxable	63.00	65.20	2.20	3.49%	Non Statutory Fee
Private 30 minutes	Taxable	40.00	45.00	5.00	12.50%	Non Statutory Fee
Private 45 minutes	Taxable	56.90	65.00	8.10	14.24%	Non Statutory Fee
Private 60 minutes	Taxable	75.70	85.00	9.30	12.29%	Non Statutory Fee
Social	Taxable	12.80	13.80	1.00	7.81%	Non Statutory Fee
Junior Squad	Taxable	20.00	21.00	1.00	5.00%	Non Statutory Fee
Pakenham Regional Tennis Centre - Tournaments						
Entry Fee	Taxable	51.80	55.00	3.20	6.18%	Non Statutory Fee
Reformer 24/25 - Councillor-endorsed post budget adoption, Reformer Pilates pricing						
Single Class	Taxable	15.00	16.00	1.00	6.67%	Non Statutory Fee

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Fee Increase/(Decrease)						
Description of Fees and Charges	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Intro Pack - 3 x classes (1 time purchase only valid for 2 weeks)	Taxable	40.00	45.00	5.00	12.50%	Non Statutory Fee
5 x Class Pack 5% Discount	Taxable	71.25	76.00	4.75	6.67%	Non Statutory Fee
10 x Class Pack 10% Discount	Taxable	135.00	144.00	9.00	6.67%	Non Statutory Fee
20 x Class Pack\$ 15% Discount	Taxable	255.00	272.00	17.00	6.67%	Non Statutory Fee
Reformer Pack Options 1:6 (Expire after 12 months)						
Single Class	Taxable	25.00	26.00	1.00	4.00%	Non Statutory Fee
Intro Pack - 3 x classes (1 time purchase only valid for 2 weeks)	Taxable	70.00	70.00	0.00	0.00%	Non Statutory Fee
5 x Class Pack 5% Discount	Taxable	0.00	123.50	123.50	100.00%	Non Statutory Fee
10 x Class Pack 10% Discount	Taxable	0.00	234.00	234.00	100.00%	Non Statutory Fee
20 x Class Pack\$ 15% Discount	Taxable	0.00	442.00	442.00	100.00%	Non Statutory Fee

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6.2. Fees and charges schedule – other

Note that this schedule only includes fees set by Council. There are other fees that are set by statute and charged by Council in addition to this listing. These are statutory fees and are made in accordance with legislative requirements. These fees are updated as of 1 July 2026 and will be reflected on Council's website.

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					Fee Increase/(Decrease)		
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Arboriculture Development Projects - Shire Tree Planting							
Tree Planting/Replacement	each	Taxable	528.00	528.00	0.00	0.00%	Non-Statutory Fee
Tree removal fee	each	Taxable	0.00	190.00	190.00	100.00%	Non-Statutory Fee
Building Services - Regulatory Services - Building							
Application for a farm shed - exempt from Building permit	each	Non - Taxable	1,000.00	1,000.00	0.00	0.00%	Non-Statutory Fee
Application to regularise non-compliant building - Commercial building work/structure	each	Non - Taxable	1,774.00	1,850.00	76.00	4.00%	Non-Statutory Fee
Application to regularise non-compliant building - Domestic building work/structure	each	Non - Taxable	1,212.00	1,250.00	38.00	3.00%	Non-Statutory Fee
Copy of Documents (printed copies) - in addition to retrieval - Commercial	each	Non - Taxable	22.80	100.00	77.20	339.00%	Non-Statutory Fee
Copy of Documents (printed copies) - in addition to retrieval - Domestic	each	Non - Taxable	11.90	50.00	38.10	320.00%	Non-Statutory Fee
Copy of Plans (printed copies) - in addition to retrieval - Commercial	each	Non - Taxable	22.80	100.00	77.20	339.00%	Non-Statutory Fee
Copy of Plans (printed copies) - in addition to retrieval - Domestic	each	Non - Taxable	11.90	50.00	38.10	320.00%	Non-Statutory Fee
Occupancy Permits - Place of Public Entertainment (POPE)	each	Non - Taxable	1,217.20	1,650.00	432.80	36.00%	Non-Statutory Fee
Reassess pool barrier standard	each	Non - Taxable	200.00	250.00	50.00	25.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Report and consent (sighting) seeking adjoining owners' comment	each	Non - Taxable	400.00	450.00	50.00	12.00%	Non-Statutory Fee
Request new or amend Occupancy Permit (ESM)	each	Non - Taxable	550.00	750.00	200.00	36.00%	Non-Statutory Fee
Request/create/amend a Maintenance Determination Schedule (ESM)	each	Non - Taxable	200.00	450.00	250.00	125.00%	Non-Statutory Fee
Retrieval and provision (PDF) of Documents - Commercial	each	Non - Taxable	128.90	250.00	121.10	94.00%	Non-Statutory Fee
Retrieval and provision (PDF) of Documents - Domestic	each	Non - Taxable	103.00	150.00	47.00	46.00%	Non-Statutory Fee
Retrieval (PDF) of Plans - Commercial	each	Non - Taxable	128.90	250.00	121.10	94.00%	Non-Statutory Fee
Retrieval (PDF) of Plans - Domestic	each	Non - Taxable	103.00	150.00	47.00	46.00%	Non-Statutory Fee
Search fee - building permits, plans and documents	each	Non - Taxable	29.00	75.00	46.00	159.00%	Non-Statutory Fee
Temporary Public Structure Citing	each	Non - Taxable	422.30	650.00	227.70	54.00%	Non-Statutory Fee
Building Services - Pool Registrations Fees							
Pool inspection certification	each	Non - Taxable	435.00	450.00	15.00	3.00%	Non-Statutory Fee
Certificate of pool and spa barrier compliance lodgement	each	Non - Taxable	24.00	24.60	0.60	2.50%	Non-Statutory Fee
Cardinia Cultural Centre - CCC AV Equipment							

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
1 Camera Live Feed/Record	each	Taxable	0.00	440.00	440.00	100.00%	Non-Statutory Fee
1 x TV 85" and stand	each	Taxable	0.00	75.00	75.00	100.00%	Non-Statutory Fee
2 Cameras Live Feed/Record	each	Taxable	0.00	540.00	540.00	100.00%	Non-Statutory Fee
2 x TV 58" and Stand	each	Taxable	0.00	150.00	150.00	100.00%	Non-Statutory Fee
2 x TV 85" and stand	each	Taxable	0.00	150.00	150.00	100.00%	Non-Statutory Fee
3 Cameras Live Feed/Record	each	Taxable	0.00	590.00	590.00	100.00%	Non-Statutory Fee
4 Cameras Live Feed/Record	each	Taxable	0.00	640.00	640.00	100.00%	Non-Statutory Fee
Additional Speaker and stand	each	Taxable	0.00	65.00	65.00	100.00%	Non-Statutory Fee
Comfort Screen / Program Monitor 1 x 58" (on stand)	each	Taxable	0.00	75.00	75.00	100.00%	Non-Statutory Fee
Comfort Screen / Program Monitor (small screen on floor or café table)	each	Taxable	0.00	50.00	50.00	100.00%	Non-Statutory Fee
Hazer	each	Taxable	0.00	60.00	60.00	100.00%	Non-Statutory Fee
LED Bar	each	Taxable	0.00	15.00	15.00	100.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Mobile Sound Rack	each	Taxable	0.00	100.00	100.00	100.00%	Non-Statutory Fee
Projector Theatre	each	Taxable	0.00	150.00	150.00	100.00%	Non-Statutory Fee
TV 58" UHD and stand	each	Taxable	0.00	75.00	75.00	100.00%	Non-Statutory Fee
TV 58" UHD and stand	each	Taxable	0.00	75.00	75.00	100.00%	Non-Statutory Fee
Wireless Headset Microphone	each	Taxable	0.00	70.00	70.00	100.00%	Non-Statutory Fee
Wireless Microphone	each	Taxable	0.00	50.00	50.00	100.00%	Non-Statutory Fee
Wireless presenter	each	Taxable	0.00	50.00	50.00	100.00%	Non-Statutory Fee
LED Quick Spots	each	Taxable	0.00	15.00	15.00	100.00%	Non-Statutory Fee
Equipment Recovery	each	Taxable	64.20	67.00	2.80	4.00%	Non-Statutory Fee
Cardinia Cultural Centre - CCC Misc oncosts							
Additional expo table with tablecloth	each	Taxable	0.00	12.00	12.00	100.00%	Non-Statutory Fee
Additional table with tablecloth	each	Taxable	0.00	10.00	10.00	100.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Decor - Round mirror candle plate with bevelled edge 30cm/12"	Each	Taxable	0.00	6.00	6.00	100.00%	Non-Statutory Fee
Staff Recovery - Technicians (>10- <12 hours)	per hour	Taxable	0.00	100.00	100.00	100.00%	Non-Statutory Fee
Community insurance	each	Taxable	0.00	29.00	29.00	100.00%	Non-Statutory Fee
Consumables - 9V Batteries	each	Taxable	0.00	3.50	3.50	100.00%	Non-Statutory Fee
Consumables - AA Batteries	each	Taxable	0.00	2.00	2.00	100.00%	Non-Statutory Fee
Consumables - AAA Batteries	each	Taxable	0.00	2.50	2.50	100.00%	Non-Statutory Fee
Consumables - Flip chart	each	Taxable	0.00	35.00	35.00	100.00%	Non-Statutory Fee
Consumables - Tape (per roll)	each	Taxable	0.00	10.00	10.00	100.00%	Non-Statutory Fee
Decor - Glass cylinder vase clear 15x18cm	each	Taxable	0.00	5.00	5.00	100.00%	Non-Statutory Fee
Decor - LED true flame candle 13.5x7.5cm	each	Taxable	0.00	4.00	4.00	100.00%	Non-Statutory Fee
Decor - Natural wood slice round 30cm x 4cm	each	Taxable	0.00	6.00	6.00	100.00%	Non-Statutory Fee
Decor - Table runner - Hessian	each	Taxable	0.00	3.00	3.00	100.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Decor - Table runner - Organza - Gold	each	Taxable	0.00	3.00	3.00	100.00%	Non-Statutory Fee
Decor - Table runner - Organza - Silver	each	Taxable	0.00	3.00	3.00	100.00%	Non-Statutory Fee
Decor - Table runner - Organza - Teal	each	Taxable	0.00	3.00	3.00	100.00%	Non-Statutory Fee
Sourcing fee for equipment hire/security + 15% surcharge	Each	Taxable	0.00	0.00	0.00	100.00%	Non-Statutory Fee
Cardinia Cultural Centre - CCC Marketing							
Advertising Recovery - Theatre	each	Taxable	220.00	267.00	47.00	21.00%	Non-Statutory Fee
DL Flyer print only	each	Taxable	0.00	150.00	150.00	100.00%	Non-Statutory Fee
DL Flyer with design	each	Taxable	0.00	300.00	300.00	100.00%	Non-Statutory Fee
Dedicated EDM	each	Taxable	0.00	200.00	200.00	100.00%	Non-Statutory Fee
Dedicated external venue projection signage (per night)	each	Taxable	0.00	250.00	250.00	100.00%	Non-Statutory Fee
Facebook homepage banner monthly	each	Taxable	0.00	100.00	100.00	100.00%	Non-Statutory Fee
Phone hold message listing	each	Taxable	0.00	200.00	200.00	100.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Premium listing	each	Taxable	0.00	200.00	200.00	100.00%	Non-Statutory Fee
Promotional material design package	each	Taxable	0.00	200.00	200.00	100.00%	Non-Statutory Fee
Pull up banner print only	each	Taxable	0.00	200.00	200.00	100.00%	Non-Statutory Fee
Pull up banner with design	each	Taxable	0.00	400.00	400.00	100.00%	Non-Statutory Fee
Cardinia Cultural Centre - CCC Room Hire							
Boardroom - 4 hours - Standard	each	Taxable	119.00	123.00	4.00	3.00%	Non-Statutory Fee
Boardroom - 8 hours - Standard	each	Taxable	176.00	182.00	6.00	3.00%	Non-Statutory Fee
Boardroom <2 hours	each	Taxable	0.00	80.00	80.00	100.00%	Non-Statutory Fee
Gallery - 4 hours	each	Taxable	403.70	416.00	12.30	3.00%	Non-Statutory Fee
Gallery - 8 hours	each	Taxable	605.50	624.00	18.50	3.00%	Non-Statutory Fee
Lakeview Contract Income (function)	each	Taxable	5,500.00	5,665.00	165.00	3.00%	Non-Statutory Fee
Lakeview Large Room - 4 hours	each	Taxable	641.70	661.00	19.30	3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Lakeview Large Room - 8 hours	each	Taxable	963.00	992.00	29.00	3.00%	Non-Statutory Fee
Lakeview Large Room - 8+ hours	each	Taxable	1,531.80	1,578.00	46.20	3.00%	Non-Statutory Fee
Lakeview Room - 8+ hours	each	Taxable	847.70	874.00	26.30	3.00%	Non-Statutory Fee
Lakeview Room hire - 4 hours	each	Taxable	403.70	416.00	12.30	3.00%	Non-Statutory Fee
Lakeview Room hire - 8 hours	each	Taxable	605.50	624.00	18.50	3.00%	Non-Statutory Fee
Staff Recovery - Function coordinator	per hour	Taxable	0.00	61.00	61.00	100.00%	Non-Statutory Fee
Studios (Large) - 4 hours	each	Taxable	186.30	190.00	3.70	2.00%	Non-Statutory Fee
Studios (Large) - 8 hours	each	Taxable	289.80	250.00	(39.80)	-14.00%	Non-Statutory Fee
Studios (Small) - 4 hours	each	Taxable	0.00	140.00	140.00	100.00%	Non-Statutory Fee
Studios (Small) - 8 hours	each	Taxable	0.00	200.00	200.00	100.00%	Non-Statutory Fee
Theatre - Orchestra Pit Removal	each	Taxable	399.00	411.00	12.00	3.00%	Non-Statutory Fee
Theatre - Piano hire and tuning	each	Taxable	258.80	267.00	8.20	3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Theatre - Theatre Hire (max 8 hours)	each	Taxable	1,138.50	1,173.00	34.50	3.00%	Non-Statutory Fee
Theatre hire - Additional hire - Per hour (when a hire exceeds 8 hours)	per hour	Taxable	165.60	171.00	5.40	3.00%	Non-Statutory Fee
Theatre hire - Dark Tenancy (per day)	each	Taxable	207.00	214.00	7.00	3.00%	Non-Statutory Fee
Theatre hire - Second Performance (on the same day)	each	Taxable	569.30	587.00	17.70	3.00%	Non-Statutory Fee
Theatre overflow - Studios (per day)	each	Taxable	134.60	139.00	4.40	3.00%	Non-Statutory Fee
Waterfront Room - 4 hours	each	Taxable	222.50	230.00	7.50	3.00%	Non-Statutory Fee
Waterfront Room - 8 hours	each	Taxable	336.40	347.00	10.60	3.00%	Non-Statutory Fee
Waterfront Room - 8+ hours	each	Taxable	470.90	486.00	15.10	3.00%	Non-Statutory Fee
Hire - Amphitheatre	each	Taxable	550.00	567.00	17.00	3.00%	Non-Statutory Fee
Public holiday surcharge (20%)	Each	Taxable	0.00	0.00	0.00	0.00	Non-Statutory Fee
Cardinia Cultural Centre - CCC Staffing							
FOH Supervisor (>10-<12 hours)	per hour	Taxable	0.00	92.00	92.00	100.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
FOH Supervisor (>12 hours)	per hour	Taxable	0.00	122.00	122.00	100.00%	Non-Statutory Fee
FOH Supervisor (after 11pm)	per hour	Taxable	0.00	92.00	92.00	100.00%	Non-Statutory Fee
FOH Supervisor (before 6am)	per hour	Taxable	0.00	92.00	92.00	100.00%	Non-Statutory Fee
Front of house	each	Taxable	59.00	61.00	2.00	3.00%	Non-Statutory Fee
Function Usher	each	Taxable	48.60	51.00	2.40	5.00%	Non-Statutory Fee
Senior Technician	per hour	Taxable	0.00	70.00	70.00	100.00%	Non-Statutory Fee
Senior Technician (>10-<12 hours)	per hour	Taxable	0.00	104.00	104.00	100.00%	Non-Statutory Fee
Senior Technician (>12 hours)	per hour	Taxable	0.00	139.00	139.00	100.00%	Non-Statutory Fee
Senior Technician (after 11pm)	per hour	Taxable	0.00	104.00	104.00	100.00%	Non-Statutory Fee
Senior Technician (before 6am)	per hour	Taxable	0.00	104.00	104.00	100.00%	Non-Statutory Fee
Technician	each	Taxable	64.20	67.00	2.80	4.00%	Non-Statutory Fee
Technicians (>12 hours)	per hour	Taxable	0.00	133.00	133.00	100.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Technicians (after 11pm)	per hour	Taxable	0.00	100.00	100.00	100.00%	Non-Statutory Fee
Technicians (before 6am)	per hour	Taxable	0.00	100.00	100.00	100.00%	Non-Statutory Fee
Ushers (>12 hours)	per hour	Taxable	0.00	101.00	101.00	100.00%	Non-Statutory Fee
Ushers (after 11pm)	per hour	Taxable	0.00	76.00	76.00	100.00%	Non-Statutory Fee
Ushers (before 6am)	per hour	Taxable	0.00	76.00	76.00	100.00%	Non-Statutory Fee
Lighting plot (4 Hours)	each	Taxable	0.00	220.00	220.00	100.00%	Non-Statutory Fee
Missed break	each	Taxable	0.00	25.00	25.00	100.00%	Non-Statutory Fee
Cardinia Cultural Centre - CCC Ticket Sales							
Administration Costs Allocation of Ticket set/Admin of performance schedule	each	Taxable	310.50	320.00	9.50	3.00%	Non-Statutory Fee
Comp Ticket Booking fee	each	Taxable	2.00	2.20	0.20	10.00%	Non-Statutory Fee
Standard Booking fee	each	Taxable	3.10	3.20	0.10	3.00%	Non-Statutory Fee
Subsequent additional printing of ticket sets	each	Taxable	207.00	214.00	7.00	3.00%	Non-Statutory Fee
Cardinia Cultural Centre - AA&E - CCC - Ticketing fees							

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Ticketing fees - Administration levies 3.5% on all EFTPOS and CC sales administered at Centre	each	Taxable	0.00	1.00	1.00	100.00%	Non-Statutory Fee
Cardinia Cultural Centre - CCC Cafe							
Waste - Cafe	each	Taxable	2,200.00	2,266.00	66.00	3.00%	Non-Statutory Fee
Cardinia Cultural Centre - CCC Cleaning							
Lakeview	each	Taxable	275.00	284.00	9.00	3.00%	Non-Statutory Fee
Theatre	each	Taxable	110.00	114.00	4.00	4.00%	Non-Statutory Fee
Boardroom	each	Taxable	0.00	100.00	100.00	100.00%	Non-Statutory Fee
General	per hour	Taxable	0.00	100.00	100.00	100.00%	Non-Statutory Fee
Studios	each	Taxable	0.00	100.00	100.00	100.00%	Non-Statutory Fee
Waterfront	each	Taxable	0.00	100.00	100.00	100.00%	Non-Statutory Fee
Community Halls and Hubs - Bond							
Bond High risk 1	each	Non - Taxable	1,035.00	1,000.00	(35.00)	-3.00%	Non-Statutory Fee
Bond High risk 2	each	Non - Taxable	1,552.50	1,500.00	(52.50)	-3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Bond High risk 3	each	Non - Taxable	2,070.00	2,000.00	(70.00)	-3.00%	Non-Statutory Fee
Bond Low Risk	each	Non - Taxable	207.00	200.00	(7.00)	-3.00%	Non-Statutory Fee
Bond Medium Risk	each	Non - Taxable	517.50	500.00	(17.50)	-3.00%	Non-Statutory Fee
Community Halls and Hubs - Standard quarterly rate - no discount							
Additional exclusive storage	each	Taxable	0.00	50.00	50.00	100.00%	Non-Statutory Fee
Community Halls and Hubs - Community Bus							
Community Bus hire fees	per hour	Non - Taxable	10.00	11.00	1.00	10.00%	Non-Statutory Fee
Community Halls and Hubs - Standard - Peak							
Level five space - rate per hour	per hour	Taxable	70.00	72.00	2.00	3.00%	Non-Statutory Fee
Level four space - rate per hour	per hour	Taxable	53.50	55.00	1.50	3.00%	Non-Statutory Fee
Level one space - rate per hour	per hour	Taxable	16.50	17.00	0.50	3.00%	Non-Statutory Fee
Level six space - rate per hour	per hour	Taxable	90.00	93.00	3.00	3.00%	Non-Statutory Fee
Level three space - rate per hour	per hour	Taxable	32.50	33.50	1.00	3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Level two space - rate per hour	per hour	Taxable	21.50	22.00	0.50	2.00%	Non-Statutory Fee
Community Halls and Hubs - Standard - Off Peak							
Level five space - rate per hour	per hour	Taxable	56.00	58.00	2.00	4.00%	Non-Statutory Fee
Level four space - rate per hour	per hour	Taxable	43.00	44.00	1.00	2.00%	Non-Statutory Fee
Level one space - rate per hour	per hour	Taxable	13.00	13.50	0.50	4.00%	Non-Statutory Fee
Level six space - rate per hour	per hour	Taxable	73.00	75.00	2.00	3.00%	Non-Statutory Fee
Level three space - rate per hour	per hour	Taxable	26.00	27.00	1.00	4.00%	Non-Statutory Fee
Level two space - rate per hour	per hour	Taxable	17.50	18.00	0.50	3.00%	Non-Statutory Fee
Community Halls and Hubs - Community discount 40% off - Peak							
Level five space - rate per hour	per hour	Taxable	42.00	43.20	1.20	3.00%	Non-Statutory Fee
Level four space - rate per hour	per hour	Taxable	32.10	33.00	0.90	3.00%	Non-Statutory Fee
Level one space - rate per hour	per hour	Taxable	9.90	10.20	0.30	3.00%	Non-Statutory Fee
Level six space - rate per hour	per hour	Taxable	54.00	55.80	1.80	3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Level three space - rate per hour	per hour	Taxable	19.50	20.10	0.60	3.00%	Non-Statutory Fee
Level two space - rate per hour	per hour	Taxable	12.90	13.20	0.30	2.00%	Non-Statutory Fee
Community Halls and Hubs - Community discount 40% off - Off peak							
Level five space - rate per hour	per hour	Taxable	33.60	34.80	1.20	4.00%	Non-Statutory Fee
Level four space - rate per hour	per hour	Taxable	25.80	26.40	0.60	2.00%	Non-Statutory Fee
Level one space - rate per hour	per hour	Taxable	7.80	8.10	0.30	4.00%	Non-Statutory Fee
Level six space - rate per hour	per hour	Taxable	43.80	45.00	1.20	3.00%	Non-Statutory Fee
Level three space - rate per hour	per hour	Taxable	15.60	16.20	0.60	4.00%	Non-Statutory Fee
Level two space - rate per hour	per hour	Taxable	10.50	10.80	0.30	3.00%	Non-Statutory Fee
Community Recreation - Active Communities -Council Managed Recreation Reserves -Mountain Road Recreation Reserve							
Athletics Facility (seasonal use 6 months)	each	Taxable	1,644.60	1,710.00	65.40	4.00%	Non-Statutory Fee
Netball courts - annual use (12 months)	each	Taxable	0.00	1,588.00	1,588.00	100.00%	Non-Statutory Fee
Netball courts - seasonal use (6 months)	each	Taxable	0.00	794.00	794.00	100.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Oval - seasonal use (6 months)	each	Taxable	0.00	1,710.00	1,710.00	100.00%	Non-Statutory Fee
Community Recreation - IYU Recreation Reserve							
Athletics Facility (seasonal use 6 months)	each	Taxable	1,644.60	1,710.00	65.40	4.00%	Non-Statutory Fee
IYU Recreation Reserve - Northern / Junior Turf Soccer Pitches (Seasonal use 6 months, summer and winter)	each	Taxable	1,128.20	1,162.00	33.80	3.00%	Non-Statutory Fee
IYU Recreation Reserve - Southern / Senior Turf Soccer Pitch (Seasonal use 6 months, summer and winter)	each	Taxable	844.60	870.00	25.40	3.00%	Non-Statutory Fee
Pavilion Community Space - Commercial Rate - per hour	per hour	Taxable	0.00	48.00	48.00	100.00%	Non-Statutory Fee
Pavilion Community Space - Community Group - per hour	per hour	Taxable	0.00	31.00	31.00	100.00%	Non-Statutory Fee
Synthetic Soccer - Synthetic Soccer Pitch - seasonal use (6 months)	each	Taxable	836.40	870.00	33.60	4.00%	Non-Statutory Fee
Community Recreation - Toomuc Recreation Reserve							
Baseball diamonds	each	Taxable	1,182.00	1,218.00	36.00	3.00%	Non-Statutory Fee
Netball Courts (full year) - Netball Courts - annual use (12 months)	each	Taxable	1,489.50	1,588.00	98.50	7.00%	Non-Statutory Fee
Netball courts - seasonal use	each	Taxable	770.60	794.00	23.40	3.00%	Non-Statutory Fee
Oval (Seasonal use 6 months)	each	Taxable	1,660.70	1,710.00	49.30	3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Community Recreation - Active Communities -Council Managed Recreation Reserves - Casual hire rates							
Cardinia Schools - per hour	per hour	Taxable	31.60	33.00	1.40	4.00%	Non-Statutory Fee
Community Recreation - Active Communities - Council Managed Recreation Reserves - Casual hire rates							
Cardinia based Sporting Clubs - per hour	per hour	Taxable	60.00	62.00	2.00	3.00%	Non-Statutory Fee
Corporate - per hour	per hour	Taxable	92.60	95.00	2.40	3.00%	Non-Statutory Fee
Non-Cardinia Schools - per hour	per hour	Taxable	40.90	42.00	1.10	3.00%	Non-Statutory Fee
Non-Cardinia based Sporting Clubs - per hour	per hour	Taxable	71.90	74.00	2.10	3.00%	Non-Statutory Fee
Community Recreation - Standard - Off Peak							
Level five space - rate per hour	per hour	Taxable	0.00	58.00	58.00	100.00%	Non-Statutory Fee
Community Recreation - Community discount 40% off - Off peak							
Level five space - rate per hour	per hour	Taxable	0.00	34.80	34.80	100.00%	Non-Statutory Fee
Community Recreation - Nar Nar Goon Recreation Reserve							
Netball Courts - (Seasonal use 6 months, summer and winter)	each	Taxable	770.60	794.00	23.40	3.00%	Non-Statutory Fee
Netball Courts (full year) - Netball Courts - annual use (12 months)	each	Taxable	1,541.60	1,588.00	46.40	3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Ovals - (Seasonal use 6 months, summer and winter)	each	Taxable	1,660.70	1,710.00	49.30	3.00%	Non-Statutory Fee
Tennis Courts - annual use (12 months)	each	Taxable	1,159.20	1,194.00	34.80	3.00%	Non-Statutory Fee
Community Recreation - Holm Park Road Recreation Reserve Community Room							
Netball Courts (full year) - annual use (12 months)	each	Taxable	1,541.60	1,588.00	46.40	3.00%	Non-Statutory Fee
Netball courts - (Seasonal use 6 months, summer and winter)	each	Taxable	0.00	794.00	794.00	100.00%	Non-Statutory Fee
Ovals - (Seasonal use 6 months, summer and winter)	each	Taxable	1,660.70	1,710.00	49.30	3.00%	Non-Statutory Fee
Public market space hire	each	Taxable	232.90	240.00	7.10	3.00%	Non-Statutory Fee
Community Recreation - James Bathe Recreation Reserve							
Netball Courts - annual use (12 months)	each	Taxable	1,526.70	1,588.00	61.30	4.00%	Non-Statutory Fee
Netball courts - (Seasonal use 6 months, summer and winter)	each	Taxable	763.10	794.00	30.90	4.00%	Non-Statutory Fee
Ovals (Seasonal use 6 months, summer and winter) Oval	each	Taxable	1,660.70	1,710.00	49.30	3.00%	Non-Statutory Fee
Community Recreation - Heatherbrae Recreation Reserve							
Netball Courts - annual use (12 months)	each	Taxable	1,526.70	1,588.00	61.30	4.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Netball courts - (Seasonal use 6 months, summer and winter)	each	Taxable	0.00	794.00	794.00	100.00%	Non-Statutory Fee
Oval (Seasonal use 6 months, summer and winter)	each	Taxable	1,660.70	1,710.00	49.30	3.00%	Non-Statutory Fee
Community Recreation - Active Communities -Council Managed Recreation Reserves -Pepis Land Netball							
Netball courts - (Seasonal use 6 months, summer and winter)	each	Taxable	763.30	794.00	30.70	4.00%	Non-Statutory Fee
Community Recreation - O'Neil Road Recreation Reserve							
Oval (Seasonal use 6 months, summer and winter)	each	Taxable	1,660.70	1,710.00	49.30	3.00%	Non-Statutory Fee
Community Recreation - Active Communities -Council Managed Recreation Reserves -Comely Banks Recreation Reserve							
Oval (rugby fields x2 - Seasonal use 6 months, summer and winter)	each	Non - Taxable	1,644.60	1,710.00	65.40	4.00%	Non-Statutory Fee
Community Recreation - Active Communities -Council Managed Recreation Reserves -Lakeside Recreation Reserve							
Oval (seasonal use 6 months, summer and winter)	each	Taxable	1,644.60	1,710.00	65.40	4.00%	Non-Statutory Fee
Community Recreation - Active Communities -Council Managed Recreation Reserves -Koo Wee Rup School							
Oval - (Seasonal use 6 months, summer and winter)	each	Non - Taxable	763.30	1,710.00	946.70	124.00%	Non-Statutory Fee
Community Recreation - Don Jackson Recreation Reserve							
Ovals (Seasonal use 6 months, summer and winter)	each	Taxable	1,660.70	1,710.00	49.30	3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Community Recreation - Active Communities -Council Managed Recreation Reserves -Passive Reserves							
Public event bookings	each	Taxable	230.80	238.00	7.20	3.00%	Non-Statutory Fee
Public market space hire	each	Taxable	222.00	228.00	6.00	3.00%	Non-Statutory Fee
Community Recreation - Active Communities -Council Managed Recreation Reserves							
Public event bookings	each	Taxable	0.00	170.00	170.00	100.00%	Non-Statutory Fee
Compliance Services - Local Laws							
Abandoned Vehicle Release (as per contract)	as per contract	Non - Taxable	200.00	205.00	5.00	3.00%	Non-Statutory Fee
Any other permit not otherwise mentioned	each	Non - Taxable	200.00	206.00	6.00	3.00%	Non-Statutory Fee
Impounded Item Release	each	Non - Taxable	170.00	175.00	5.00	3.00%	Non-Statutory Fee
Permit - Footpath - Bali Flags	each	Non - Taxable	200.00	206.00	6.00	3.00%	Non-Statutory Fee
Permit - Footpath - Display goods (per size)	each	Non - Taxable	200.00	206.00	6.00	3.00%	Non-Statutory Fee
Permit - Footpath - Table and Chairs - Fee per chair	each	Non - Taxable	39.00	40.00	1.00	3.00%	Non-Statutory Fee
Permit - Footpath - Table and Chairs - Fee per table	each	Non - Taxable	63.00	65.00	2.00	3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Permit - Footpath - Umbrella	each	Non - Taxable	63.00	65.00	2.00	3.00%	Non-Statutory Fee
Permit - Footpath - Windbreaker screen	each	Non - Taxable	63.00	65.00	2.00	3.00%	Non-Statutory Fee
Permit - Footpath - Windbreaker screen (1/2 size)	each	Non - Taxable	31.00	31.00	0.00	0.00%	Non-Statutory Fee
Permit - Heavy Vehicle – on land under 0.8ha (2 acres)	each	Taxable	200.00	206.00	6.00	3.00%	Non-Statutory Fee
Permit - Liquor - Consumption in public or consumption/Possession – within 500 metres of licensed pr	each	Non - Taxable	200.00	206.00	6.00	3.00%	Non-Statutory Fee
Permit - Real Estate Pointer Boards	each	Non - Taxable	550.00	566.00	16.00	3.00%	Non-Statutory Fee
Permit - Roadside Trading - per day	each	Non - Taxable	110.00	113.00	3.00	3.00%	Non-Statutory Fee
Permit - Rubbish Containers - Skips Building Sites up to 3 months	each	Non - Taxable	140.00	144.00	4.00	3.00%	Non-Statutory Fee
Permit - Rubbish Containers - Skips residential 1- 7 days	each	Non - Taxable	63.00	65.00	2.00	3.00%	Non-Statutory Fee
Permit - Shipping container	each	Non - Taxable	200.00	206.00	6.00	3.00%	Non-Statutory Fee
Permit - Street Stalls (inc. sausage sizzles) (No charge applicable to Community Groups) per day	each	Non - Taxable	60.00	62.00	2.00	3.00%	Non-Statutory Fee
Permit - roadside Trading - per month	each	Non - Taxable	440.00	453.00	13.00	3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Permit - roadside Trading - per year	each	Non - Taxable	2,000.00	2,060.00	60.00	3.00%	Non-Statutory Fee
Permit Advertising Signs - A Frames	each	Non - Taxable	200.00	206.00	6.00	3.00%	Non-Statutory Fee
Permit Advertising Signs - Real Estate Auction Boards (3 months)	each	Taxable	264.00	272.00	8.00	3.00%	Non-Statutory Fee
Permit Advertising Signs, Flags overhanging roads-3 metres (3 months)	each	Taxable	264.00	272.00	8.00	3.00%	Non-Statutory Fee
Permit Caravan/Motorhome Storage/Occupation	each	Non - Taxable	200.00	206.00	6.00	3.00%	Non-Statutory Fee
Permit Charity bins	each	Non - Taxable	88.00	90.00	2.00	2.00%	Non-Statutory Fee
Permit Community Temporary Advertising Signage	each	Non - Taxable	24.00	25.00	1.00	4.00%	Non-Statutory Fee
Provide print copies of any local laws	each	Non - Taxable	21.00	22.00	1.00	5.00%	Non-Statutory Fee
Recreational Vehicles	each	Non - Taxable	460.00	474.00	14.00	3.00%	Non-Statutory Fee
Compliance Services - Animal Control							
Animal Register inspection fees	each	Non - Taxable	46.00	47.00	1.00	2.00%	Non-Statutory Fee
Bonds/deposits on cat traps and anti-bark device hire"	each	Non - Taxable	170.00	175.00	5.00	3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Dog registration	each	Non - Taxable	185.00	190.00	5.00	3.00%	Non-Statutory Fee
Dog registration - Member Canine Assoc (unsterilized)	each	Non - Taxable	61.00	65.35	4.35	7.00%	Non-Statutory Fee
Dog registration of Dangerous / Restricted / Menacing Breed	each	Non - Taxable	380.00	390.00	10.00	3.00%	Non-Statutory Fee
Domestic animal businesses	each	Taxable	608.00	626.00	18.00	3.00%	Non-Statutory Fee
Permit - Animals - Excess numbers permit	each	Non - Taxable	97.00	100.00	3.00	3.00%	Non-Statutory Fee
Permit - Animals – application to Fence off nature strip for grazing	each	Non - Taxable	200.00	206.00	6.00	3.00%	Non-Statutory Fee
Permit - Animals – application to graze on nature strips	each	Non - Taxable	200.00	206.00	6.00	3.00%	Non-Statutory Fee
Reduced registration fee Cat - (microchipped, sterilised, 10 years of age plus)	each	Non - Taxable	61.00	65.35	4.35	7.00%	Non-Statutory Fee
Reduced registration fee sterilised Cat - Pensioner	each	Non - Taxable	28.00	29.00	1.00	4.00%	Non-Statutory Fee
Reduced registration fee Dog - (microchipped, sterilised, 10 years of age plus, working dog)	each	Non - Taxable	61.00	65.36	4.36	7.00%	Non-Statutory Fee
Reduced registration fee Sterilised Dog - Pensioner	each	Non - Taxable	28.00	29.00	1.00	4.00%	Non-Statutory Fee
Reduced registration fee unsterilised Dog - Pensioner	each	Non - Taxable	88.00	90.00	2.00	2.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Surrender of animal	each	Taxable	160.00	165.00	5.00	3.00%	Non-Statutory Fee
Compliance Services - Asset Protection							
Asset protection Fee - Commercial	each	Non - Taxable	0.00	711.00	711.00	100.00%	Non-Statutory Fee
Asset protection - admin fee	each	Taxable	100.00	103.00	3.00	3.00%	Non-Statutory Fee
Asset protection blanket bond	each	Non - Taxable	13,000.00	14,000.00	1,000.00	8.00%	Non-Statutory Fee
Asset protection bond - commercial	each	Non - Taxable	0.00	5,150.00	5,150.00	100.00%	Non-Statutory Fee
Asset protection bond - large multi lot dwelling (6-20)	each	Non - Taxable	12,000.00	12,360.00	360.00	3.00%	Non-Statutory Fee
Asset protection bond - multi lot dwelling (up to 5)	each	Non - Taxable	5,000.00	5,150.00	150.00	3.00%	Non-Statutory Fee
Asset protection bond - single lot dwelling	each	Non - Taxable	2,000.00	2,060.00	60.00	3.00%	Non-Statutory Fee
Asset protection fee - large multi dwelling (6-20)	each	Non - Taxable	2,260.00	2,328.00	68.00	3.00%	Non-Statutory Fee
Asset protection fee - multi lot dwelling (up to 5)	each	Non - Taxable	690.00	710.00	20.00	3.00%	Non-Statutory Fee
Asset protection fee - single lot dwelling	each	Non - Taxable	377.00	388.00	11.00	3.00%	Non-Statutory Fee
Development - Infrastructure Services - Development							

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Drainage plan checking fees - 1 to 2 houses	each	Taxable	166.10	171.10	5.00	3.00%	Non-Statutory Fee
Drainage plan checking fees - 11-plus houses	each	Taxable	555.30	571.95	16.65	3.00%	Non-Statutory Fee
Drainage plan checking fees - 3 to 10 houses	each	Taxable	333.30	343.30	10.00	3.00%	Non-Statutory Fee
Drainage plan checking fees - Industrial/Commercial	each	Taxable	443.50	456.80	13.30	3.00%	Non-Statutory Fee
Drainage/stormwater inspection	each	Taxable	166.10	171.10	5.00	3.00%	Non-Statutory Fee
Development - Landscape Development							
Landscape design checking fee @0.75%	0.75% of cost of work	Taxable	0.00	0.00	0.00	0.00%	Non-Statutory Fee
Landscape plan checking, 1 - 2 houses	each	Taxable	155.00	159.65	4.65	3.00%	Non-Statutory Fee
Landscape plan checking, 11 or more houses	each	Taxable	518.00	533.54	15.54	3.00%	Non-Statutory Fee
Landscape plan checking, 3 - 10 houses	each	Taxable	311.00	320.35	9.35	3.00%	Non-Statutory Fee
Landscape plan checking, Industrial/Commercial	each	Taxable	414.00	426.40	12.40	3.00%	Non-Statutory Fee
Supervision of landscape works @2.5% of cost of work	2.5% of cost of work	Taxable	0.00	0.00	0.00	0.00%	Non-Statutory Fee
Development - Infrastructure Services - Engineering Services							

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Street Occupation (Hoarding) Permit - 101m2 - 500m2 - Per month	each	Non - Taxable	831.60	873.20	41.60	5.00%	Non-Statutory Fee
Street Occupation (Hoarding) Permit - Less than 100m2 - Per month	each	Non - Taxable	555.30	583.05	27.75	5.00%	Non-Statutory Fee
Street Occupation (Hoarding) Permit - Over 500m2 - Per month	each	Non - Taxable	1,109.00	1,164.45	55.45	5.00%	Non-Statutory Fee
Early Years - Standard quarterly rate - no discount							
Additional exclusive storage	each	Taxable	0.00	50.00	50.00	100.00%	Non-Statutory Fee
Early Years - Community discount 40% off - Off peak hourly rate							
EY group at Level two rate	per hour	Taxable	0.00	10.80	10.80	100.00%	Non-Statutory Fee
Level five hireable space	per hour	Taxable	0.00	34.80	34.80	100.00%	Non-Statutory Fee
Level four hireable space	per hour	Taxable	0.00	26.40	26.40	100.00%	Non-Statutory Fee
Level one hireable space	per hour	Taxable	0.00	8.10	8.10	100.00%	Non-Statutory Fee
Level six hireable space	per hour	Taxable	0.00	45.00	45.00	100.00%	Non-Statutory Fee
Level three hireable space	per hour	Taxable	0.00	16.20	16.20	100.00%	Non-Statutory Fee
Level two hireable space	per hour	Taxable	0.00	10.80	10.80	100.00%	Non-Statutory Fee

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					Fee Increase/(Decrease)		
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Early Years - Standard - Off peak hourly rate							
Level five hireable space	per hour	Taxable	0.00	58.00	58.00	100.00%	Non-Statutory Fee
Level four hireable space	per hour	Taxable	0.00	44.00	44.00	100.00%	Non-Statutory Fee
Level one hireable space	per hour	Taxable	0.00	13.50	13.50	100.00%	Non-Statutory Fee
Level six hireable space	per hour	Taxable	0.00	75.00	75.00	100.00%	Non-Statutory Fee
Level three hireable space	per hour	Taxable	0.00	27.00	27.00	100.00%	Non-Statutory Fee
Level two hireable space	per hour	Taxable	0.00	18.00	18.00	100.00%	Non-Statutory Fee
Early Years - Standard hourly rate							
desk - shared office	each	Taxable	0.00	12.90	12.90	100.00%	Non-Statutory Fee
Emergency Management - Regulatory Services -Fire Prevention							
Fire Prevention Works - Administration Fee	each	Taxable	25.90	26.70	0.80	3.00%	Non-Statutory Fee
Environmental & Public Health - Food Act							
Class 1 Registration – New	each	Non - Taxable	1,076.40	1,470.00	393.60	37.00%	Non-Statutory Fee
Class 1 Registration – Renewal	each	Non - Taxable	720.40	764.00	43.60	6.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Class 2 Registration – Mobile - New	each	Non - Taxable	0.00	800.00	800.00	100.00%	Non-Statutory Fee
Class 2 Registration – Mobile - Renewal	each	Non - Taxable	410.90	425.00	14.10	3.00%	Non-Statutory Fee
Class 2 Registration – New	each	Non - Taxable	986.40	1,167.00	180.60	18.00%	Non-Statutory Fee
Class 2 Registration – Renewal	each	Non - Taxable	660.30	690.00	29.70	4.00%	Non-Statutory Fee
Class 2 Registration – Supermarket, large convenience, fast food or manufacture - New	each	Non - Taxable	1,392.10	1,453.00	60.90	4.00%	Non-Statutory Fee
Class 2 Registration – Supermarket, large convenience, fast food or manufacture – Renewal	each	Non - Taxable	931.50	965.00	33.50	4.00%	Non-Statutory Fee
Class 3 - Minor Community Group (Food served 1 day a week)	each	Non - Taxable	150.10	160.00	9.90	7.00%	Non-Statutory Fee
Class 3 - low risk home based business	each	Non - Taxable	234.90	245.00	10.10	4.00%	Non-Statutory Fee
Class 3 Registration – Mobile - New	each	Non - Taxable	0.00	400.00	400.00	100.00%	Non-Statutory Fee
Class 3 Registration – Mobile - Renewal	each	Non - Taxable	234.90	245.00	10.10	4.00%	Non-Statutory Fee
Class 3 Registration – New	each	Non - Taxable	569.30	590.00	20.70	4.00%	Non-Statutory Fee
Class 3 Registration – Renewal	each	Non - Taxable	380.90	400.00	19.10	5.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Class 3A Registration - New	each	Non - Taxable	0.00	716.00	716.00	100.00%	Non-Statutory Fee
Class 3A Registration - Renewal	each	Non - Taxable	0.00	392.00	392.00	100.00%	Non-Statutory Fee
Failed sample result – 2nd and subsequent sampling	each	Non - Taxable	240.10	247.00	6.90	3.00%	Non-Statutory Fee
Fee for inspections pursuant to s. 19UA (per hour, all classes)	each	Non - Taxable	132.50	150.00	17.50	13.00%	Non-Statutory Fee
Food Vending Machine Registration (Class 2 & 3) – New & Renewal	each	Non - Taxable	352.90	175.00	(177.90)	-50.00%	Non-Statutory Fee
One-off Trading Fee - Food	each	Non - Taxable	0.00	100.00	100.00	100.00%	Non-Statutory Fee
Professional services audits conducted at request of business (per hour) or one-off noncompliance	each	Non - Taxable	132.50	150.00	17.50	13.00%	Non-Statutory Fee
Refund Processing fee (All premises) associated with change in business circumstances	each	Non - Taxable	0.00	40.00	40.00	100.00%	Non-Statutory Fee
Registration of Temporary component against Fixed food premises	each	Non - Taxable	160.40	165.00	4.60	3.00%	Non-Statutory Fee
School canteen - Not for Profit, registered prior to 30 June 2023)	each	Non - Taxable	150.10	160.00	9.90	7.00%	Non-Statutory Fee
Temporary Food Premises Registration (Class 2 & 3) – New	each	Non - Taxable	192.50	206.00	13.50	7.00%	Non-Statutory Fee
Temporary Food Premises Registration (Class 2 & 3) – Renewal	each	Non - Taxable	96.30	113.00	16.70	17.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Environmental & Public Health - Health Act							
One-off Trading Fee - PHWA	each	Non - Taxable	0.00	200.00	200.00	100.00%	Non-Statutory Fee
Registration - Renewal Category 1 Aquatic facility	each	Non - Taxable	385.00	309.00	(76.00)	-20.00%	Non-Statutory Fee
Registration - each additional pool or spa on the premises	each	Non - Taxable	150.10	153.00	2.90	2.00%	Non-Statutory Fee
Registration – New Application Category 1 Aquatic facility	each	Non - Taxable	579.60	412.00	(167.60)	-29.00%	Non-Statutory Fee
Registration – New High-Risk Premises	each	Non - Taxable	481.30	493.00	11.70	2.00%	Non-Statutory Fee
Registration – New Med Risk Premises	each	Non - Taxable	374.70	440.00	65.30	17.00%	Non-Statutory Fee
Registration – Ongoing registration of low-risk premises	each	Non - Taxable	426.40	440.00	13.60	3.00%	Non-Statutory Fee
Registration – Renewal High Risk Premises	each	Non - Taxable	320.90	333.00	12.10	4.00%	Non-Statutory Fee
Registration – Renewal Med Risk Premises	each	Non - Taxable	267.00	304.00	37.00	14.00%	Non-Statutory Fee
Registration/Renewal of Prescribed Accommodation (11-20 Persons)	each	Non - Taxable	447.10	584.00	136.90	31.00%	Non-Statutory Fee
Registration/Renewal of Prescribed Accommodation (21-30 Persons)	each	Non - Taxable	535.10	827.00	291.90	55.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Registration/Renewal of Prescribed Accommodation (31-40 Persons)	each	Non - Taxable	749.30	1,103.00	353.70	47.00%	Non-Statutory Fee
Registration/Renewal of Prescribed Accommodation (4-10 Persons)	each	Non - Taxable	368.50	425.00	56.50	15.00%	Non-Statutory Fee
Registration/Renewal of Prescribed Accommodation (>40 Persons)	each	Non - Taxable	964.00	1,458.00	494.00	51.00%	Non-Statutory Fee
Transfer of Health, Rooming House or Aquatic Facility registration (excluding one-off Hairdressers)	each	Non - Taxable	337.40	345.00	7.60	2.00%	Non-Statutory Fee
Environmental & Public Health - Domestic Wastewater							
Wastewater written advice	each	Non - Taxable	85.90	132.00	46.10	54.00%	Non-Statutory Fee
Governance - Community Liability Insurance							
Community Liability Insurance - for groups/individuals using Council facilities	each	Taxable	29.00	50.00	21.00	72.00%	Non-Statutory Fee
Parks Planning - Active Communities -CCC -Amphitheatre							
3 Phase power - provision thereof	each	Taxable	231.80	238.75	6.95	3.00%	Non-Statutory Fee
Parks Planning - Emerald Lake Park Administration							
Amphitheatre Hire - Bunurong	each	Taxable	165.60	170.00	4.40	3.00%	Non-Statutory Fee
Amphitheatre Hire - Carl Stemp	each	Taxable	165.60	170.00	4.40	3.00%	Non-Statutory Fee
Amphitheatre Hire - Gus Ryberg	each	Taxable	354.00	364.00	10.00	3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Amphitheatre Hire - Gus Ryberg - Events	each	Taxable	326.00	336.00	10.00	3.00%	Non-Statutory Fee
Amphitheatre Hire - Gus Ryberg - Weddings	each	Taxable	569.30	586.00	16.70	3.00%	Non-Statutory Fee
Amphitheatre hire	each	Taxable	276.90	285.00	8.10	3.00%	Non-Statutory Fee
Shelter Hire - Band Stand	each	Taxable	165.60	170.00	4.40	3.00%	Non-Statutory Fee
Shelter Hire - Bandstand - Events	each	Taxable	326.00	335.00	9.00	3.00%	Non-Statutory Fee
Shelter Hire - Boatshed	each	Taxable	165.60	170.00	4.40	3.00%	Non-Statutory Fee
Shelter Hire - Lakeside	each	Taxable	165.60	170.00	4.40	3.00%	Non-Statutory Fee
Shelter Hire - Poolside	each	Taxable	165.60	170.00	4.40	3.00%	Non-Statutory Fee
Weddings - Nobelius	each	Taxable	569.30	586.00	16.70	3.00%	Non-Statutory Fee
Parks Planning - Personal trainers on all Passive and Active Reserves							
Annual (must be renewed by 30 June each year) - 6-10 sessions	each	Taxable	609.61	628.00	18.39	3.00%	Non-Statutory Fee
Annual (must be renewed by 30 June each year) - Up to 5 sessions	each	Taxable	388.13	400.00	11.87	3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Passive Reserve Food Truck Permits - Level 2 site	each	Taxable	0.00	2,889.00	2,889.00	100.00%	Non-Statutory Fee
Summer Oct 1 to Mar 31 - 6-10 sessions	each	Taxable	388.13	400.00	11.87	3.00%	Non-Statutory Fee
Summer Oct 1 to Mar 31 - Up to 5 sessions	each	Taxable	277.90	286.00	8.10	3.00%	Non-Statutory Fee
Winter Apr 1 to Sep 30 - 6-10 sessions	each	Taxable	277.90	286.00	8.10	3.00%	Non-Statutory Fee
Winter Apr 1 to Sep 30 - Up to 5 sessions	each	Taxable	166.12	171.00	4.88	3.00%	Non-Statutory Fee
Parks Planning - Emerald Lake Park Parking Meters							
Annual Car Parking - Non-Cardinia Residents	each	Taxable	41.40	43.00	1.60	4.00%	Non-Statutory Fee
Parking - 2 hour	per hour	Taxable	2.10	3.00	0.90	43.00%	Non-Statutory Fee
Parking - all day	each	Taxable	8.30	9.00	0.70	8.00%	Non-Statutory Fee
Parks Planning - Active Communities - Food truck permits in high demand parks							
Passive Park Food Truck Permits - Level 1 site	quarterly	Non - Taxable	900.00	3,853.00	2,953.00	328.00%	Non-Statutory Fee
Parks Planning - Active communities - Passive reserve commercial photographer (If a fee is charged by operator)							
Passive Reserve - Commercial Photography per hour	each	Non - Taxable	0.00	22.00	22.00	100.00%	Non-Statutory Fee
Parks Planning - Active communities - Passive reserve market hire							

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Passive Reserve - market and event hire	per hour	Taxable	0.00	586.38	586.38	100.00%	Non-Statutory Fee
Parks Planning - Active communities - Park shelter hire							
Shelter Hire - Park facility hire	each	Taxable	165.00	170.00	5.00	3.00%	Non-Statutory Fee
Planning & Design - Statutory Planning							
Additional sign	each	Non - Taxable	71.00	74.00	3.00	4.00%	Non-Statutory Fee
Advertising Fee (11 to 20 notices)	each	Non - Taxable	275.00	283.25	8.25	3.00%	Non-Statutory Fee
Advertising Fee (over 21 notices)	each	Non - Taxable	340.00	350.20	10.20	3.00%	Non-Statutory Fee
Advertising Fee (up to 10 notices)	each	Non - Taxable	146.00	150.38	4.38	3.00%	Non-Statutory Fee
Endorsement of plans - resubmission fee	each	Taxable	223.00	229.69	6.69	3.00%	Non-Statutory Fee
Extension of time (second or subsequent request)	each	Taxable	550.00	577.50	27.50	5.00%	Non-Statutory Fee
Extension of time to planning permit (first request)	each	Non - Taxable	400.00	420.00	20.00	5.00%	Non-Statutory Fee
Newspaper Advertising Admin	each	Non - Taxable	207.00	213.62	6.62	3.00%	Non-Statutory Fee
Planning Enquiries	each	Non - Taxable	285.00	293.55	8.55	3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Pre-Application Advice (Advanced)	each	Non - Taxable	600.00	630.00	30.00	5.00%	Non-Statutory Fee
Pre-Application Advice (Intermediate)	each	Non - Taxable	315.00	324.45	9.45	3.00%	Non-Statutory Fee
Provide a copy of an endorsed plan	each	Non - Taxable	219.00	225.57	6.57	3.00%	Non-Statutory Fee
Public Open Space Re-Valuation	each	Taxable	0.00	715.00	715.00	100.00%	Non-Statutory Fee
Reinspection Fee	each	Taxable	385.00	396.55	11.55	3.00%	Non-Statutory Fee
Secondary Consent	each	Non - Taxable	720.00	741.60	21.60	3.00%	Non-Statutory Fee
Secondary Consent (VicSmart)	each	Non - Taxable	260.00	267.80	7.80	3.00%	Non-Statutory Fee
Section 173 Agreement Administration	each	Taxable	385.00	396.55	11.55	3.00%	Non-Statutory Fee
Sign (one)	each	Taxable	302.00	312.36	10.36	3.00%	Non-Statutory Fee
Planning & Design - Growth Area Planning & Subdivisions							
Extension of time (second or subsequent request)	each	Taxable	550.00	577.50	27.50	5.00%	Non-Statutory Fee
Extension of time to planning permit (first request)	each	Non - Taxable	400.00	420.00	20.00	5.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Planning Enquiries	each	Non - Taxable	285.00	293.55	8.55	3.00%	Non-Statutory Fee
Pre-Application Advice (Advanced)	each	Non - Taxable	600.00	630.00	30.00	5.00%	Non-Statutory Fee
Pre-Application Advice (Intermediate)	each	Non - Taxable	315.00	324.45	9.45	3.00%	Non-Statutory Fee
Section 173 Agreement Administration	each	Taxable	385.00	396.55	11.55	3.00%	Non-Statutory Fee
Planning & Design - Strategic Planning							
Extension of time (second or subsequent request)	each	Taxable	550.00	577.50	27.50	5.00%	Non-Statutory Fee
Extension of time to planning permit (first request)	each	Non - Taxable	400.00	420.00	20.00	5.00%	Non-Statutory Fee
Planning Enquiries	each	Non - Taxable	285.00	293.55	8.55	3.00%	Non-Statutory Fee
Pre-Application Advice (Advanced)	each	Non - Taxable	600.00	630.00	30.00	5.00%	Non-Statutory Fee
Pre-Application Advice (Intermediate)	each	Non - Taxable	315.00	324.45	9.45	3.00%	Non-Statutory Fee
Section 173 Agreement Administration	each	Taxable	385.00	396.55	11.55	3.00%	Non-Statutory Fee
Property Services - Property fee							
Agreement/Variation Preparation Fee	each	Taxable	170.80	175.92	5.12	3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Minimum Annual Community Lease Fee	per annum	Non - Taxable	460.00	473.80	13.80	3.00%	Non-Statutory Fee
Municipal or Government Road Closure or Discontinuance	each	Non - Taxable	5,791.90	5,965.66	173.76	3.00%	Non-Statutory Fee
Road Discontinuance Application Fee	each	Taxable	569.25	583.48	14.23	2.00%	Non-Statutory Fee
Telecommunications application fee	each	Non - Taxable	4,000.00	4,120.00	120.00	3.00%	Non-Statutory Fee
Standard Agistment Fees at minimum \$500, fee will be dependent on valuation	Based on valuation	Taxable	0.00	550.00	550.00	100.00%	Non-Statutory Fee
Standard Road Lease/License Fee	each	Taxable	0.00	275.00	275.00	100.00%	Non-Statutory Fee
Medium Road Lease/License Fee	each	Taxable	0.00	550.00	550.00	100.00%	Non-Statutory Fee
Large Area Road Lease/License Fee	each	Taxable	0.00	1,100.00	1,100.00	100.00%	Non-Statutory Fee
Rating Services - Finance							
Complex financial reconciliation	each	Non - Taxable	62.10	63.65	1.55	2.00%	Non-Statutory Fee
Copy of Rates Notice/Rates Search	each	Non - Taxable	13.45	23.00	9.55	71.00%	Non-Statutory Fee
Sale of supplementary valuations to Water Authorities	each	Non - Taxable	18.10	23.19	5.09	28.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Standard financial reconciliation	each	Non - Taxable	31.05	31.83	0.78	3.00%	Non-Statutory Fee
Urgent Land information certificates - within 1 day	each	Non - Taxable	0.00	80.00	80.00	100.00%	Non-Statutory Fee
Urgent Request - Standard financial reconciliation	each	Non - Taxable	0.00	42.00	42.00	100.00%	Non-Statutory Fee
Unsealed Roads - Dust Control							
Voluntary Dust Suppression Scheme-per 100m of unsealed road	each	Non - Taxable	414.00	600.00	186.00	45.00%	Non-Statutory Fee
Waste Management - Garbage/Recycling collection							
1st Commercial Garbage service (120 litre bin only)	each	Taxable	344.30	349.03	4.73	1.00%	Non-Statutory Fee
1st Commercial Recycling service (240 litre bin only)	each	Taxable	154.00	174.46	20.46	13.00%	Non-Statutory Fee
Additional Bundled Branch option - Green and Hard Waste service (being trailed)	each	Non - Taxable	75.00	90.09	15.09	20.00%	Non-Statutory Fee
Additional Commercial Garbage Bin	each	Taxable	325.40	366.85	41.45	13.00%	Non-Statutory Fee
Additional Commercial Recycling Bin	each	Taxable	159.85	179.85	20.00	13.00%	Non-Statutory Fee
Additional Residential Garbage Bin (120 litre bin only)	each	Non - Taxable	243.90	250.00	6.10	3.00%	Non-Statutory Fee
Additional Residential Recycling Service	each	Non - Taxable	96.00	98.40	2.40	3.00%	Non-Statutory Fee

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Fee Increase/(Decrease)							
Description of Fees and Charges	Unit of Measure	GST Status	2025/26 Fee Inc GST	2026/27 Fee Inc GST	\$	%	Basis of Fee
Commercial Green Waste Service 240L	each	Non - Taxable	162.30	166.35	4.05	2.00%	Non-Statutory Fee
Community Event Bin Service	each	Taxable	79.90	90.09	10.19	13.00%	Non-Statutory Fee
Green Waste Service 120L	each	Non - Taxable	109.45	108.70	(0.75)	-1.00%	Non-Statutory Fee
Green Waste Service 240L	each	Non - Taxable	139.45	138.70	(0.75)	-1.00%	Non-Statutory Fee
Litter and Waste Amenity Charge	each	Non - Taxable	166.10	170.30	4.20	3.00%	Non-Statutory Fee
Residential Garbage (1 x 120L garbage bin and 1 recycling bin)	each	Non - Taxable	384.50	388.60	4.10	1.07%	Non-Statutory Fee
Residential Garbage (1 x 80L garbage bin and 1 recycling bin)	each	Non - Taxable	354.50	358.60	4.10	1.20%	Non-Statutory Fee

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		\$	66,264,707	\$	61,271,616	\$	68,131,698	\$	60,196,592	\$	63,120,447	\$	69,891,889	\$	78,771,483	\$	72,277,194	\$	77,948,244	\$	77,993,955
Name	Scope of Works	Year 1 Budget 2627	Year 2 Budget 2728	Year 3 Budget 2829	Year 4 Budget 2930	Year 5 Budget 3031	Year 6 Budget 3132	Year 7 Budget 3233	Year 8 Budget 3334	Year 9 Budget 3435	Year 10 Budget 3536										
RENEWAL																					
Infrastructure - Bridges		\$	645,000	\$	700,000	\$	700,000	\$	1,400,000	\$	1,400,000	\$	1,900,000	\$	1,900,000	\$	1,900,000	\$	1,900,000	\$	1,900,000
Bridge renewal program	Repairing or replacing aging bridges, enhancing structural integrity, improving safety features, and ensuring durability	\$	645,000	\$	700,000	\$	700,000	\$	1,400,000	\$	1,400,000	\$	1,900,000	\$	1,900,000	\$	1,900,000	\$	1,900,000	\$	1,900,000
Infrastructure - Drainage		\$	790,000	\$	850,000	\$	950,000	\$	1,050,000	\$	1,050,000	\$	1,050,000	\$	1,050,000	\$	1,050,000	\$	1,050,000	\$	1,050,000
Drainage renewal and upgrade program	Assessing, repairing, and improving existing drainage systems to enhance capacity, reduce flooding, ensure efficient water flow, and maintain the long-term integrity of surrounding infrastructure	\$	290,000	\$	550,000	\$	550,000	\$	650,000	\$	650,000	\$	650,000	\$	650,000	\$	650,000	\$	650,000	\$	650,000
WSUD Assets renewal program	Upgrading WSUD infrastructure, including bio-retention basins, swales, and rain gardens, to improve stormwater management, water quality, and environmental sustainability	\$	500,000	\$	300,000	\$	400,000	\$	400,000	\$	400,000	\$	400,000	\$	400,000	\$	400,000	\$	400,000	\$	400,000
Infrastructure - Footpaths and cycleways		\$	1,102,000	\$	1,828,700	\$	2,010,400	\$	2,212,800	\$	2,429,200	\$	2,601,800	\$	2,818,500	\$	3,022,800	\$	3,234,300	\$	3,234,300
Sealed Pathway renewal program	Addressing defects, cracks and displacements in pathways and renewing asphalt	\$	1,000,000	\$	1,726,700	\$	1,908,400	\$	2,110,800	\$	2,327,200	\$	2,499,800	\$	2,716,500	\$	2,920,800	\$	3,132,300	\$	3,132,300
Gravel Pathway resheeting program	Grading, resheeting and compacting gravel pathways	\$	102,000	\$	102,000	\$	102,000	\$	102,000	\$	102,000	\$	102,000	\$	102,000	\$	102,000	\$	102,000	\$	102,000
Infrastructure - Parks, open spaces and streetscapes		\$	705,000	\$	1,610,000	\$	1,893,400	\$	2,447,400	\$	1,176,152	\$	1,095,286	\$	1,207,056	\$	1,163,000	\$	1,212,289	\$	1,147,289
BMX Facility asset renewal	Renewing or upgrading existing BMX facilities and infrastructure, including resurfacing, upgrading obstacles, enhancing safety features, and improving accessibility	\$	-	\$	-	\$	-	\$	-	\$	300,000	\$	300,000	\$	-	\$	300,000	\$	-	\$	-
Emerald Lake Park		\$	300,000	\$	1,010,000	\$	910,000	\$	1,574,000												
Exercise equipment renewal program	Renewing or upgrading exercise equipment in public parks	\$	-	\$	-	\$	114,400	\$	102,000	\$	98,752	\$	45,286	\$	92,056	\$	113,000	\$	97,289	\$	97,289

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		\$	66,264,707	\$	61,271,616	\$	68,131,698	\$	60,196,592	\$	63,120,447	\$	69,891,889	\$	78,771,483	\$	72,277,194	\$	77,948,244	\$	77,993,955
Name	Scope of Works	Year 1 Budget 2627	Year 2 Budget 2728	Year 3 Budget 2829	Year 4 Budget 2930	Year 5 Budget 3031	Year 6 Budget 3132	Year 7 Budget 3233	Year 8 Budget 3334	Year 9 Budget 3435	Year 10 Budget 3536										
Basketball halfcourt renewal	Renewing or upgrading existing basketball courts, including resurfacing, enhancing markings, improving lighting, and ensuring safety features	\$	65,000	\$	65,000	\$	65,000	\$	65,000	\$	65,000										
Playspace and supporting infra renewal	Revitalising or upgrading outdoor playspaces, including upgrading equipment, improving landscaping, incorporating inclusive features, and fostering community involvement to create vibrant play environments	\$	340,000	\$	600,000	\$	754,000	\$	421,400	\$	662,400	\$	700,000	\$	700,000	\$	700,000	\$	700,000	\$	700,000
Skatepark asset renewal		\$	-	\$	-	\$	50,000	\$	350,000	\$	50,000	\$	350,000	\$	50,000	\$	350,000	\$	50,000	\$	350,000
Infrastructure - Sport and recreation		\$	2,735,000	\$	2,180,000	\$	3,365,000	\$	1,280,000	\$	1,960,000	\$	4,280,000	\$	4,190,000	\$	4,255,000	\$	4,235,000	\$	2,280,000
Cricket Practice Net renewal program	Renewing or upgrading existing cricket nets by resurfacing, enhancing netting, improving drainage, and ensuring safety	\$	-	\$	-	\$	275,000	\$	275,000	\$	275,000	\$	275,000	\$	-	\$	-	\$	-	\$	-
Equestrian facilities renewal program	Resurfacing arenas, replacement of fencing, furniture, and improving drainage; ensuring safer, more durable grounds for equestrian activities, events, and community use	\$	130,000	\$	-	\$	130,000	\$	-	\$	130,000	\$	-	\$	130,000	\$	-	\$	130,000	\$	-
Netball/Tennis Court Resurfacing program	Renovating and upgrading existing netball and tennis court surfaces to improve playability, safety and durability	\$	1,000,000	\$	1,050,000	\$	1,150,000	\$	150,000	\$	950,000	\$	1,950,000	\$	1,900,000	\$	1,050,000	\$	2,250,000	\$	100,000
Rec Reserve lighting and power renewal	Enhancing outdoor sportfield facilities by installing energy-efficient lighting, improving power supply systems, and ensuring safety and accessibility, fostering a better environment for community sports and events	\$	1,175,000	\$	50,000	\$	700,000	\$	300,000	\$	400,000	\$	350,000	\$	350,000	\$	400,000	\$	350,000	\$	600,000

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Name	Scope of Works	Year 1 Budget 2627	Year 2 Budget 2728	Year 3 Budget 2829	Year 4 Budget 2930	Year 5 Budget 3031	Year 6 Budget 3132	Year 7 Budget 3233	Year 8 Budget 3334	Year 9 Budget 3435	Year 10 Budget 3536										
Rec reserve turf resurfacing program	Replacing damaged turf, improving drainage, and enhancing surface quality, ensuring safer, more durable grounds for sports, events, and community activities	\$ 300,000	\$ -	\$ -	\$ 75,000	\$ 75,000	\$ 1,525,000	\$ 1,300,000	\$ 2,675,000	\$ 1,375,000	\$ 1,450,000										
Synthetic sports surfaces renewal program	Synthetic sports surfaces including bowling greens, soccer fields.	\$ -	\$ 50,000	\$ 380,000	\$ -	\$ -	\$ 50,000	\$ 380,000	\$ -	\$ -	\$ -										
Swimming Facilities renewal program	Refurbishing or upgrading outdoor swimming pools, equipment, and infrastructure, improving water quality, safety features, accessibility, and energy efficiency	\$ 130,000	\$ 1,030,000	\$ 730,000	\$ 480,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ 130,000										
Infrastructure - Roads		\$ 5,364,988	\$ 9,772,366	\$ 9,761,566	\$ 10,095,166	\$ 9,867,366	\$ 9,867,366	\$ 9,867,366	\$ 9,867,366	\$ 9,867,366	\$ 9,867,366										
Carpark renewal and improvement program	Resurfacing, improving drainage, upgrading lighting, enhancing safety features, and optimizing layout to create safer, more accessible, and durable off-street car parking facilities	\$ 50,000	\$ 170,000	\$ 170,000	\$ 170,000	\$ 170,000	\$ 170,000	\$ 170,000	\$ 170,000	\$ 170,000	\$ 170,000										
Road Pavement renewal		\$ 1,890,000	\$ 2,547,366	\$ 2,547,366	\$ 2,547,366	\$ 2,547,366	\$ 2,547,366	\$ 2,547,366	\$ 2,547,366	\$ 2,547,366	\$ 2,547,366										
Road Reserve Lighting program	Installing energy-efficient streetlights along road reserves, improving visibility, safety, and security	\$ 75,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000										
Sealed Road Resurfacing program	Refreshing the road surface to prevent water damage and prolong the life of the road	\$ 1,316,300	\$ 4,905,000	\$ 4,894,200	\$ 5,227,800	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000										
Unsealed Road Resheeting program	Restoring the wearing course on unsealed roads, enhancing durability and safety for all users. This project will involve grading, resheeting and compacting the road surface.	\$ 2,033,688	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000										
Plant and equipment		\$ 1,260,000	\$ 3,379,191	\$ 4,162,623	\$ 3,670,000	\$ 3,370,000	\$ 3,370,000	\$ 3,370,000	\$ 3,370,000	\$ 3,670,000	\$ 3,370,000										

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Name	Scope of Works	Year 1 Budget 2627	Year 2 Budget 2728	Year 3 Budget 2829	Year 4 Budget 2930	Year 5 Budget 3031	Year 6 Budget 3132	Year 7 Budget 3233	Year 8 Budget 3334	Year 9 Budget 3435	Year 10 Budget 3536										
IT Strategy	Investing in, upgrading, or expanding technology infrastructure, including hardware, software, and network systems, to enhance operational efficiency, cybersecurity, data management, and overall digital capabilities.	\$	380,000	\$	550,000	\$	550,000	\$	550,000	\$	550,000	\$	550,000	\$	550,000	\$	550,000	\$	550,000	\$	550,000
Furniture and Equipment renewal program	Replacing or upgrading furniture or equipment to maintain functionality, ensure safety, and support efficient operations at Cardinia Shire Council facilities	\$	165,000	\$	220,000	\$	220,000	\$	520,000	\$	220,000	\$	220,000	\$	220,000	\$	220,000	\$	520,000	\$	220,000
HVAC renewal program		\$	350,000	\$	683,191	\$	792,623	\$	-												
Plant Replacement program	Replacing or upgrading aging or inefficient equipment and machinery to improve operational efficiency, reduce downtime, ensure safety, and support long-term sustainability of operations	\$	365,000	\$	1,926,000	\$	2,600,000	\$	2,600,000	\$	2,600,000	\$	2,600,000	\$	2,600,000	\$	2,600,000	\$	2,600,000	\$	2,600,000
Property		\$	5,771,768	\$	6,700,000	\$	5,050,000	\$	4,285,000	\$	5,050,000	\$	4,285,000	\$	5,050,000	\$	4,285,000	\$	5,050,000	\$	4,285,000
Building Minor renewal program Reactive	Addressing unforeseen building issues by providing timely repairs and essential upkeep to buildings and facilities, ensuring safety, functionality, and compliance	\$	1,000,000	\$	550,000	\$	600,000	\$	600,000	\$	600,000	\$	600,000	\$	600,000	\$	600,000	\$	600,000	\$	600,000
Building Minor renewal program Strategic	Delivering minor building projects, including renovations, upgrades, and structural improvements, to enhance functionality, safety, and usability of facilities across various Cardinia Shire Council buildings and facilities	\$	2,941,768	\$	4,700,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000
Lifecycle Painting renewal	Council wide planned painting works to protect building fabric, manage deterioration, and support lifecycle renewal.	\$	100,000	\$	100,000	\$	100,000	\$	100,000	\$	100,000	\$	100,000	\$	100,000	\$	100,000	\$	100,000	\$	100,000
Living Learning Refresh		\$	450,000	\$	450,000	\$	-	\$	-												

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Name	Scope of Works	Year 1 Budget 2627		Year 2 Budget 2728		Year 3 Budget 2829		Year 4 Budget 2930		Year 5 Budget 3031		Year 6 Budget 3132		Year 7 Budget 3233		Year 8 Budget 3334		Year 9 Budget 3435		Year 10 Budget 3536	
Public Building Major renewal		\$	900,000	\$	400,000	\$	850,000	\$	85,000	\$	850,000	\$	85,000	\$	850,000	\$	85,000	\$	850,000	\$	85,000
Public Toilet renewal program	Renewal of internal finishes, fixtures and equipment, renewal of external elements as required i.e. timber replacement, painting etc and plumbing renewal to dilapidated sites	\$	380,000	\$	500,000	\$	500,000	\$	500,000	\$	500,000	\$	500,000	\$	500,000	\$	500,000	\$	500,000	\$	500,000
TOTAL RENEWAL		\$	18,373,756	\$	27,020,257	\$	27,892,989	\$	26,440,366	\$	26,302,718	\$	28,449,452	\$	29,452,922	\$	28,913,166	\$	30,218,955	\$	27,133,955
UPGRADE AND EXPANSION																					
Infrastructure - Roads		\$	18,007,092	\$	8,306,207	\$	8,977,335	\$	9,917,665	\$	5,900,000	\$	8,350,000	\$	21,850,000	\$	21,450,000	\$	21,850,000	\$	21,450,000
Strategic road sealing program	Design and delivery for unsealed strategic link/collector roads as part of the unsealed road improvement plan	\$	621,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000
DCP road projects		\$	-	\$	200,000	\$	4,827,335	\$	6,622,665	\$	1,700,000	\$	4,800,000	\$	17,900,000	\$	17,900,000	\$	17,900,000	\$	17,900,000
Local Area Traffic Improvements program	Enhancing traffic flow and safety through measures such as intersection upgrades, traffic calming, improved signage, and pedestrian facilities	\$	430,000	\$	735,000	\$	750,000	\$	295,000	\$	800,000	\$	550,000	\$	550,000	\$	550,000	\$	550,000	\$	550,000
McGregor-Henty-Rogers Intersection	upgrade of McGregor Rd-Henty St and Rogers St intersection to be fully signalised, including additional lanes, drainage, pedestrian/cyclist facilities.	\$	3,481,207	\$	1,500,000	\$	-	\$	-												
Pakenham Revitalisation	Delivering upgrades across Main Street, John Street, Station Street, Drake Place, Pakenham and the surrounding laneways and arcades	\$	9,867,962	\$	2,871,207	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
Road sealing - special charge schemes		\$	200,000	\$	-	\$	400,000	\$	-	\$	400,000	\$	-	\$	400,000	\$	-	\$	400,000	\$	-
Sealing of the Hills program	Federally-funded program to seal unsealed roads across	\$	3,406,923																		
Plant and equipment		\$	10,100,000	\$	10,100,000	\$	10,100,000	\$	100,000	\$	100,000	\$	100,000	\$	100,000	\$	100,000	\$	100,000	\$	100,000

OFFICIAL

		\$	66,264,707	\$	61,271,616	\$	68,131,698	\$	60,196,592	\$	63,120,447	\$	69,891,889	\$	78,771,483	\$	72,277,194	\$	77,948,244	\$	77,993,955
Name	Scope of Works	Year 1 Budget 2627	Year 2 Budget 2728	Year 3 Budget 2829	Year 4 Budget 2930	Year 5 Budget 3031	Year 6 Budget 3132	Year 7 Budget 3233	Year 8 Budget 3334	Year 9 Budget 3435	Year 10 Budget 3536										
Business improvement program	Improving business systems and digital platforms to enhance operational efficiency and customer experience. In FY24/25, the primary projects are the website transformation and booking/ticketing system replacement.	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	\$ -																
CCC Minor Equipment	Procuring, upgrading, or replacing small-scale equipment for the Cardinia Cultural Centre	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000										
Property		\$ 874,500	\$ 3,319,151	\$ 2,841,374	\$ 1,218,561	\$ 3,201,489	\$ 1,272,437	\$ 1,318,561	\$ 3,794,028	\$ 1,213,049	\$ 5,040,000										
Council facility upgrades	Modernising and expanding existing facilities, including infrastructure enhancement, technology integration or sustainability measures, to improve operational efficiency, safety and capacity	\$ 264,500	\$ 276,000	\$ -	\$ -																
Disability Access upgrade program	Delivering a prioritised program of adjustments and improvements to buildings, facilities, infrastructure, communications, or connections to support an inclusive community where all people have an equal ability to access Cardinia Shire's services.	\$ 240,000	\$ 240,000	\$ 240,000	\$ 240,000	\$ 240,000	\$ 240,000	\$ 240,000	\$ 240,000	\$ 240,000	\$ 240,000										
Electronic Access upgrade program (EAC & MK)	Upgrading CCTV and electronic access to Council facilities to improve security and access	\$ 200,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000										
Energy & Water Strategies program	Implementing energy saving retrofits and solar power for Council buildings and integrated water management plan to delivering water efficiency and alternative water sources upgrades to council facilities	\$ 110,000	\$ 403,151	\$ 351,374	\$ 578,561	\$ 561,489	\$ 482,437	\$ 578,561	\$ 504,028	\$ 423,049	\$ 400,000										

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		\$	66,264,707	\$	61,271,616	\$	68,131,698	\$	60,196,592	\$	63,120,447	\$	69,891,889	\$	78,771,483	\$	72,277,194	\$	77,948,244	\$	77,993,955
Name	Scope of Works	Year 1 Budget 2627	Year 2 Budget 2728	Year 3 Budget 2829	Year 4 Budget 2930	Year 5 Budget 3031	Year 6 Budget 3132	Year 7 Budget 3233	Year 8 Budget 3334	Year 9 Budget 3435	Year 10 Budget 3536										
Universal Design (Incl Rec Pav renewal)	Upgrading facilities to be accessible and reduce barriers that might prevent members of the community from participating in sport and active recreation, particular women, girls and gender diverse people	\$ 60,000	\$ 2,000,000	\$ 1,850,000	\$ -	\$ 2,000,000	\$ 150,000	\$ 100,000	\$ 2,650,000	\$ 150,000	\$ 4,000,000										
TOTAL UPGRADE AND EXPANSION		\$ 28,981,592	\$ 21,725,358	\$ 21,918,709	\$ 11,236,226	\$ 9,201,489	\$ 9,722,437	\$ 23,268,561	\$ 25,344,028	\$ 23,163,049	\$ 26,590,000										
NEW ASSETS																					
Infrastructure - Footpaths and cycleways		\$ 100,000	\$ 531,000	\$ 620,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000										
Footpath network expansion program	Extending pedestrian pathways or constructing new paths, to improve connectivity, accessibility, and safety.	\$ 100,000	\$ 531,000	\$ 620,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000										
Infrastructure - Parks, open spaces and streetscapes		\$ 170,000	\$ 520,000	\$ 100,000	\$ 220,000	\$ 2,250,000	\$ 1,370,000	\$ 1,500,000	\$ 20,000	\$ 100,000	\$ 20,000										
New playspaces and associated infrastructure	New outdoor playspaces and associated infrastructure	\$ 70,000	\$ 500,000	\$ -	\$ 200,000	\$ 2,150,000	\$ 1,350,000	\$ 1,400,000	\$ -	\$ -	\$ -										
Public Art program	Commissioning and installing site-specific, community-driven artworks to enhance cultural vibrancy, foster civic engagement and promote artistic innovation. The FY24/25 project will honour Lang Lang's rodeo history & enhance the town's cultural landscape	\$ 100,000	\$ 20,000	\$ 100,000	\$ 20,000	\$ 100,000	\$ 20,000	\$ 100,000	\$ 20,000	\$ 100,000	\$ 20,000										
Infrastructure - Sport and recreation		\$ 75,000	\$ 475,000	\$ 1,000,000	\$ 5,100,000	\$ 8,166,240	\$ 13,150,000	\$ 7,350,000	\$ 800,000	\$ 7,266,240	\$ 7,050,000										
New sports reserves - DCP		\$ 75,000	\$ 75,000	\$ 600,000	\$ 600,000	\$ 3,766,240	\$ 3,650,000	\$ 4,350,000	\$ 800,000	\$ 7,266,240	\$ 7,000,000										
Plant and equipment		\$ -	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000										
New Plant program	Procuring new light and heavy vehicles, heavy plant, equipment and machinery	\$ -	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000										
Property		\$ 9,871,695	\$ 9,000,000	\$ 16,100,000	\$ 16,100,000	\$ 16,100,000	\$ 16,100,000	\$ 16,100,000	\$ 16,100,000	\$ 16,100,000	\$ 16,100,000										
Cardinia Youth Hub	Construction rephased from FY24/25 - no change to total project budget	\$ 6,900,000																			

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		\$	66,264,707	\$	61,271,616	\$	68,131,698	\$	60,196,592	\$	63,120,447	\$	69,891,889	\$	78,771,483	\$	72,277,194	\$	77,948,244	\$	77,993,955
Name	Scope of Works	Year 1 Budget 2627		Year 2 Budget 2728		Year 3 Budget 2829		Year 4 Budget 2930		Year 5 Budget 3031		Year 6 Budget 3132		Year 7 Budget 3233		Year 8 Budget 3334		Year 9 Budget 3435		Year 10 Budget 3536	
Land Acquisition	Strategically purchasing properties for public use, urban development, community expansion and enhancing local infrastructure and services	\$	2,621,695	\$	5,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000	\$	3,000,000
New community buildings - DCP		\$	350,000	\$	4,000,000	\$	13,100,000	\$	13,100,000	\$	13,100,000	\$	13,100,000	\$	13,100,000	\$	13,100,000	\$	13,100,000	\$	13,100,000
TOTAL NEW ASSETS		\$	10,216,695	\$	10,626,000	\$	17,920,000	\$	22,120,000	\$	27,216,240	\$	31,320,000	\$	25,650,000	\$	17,620,000	\$	24,166,240	\$	23,870,000
NON-CAPITAL INFRASTRUCTURE																					
Non-owned buildings		\$	1,500,000																		
State road projects		\$	6,192,663	\$	1,500,001																
Capital advancement fund		\$	1,000,000	\$	400,000	\$	400,000	\$	400,000	\$	400,000	\$	400,000	\$	400,000	\$	400,000	\$	400,000	\$	400,000
TOTAL NON-CAPITAL INFRASTRUCTURE		\$	8,692,663	\$	1,900,001	\$	400,000	\$	400,000	\$	400,000	\$	400,000	\$	400,000	\$	400,000	\$	400,000	\$	400,000

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7.4.3 CONTRACT AWARD CT000075 - PROACTIVE TREE MAINTENANCE

Responsible GM:	Ana Caicedo
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	1. Thriving Communities 1.5 Safe and accessible places - We plan for, provide and maintain safe, inviting and accessible public spaces and places, to promote pride of place and improve wellbeing. 5. Responsible Leaders 5.3 Long term financial sustainability - We manage Council's resources prudently and efficiently to ensure long-term financial sustainability.

Recommendations

That Council:

- Awards contract approval to award tender RFT000075 in separable portions to the following companies:
 - Zone 1 – award to Lucas and Co Pty Ltd t/a Lucas Tree Services
 - Zone 2 – award to Austree Pty Ltd
 - Zone 3 – award to Lucas and Co Pty Ltd t/a Lucas Tree Services
 - Zone 4 – award to Antler Tree Services Pty Ltd
 - Electric Line Clearance – award to Citywide Service Solutions Pty Ltd
 - Provision of After-Hours Services – award to Lucas and Co Pty Ltd t/a Lucas Tree Services
- Delegates authority to the CEO to execute agreements with the companies listed in recommendation 1., for the Provision of Tree Maintenance Services contract, for the initial 4-year contract, and subject to performance and Council's discretion, up to two additional 2-year extensions.
- Delegates to the CEO the authority to approve up to 10% variation on the total contract value as declared in Recommendation 1.

Executive Summary

This document informs Council of the evaluation process and strategic intent following the tender for the Provision of Tree Maintenance Services. Following the cessation of proactive maintenance in June 2023, the organisation transitioned to a reactive model. This interim shift has led to increased safety risks, heightened liability, and a significant rise in customer service requests as trees exceed safe clearance limits.

The proposed service model re-establishes a proactive, cyclical maintenance program designed to identify and manage hazards before they impact the community. A robust public tender process conducted in late 2025 identified four preferred suppliers capable of delivering these services across four geographic zones. This model requires a four-year investment of \$18.16 million, providing high-cost certainty and a systematic approach to mitigating "maintenance debt."

Implementing this contract ensures alignment with established industry best practices for local government by establishing a comprehensive tree inventory and formal inspection protocols.

The long-term benefits include stabilised maintenance costs, improved community safety, and a higher level of tree retention.

Background

The proactive maintenance of trees involves scheduled inspections and pruning to mitigate risks and ensure the long-term health of the canopy. When maintenance is proactive, hazards such as road and footpath clearance issues or deadwood are identified and managed before they impact the community. Conversely, a purely reactive model relies on reported issues and customer requests, which often leads to increased safety risks and higher long-term costs as trees grow beyond required specifications.

The proactive maintenance of our trees under the previous Open Space maintenance contract ceased in June 2023. Subsequently, routine proactive maintenance was suspended, except for critical electrical line clearances and high-risk sites such as early learning centres. Consequently, the organisation faced increases in customer service requests as the lack of routine pruning allowed trees to exceed safe clearance limits.

During this interim period, a comprehensive review identified that the previous model carried risks. Resulting in the restructuring of the Arboricultural leadership and expanded resources. These improvements ensure that once a new contract is awarded, the team has the resources and capabilities required to manage the program effectively.

Council was briefed in March 2025 regarding the intent of officers to commence writing specifications for a new proactive maintenance tender. During that briefing, the proposed levels of service were discussed and supported. Following those discussions, a formal tender process was undertaken. This report presents a summary of the tender process.

Description of Tender and Process

The proposed service model is designed to perform inspections and maintenance on Council-owned trees in a cyclical manner, with service levels varying based on tree location as detailed in Table 1. To facilitate this, the Shire has been divided into four geographic zones, each containing a mix of service types including urban and rural roadsides, open space, and natural reserves; a map of these Tree Maintenance Zones can be seen in **Attachment 1**.

Table 1 – Service Levels

Tree Location	Inspection and Pruning Frequency	
Urban Parkland and Streetscape trees	2 years	
Rural Road trees (including Fire Access tracks)	2 years	
Natural Reserves	2 years – high use	4 years – low use
Electrical Line Clearance (Declared Areas)	1 year	

The tender specifications require the successful contractor to utilise Council's tree asset management system, where the contractor is required to conduct an inspection and record data for each tree asset or segment during the contract period. Additionally, the tender includes a schedule of rates to manage reactive works and storm damage that fall outside the standard proactive maintenance specifications.

A public tender process was conducted from 1 November 2025 to 9 December 2025, resulting in nine conforming submissions. Given the significant value of this contract, a probity

advisor was appointed to oversee the evaluation process. The complete probity report and detailed evaluation findings are provided in Confidential Attachments 2 and 3.

The Evaluation Panel determined that Lucas and Co Pty Ltd, Austree Pty Ltd, Citywide Services Solutions Pty Ltd, and Antler Tree Services Pty Ltd offer the best value to Council based on the following factors:

- The tenders achieved the highest scores according to the established evaluation criteria.
- The organisations demonstrated the specific experience and technical capability required to deliver the works in accordance with the tender specifications.

Risk Assessment

Due to the absence of proactive inspections, hazardous trees may remain unidentified, exposing the community to risks from falling branches or tree failure. Such incidents can lead to significant property damage, personal injury, or, in the most severe cases, a fatality. By implementing a proactive maintenance contract, officers can identify and rectify these hazards systematically, substantially reducing the level of risk to the public.

A proactive program also strengthens the legal position of the organisation by reducing liability. Through scheduled inspections and the subsequent completion of identified works, Council can demonstrate a robust duty of care. All data will be recorded within the tree asset management system ensuring a comprehensive audit trail, which is invaluable when investigating tree-related claims. Under a reactive model, capturing a full data set for Council managed trees could take up to 10 years.

Policy Implications

The following Council documents are relevant to the Provision of Tree Maintenance Services tender:

- Procurement Policy
- Cardinia Township Street Tree Policy
- Cardinia Electrical Line Clearance Management Plan
- Cardinia Road Management Plan

Financial and Resource Implications

The current budget allocation for reactive tree maintenance is \$2,500,000 for the 2025/2026 financial year, with forecasts indicating the full amount will be spent. Under the proposed proactive model, reactive maintenance costs are projected to decrease to \$1,500,000 for the 2026/2027 period. These costs are expected to reduce further over time as trees across the Shire are systematically assessed and maintained to a higher standard.

Table 2 details the estimated costs for the full service over the next four financial years, incorporating contract costs, a 15% contingency for potential database inaccuracies, and the necessary allocation for reactive works.

Table 2 – Service Cost Estimates

Financial Year	Contract Cost (inc. Contingency)	Dangerous Tree Budget (Reactive Works)	Tree Maintenance Spend (Contract cost & Reactive Works)

2025/2026	N/A	\$2,500,000	N/A
2026/2027	\$3,391,691	\$1,500,000	\$4,891,691
2027/2028	\$3,382,702	\$1,000,000	\$4,382,702
2028/2029	\$3,815,892	\$500,000	\$4,315,892
2029/2030	\$4,072,457	\$500,000	\$4,572,457
Total over four years (2026/2027- 2029/2030)	\$14,662,743	\$3,500,000	\$18,162,743

Reactive works, storm responses, and other tasks outside the core contract will be managed through the contract's schedule of rates. The existing Arboriculture Works Contractors panel (CT-22-001) expires in August 2026. Following the award of the new tender, officers expect to reduce the reliance on this panel and will likely allow the final extension option to lapse.

Climate Emergency Consideration

Proactive tree maintenance is important to identify tree pruning requirements and defects in trees. When identified early, often the tree only requires pruning and not full removal. Therefore, proactive tree maintenance should ensure a higher level of tree retention, which will reduce the impact of the urban heat island effect.

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the *Gender Equality Act 2020*. It was determined that a Gender Impact Assessment (GIA) was not required as the subject matter of this report does not relate to a policy, program or service that has a direct or significant impact on the community.

Confidential Attachments

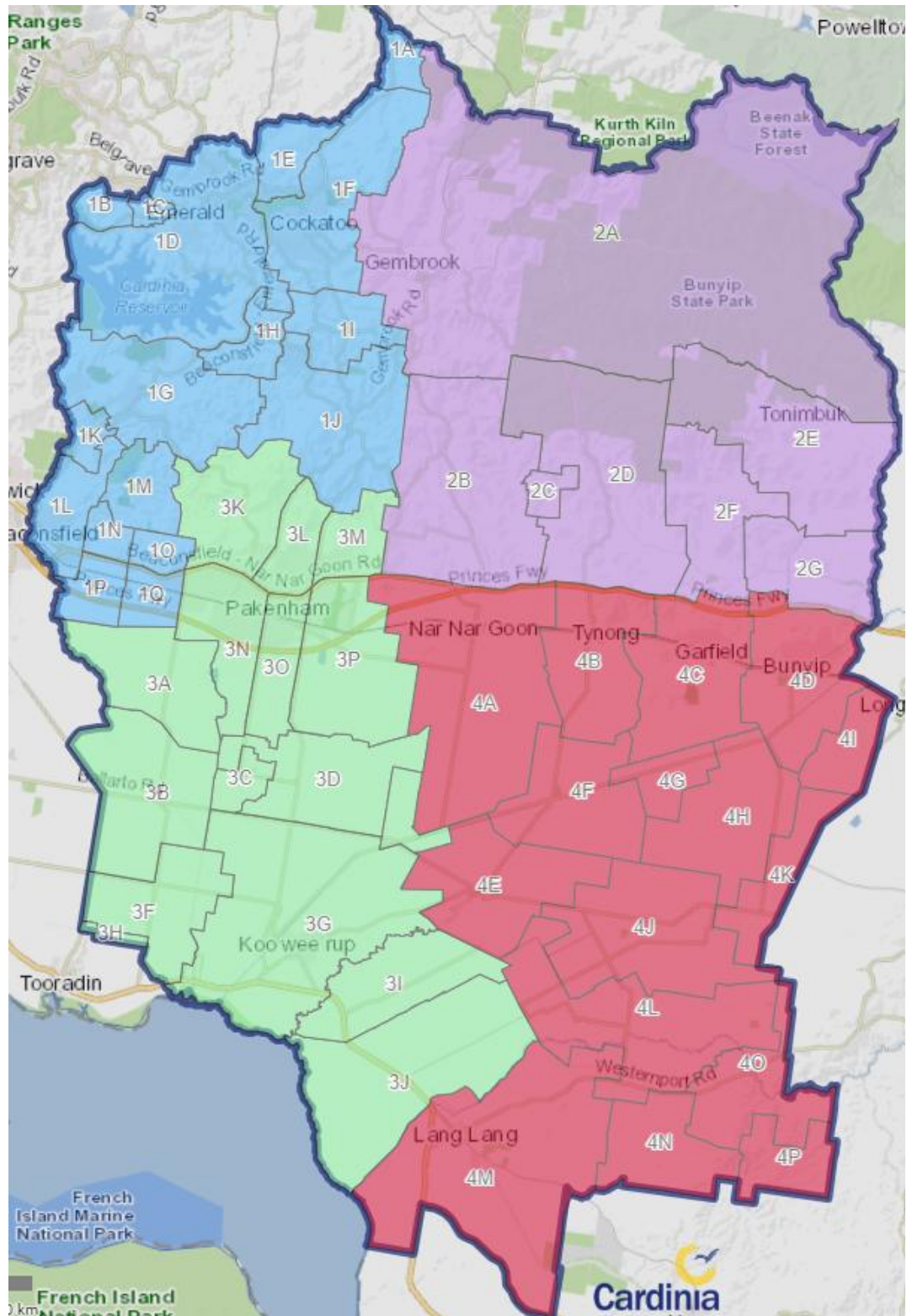
The **Confidential Attachment 2** - Probity adviser report and **Confidential Attachment 3** - Tender Evaluation report are designated confidential information pursuant to the Act, s.3(1)(g) Private commercial information, being information provided by a business, commercial or financial undertaking that—(i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Attachments

1. Attachment 1 - Cardinia Shire Zone Map [7.4.3.1 - 1 page]
2. Confidential Attachment 2 - Probity Advisor Report A Dalton Cardinia Shire Council Tree Maintenance Process [7.4.3.2 - 4 pages]
3. Confidential Attachment 3 - RFT000075 Tree Maintenance - Tender Evaluation Report Not fully signed [7.4.3.3 - 41 pages]

OFFICIAL

Cardinia Shire Map (Zones 1 – 4)



OFFICIAL – This document is a record of a Council action or decision

7.5 Activity Reports

Nil

8 Reports By Councillors

9 Presentation Of Petitions

10 Notices Of Motion

10.1 NOTICE OF MOTION 1130 - CR NICKELL

Motion

I, Cr David Nickell hereby give notice of my intention to move the following motion at the Council Meeting to be held at 6.00pm on Monday 20 April 2026:

That Council:

1. Writes under the Mayors signature to the Hon Lily D'Ambrosio the Victorian Minister for Energy and Resources, Minister for Climate Action, and Minister for the State Electricity Commission and the Hon Sonya Kilkenny the Minister for Planning and Attorney-General of Victoria in reference to the development of large scale Battery Storage Systems (BESS) in Victoria and the need for a strong, transparent State-wide strategic framework to balance energy infrastructure needs with other critical planning considerations including community safety, the protection of valued agricultural and landscape significant land, local amenity, and the need for demonstration of local community benefits.
2. Authorises the Chief Executive Officer to write to Alistair Parker the CEO of Vic Grid, and Chris Miller the CEO of the SEC requesting a briefing to Council in the next six months on:
 - a. the Victorian Transmission Plan;
 - b. the role of VicGrid in planning and setting policy for BESS facilities; and
 - c. what safeguards protect communities from adverse siting and operation of individual BESS proposals.
3. Prepares an Officers report following the briefing by VicGrid, that includes principles for guiding Councils advocacy to government and relevant agencies on the strategic planning framework; and to inform engagement with BESS proponents and the local communities on BESS proposals within Cardinia Shire.

10.2 NOTICE OF MOTION 1131 - CR NICKELL

Motion

I, Cr David Nickell hereby give notice of my intention to move the following motion at the Council Meeting to be held at 6.00pm on Monday 20 April 2026:

That Council writes under the Mayors signature to the Hon Chris Bowen MP Federal Minister for Climate Change and Energy, and to the Hon Lily D'Ambrosio Victorian State Minister for Energy and Resources, Minister for Climate Action, and Minister for the State Electricity Commission seeking urgent action including further legislative reform and financial incentives for landowners/developers to facilitate the installation of solar panels on all new industrial buildings within the Officer-Pakenham State Significant Industrial Precinct (SSIP) and investment in network infrastructure to enable connection to the grid network noting that:

1. The Officer-Pakenham SIPP with an estimated industrial land supply of over 1262 hectares represents an enormous opportunity to generate, store and use clean energy.
2. Includes the CEO's of Vicgrid and SEC in the distribution of the letter to the Ministers, with a view to their organisations' being informed of the State significant greenfield renewable energy design and construction opportunity currently available for a limited window in Cardinia Shire Council.
3. The Officer-Pakenham SIPP is currently under planning and subject to rapid development, and the opportunity may be lost without action now.
4. The National Construction Code (2022) does not mandate solar provisions for industrial buildings. The National Construction Code 2025 introduces a roof top solar PV obligation however also provides an alternate of reduced operational kW output.
5. Connection to the grid is constrained by caps on solar infeed because of aging infrastructure, the need for transformer upgrades, and the existing infrastructure is designed one way not for back feed into industrial estates.

10.3 NOTICE OF MOTION 1132 - CR NICKELL

Motion

I, Cr David Nickell hereby give notice of my intention to move the following motion at the Council Meeting to be held at 6.00pm on Monday 20 April 2026:

That Council writes under the Mayors signature to the Hon Sonya Kilkenny the Minister for Planning and Attorney-General of Victoria seeking formal update on the status and progression of Cardinia Planning Scheme Amendment C278card (Am C278card), which was submitted to the Minister for Planning for approval on 10 January 2025 and has yet to progressed to approval. Amendment C278card introduces a new local ESD policy (Clause 15.01-2L-03) requiring environmentally sustainable design measures for development above a specified threshold and utilises a policy template developed collaboratively with DTP (formerly DELWP) and the Council Alliance for a Sustainable Built Environment (CASBE).

10.4 NOTICE OF MOTION 1133 - CR OWEN

Motion

I, Cr Brett Owen hereby give notice of my intention to move the following motion at the Council Meeting to be held at 6.00pm on Monday 20 April 2026:

That Council:

1. Writes under the Mayors signature to the Hon Sonya Kilkenny the Minister for Planning and Attorney-General of Victoria expressing the Councils concern with the operation of the deemed to comply assessment pathway for approval of residential developments introduced in March 2025 by the State government and more specifically, the inability for Council to consider and address objector concerns in its decision making; and to make decisions that consider character elements and amenity considerations beyond the standards contained in clause 55.
2. Requests that the Minister Commence a review of the deemed to comply assessment pathway provisions for residential development that includes consulting on the operational experiences of the local government sector, industry, and impacted objectors from over the last 12 months, and tests whether the provisions are resulting in good sustainable planning outcomes and processes that meet the expectations of communities.

11 Urgent Business

12 Councillor Questions

13 Mayoral Minute

14. Confidential Business

The *Local Government Act 2020* (the Act), section 66 provides that if a council or delegated committee determines that a meeting is to be closed to the public to consider confidential information, the Council or delegated committee must record in the minutes of the meeting that are available for public inspection:

- a) the ground or grounds for determining to close the meeting to the public by reference to the grounds specified in the definition of ***confidential information*** in section 3(1); and
- b) an explanation of why the specified ground or grounds applied.

The Act defines ***confidential information*** in s.3(1)(a)-(l), and includes information that may prejudice or impact; commercial negotiations, the security of Council, land use planning, law enforcement, legal privilege, personal information, private commercial information, confidential meeting information, internal arbitration, Councillor conduct panel information and information specified under s.77 of the previous *Local Government Act 1989*.

Once confidential information has been considered and decided in a closed session of a Council Meeting, a further resolution to resume open Council is required.

Recommendation

That Council pursuant to section 66(5)(a) and (b) of the *Local Government Act 2020* close the Council Meeting to the public to consider the following confidential information:

1. Agenda Item 14.1 – Land Acquisition is designated confidential on the grounds that it relates to s.3(1)(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

15 Meeting Closure