



Cardinia

MINUTES OF GENERAL COUNCIL MEETING

MONDAY, 20 FEBRUARY 2017

MINUTES OF GENERAL COUNCIL MEETING

held in the Council Chambers, 20 Siding Avenue, Officer
on Monday, 20 February 2017

The meeting commenced at 5,45 pm and was adjourned at 5,50pm and reconvened
at 7.11pm

PRESENT: Mayor, Brett Owen, Chairman

Councillors Jodie Owen, Collin Ross, Graeme Moore, Leticia Wilmot, Carol Ryan, Jeff Springfield, Michael Schilling, Ray Brown

Messrs Garry McQuillan (CEO), Mike Ellis (GMAS), Derek Madden (GMCS), Andrew Paxton (GMPD), Jenny Scicluna (GMCWB), Doug Evans (MG)

OPENING PRAYER

Almighty God we humbly request that you bestow your blessings upon this Council, direct and prosper our deliberations to the advancement of your glory and to the betterment of the peoples of Cardinia Shire. Amen.

ACKNOWLEDGEMENT OF TRADITIONAL LANDOWNERS

The Cardinia Shire Council respectfully acknowledged that we are on the traditional land of the Bunurong and Wurundjeri people.

APOLOGIES:

Nil

AUSTRALIA DAY AWARD RECIPIENTS

OAM RECIPIENTS

The Mayor took the opportunity to acknowledge and congratulate three local residents who received order of Australia medals announced on Australia day.

Matt Lewis' from Pakenham was awarded his medal in recognition of his efforts at the Rio De Janeiro Paralympic games, Matt also assists the Council with disability access and inclusion issues, his enthusiastic and inspirational approach to these issues is a breath of fresh air and is invaluable.

Bernie Dingle from Nar Nar Goon was awarded his medal in recognition of his contribution to military history over an extended period of time in particular in establishing the Light Horse and Field Artillery Museum at his property in Nar Nar Goon

Alex Smart from Beaconsfield was awarded his medal in recognition of his service to conservation and the environment over an extended period of time in particular with the Cranbourne Botanical Gardens. Alex is also heavily involved in Helmeted Honey Eater re-introduction program that is doing great work.

The Mayor also acknowledged and congratulated the recipients of the Council's Australia Day awards being:

Citizen of the year: Wayne Collins
Senior citizen of the year: Michael Allery
Young citizen of the year: Emily Bloxidge, and
Community event of the year: Cardinia Relay for Life

The Mayor advised that Council is blessed by having residents of the caliber of these persons.

CONFIRMATION OF MINUTES OF MEETINGS

Moved Cr G Moore Seconded Cr J Owen

THAT MINUTES OF THE FOLLOWING MEETINGS BE CONFIRMED-

- General Council Meeting 16 January 2017
- Town Planning Committee 6 February 2017

Cd.

DECLARATION OF PECUNIARY AND OTHER INTERESTS

Nil.

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TOWN PLANNING
1 DEVELOPMENT OF A SERVICE STATION, ASSOCIATED ADVERTISING SIGNAGE AND ACCESS TO A ROAD ZONE, CATEGORY 1 AT 34 RACECOURSE ROAD, PAKENHAM

FILE REFERENCE INT179983

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Hugh Pierce

RECOMMENDATION

That Council Support the application for the development of a service station and advertising signage at 32-34 Racecourse Road, Pakenham VIC 3810 subject to the conditions attached to this report.

Attachments

- | | | |
|---|---|-----------|
| 1 | Locality map | 1 Page |
| 2 | Development plans | 3 Pages |
| 3 | Copies of objections circulated to councillors only | 405 Pages |

EXECUTIVE SUMMARY:

APPLICATION NO.: T160197

APPLICANT: ONORC Pty Ltd

LAND: 32-34 Racecourse Road, Pakenham VIC 3810

PROPOSAL: Development of the land for a service station, internally illuminated signage and business identification signage

PLANNING CONTROLS: Clause 33.01 - Industrial 1 Zone
Clause 44.04 - Land Subject to Inundation Overlay

NOTIFICATION & OBJECTIONS: The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by sending notices to adjoining land owners and occupiers and placing two signs on site

A total of 70 objections and 1 letter of support were received

KEY PLANNING CONSIDERATIONS: The buildings and works in an Industrial Zone.
Access to a Road Zone Category 1.
Floodway

RECOMMENDATION: Support

BACKGROUND:

The applicant lodged the planning application on 4 April 2017 and the application was advertised from 28 June 2016 to 14 July 2017.

This application was required to be referred to both Melbourne Water and VicRoads who have both objected to the proposal in relation to the impact on the flow of water across the land and vehicle access to the subject site respectively. As per the requirements of the Cardinia Planning Scheme, Council would have no choice but to refuse the application as a consequence of these objections. In good faith Council provided the applicant the opportunity to resolve these matters, with namely VicRoads at the time, before proceeding to issue a decision.

Although provided the opportunity, in October 2016 the applicant lodged an appeal with the Victorian Civil and Administrative Tribunal (VCAT) under Section 79 of the Planning and Environment Act 1987 in respect of Council's failure to determine the application within the prescribed time. Council cannot make a formal decision, but can make a decision as to whether to support the proposal or not.

It is noted that the proposal and plans considered in this assessment have been amended since the lodgement of the VCAT appeal. Both Melbourne Water and VicRoads have since consequently amended their response on the application to no objection, subject to conditions.

SUBJECT SITE:

The site measures 2, 894 square metres and is located on the east side of Racecourse Road immediately south of Azola Drive.

A 3-metre-wide drainage and sewerage easement runs along the east boundary.

The site is currently vacant.

Topographically the land is relatively flat.

The main characteristics of the surrounding area are:

- North: vacant land.
- East: Cardinia Water Retirement Village, specifically a communal vegetable garden and caravan parking area.
- South: Multiple buildings used for self-storage
- East: former Pakenham Racecourse, currently being developed as the Ascot Estate.

PROPOSAL:

The applicant is seeking planning approval of the development of a service station, associated advertising signage and to create access to a Road Zone, Category 1. The proposed service station will comprise of an ancillary convenience shop and 8 fuel bowsers which are to be covered by a canopy overhead. The signage comprises of an internally illuminated pole sign positioned at the corner of Racecourse Road and Azola Drive and non-illuminated business identification signage along the canopy and convenience shop.

In order to provide safe and functional vehicle access to the subject site, the majority of the existing road reserve along Racecourse Road will be occupied by a deceleration lane. To ensure that appropriate pedestrian access along the road reserve is not restricted, the applicant will vest the first 2.8 metres of their land from Racecourse Road to the VicRoads (as Road Authority for Racecourse Road) thus providing adequate space for a proposed footpath.

PLANNING SCHEME PROVISIONS:

State Planning Policy Framework (SPPF)

The relevant clauses of the SPPF are:

- Clause 12 – Environmental and Landscape Values
- Clause 13 - Environmental Risk
- Clause 15 – Built Environment and Heritage
- Clause 17 - Economic Development
- Clause 18 - Transport

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- Clause 21.01 – Cardinia Shire Key Issues and Strategic Vision
- Clause 21.04 – Economic Development
- Clause 21.06-1 – Design and built form

Relevant Particular/ General Provisions and relevant incorporated or reference documents

The relevant provisions/ documents are:

- Clause 52.05 – Advertising Signs
- Clause 52.06 – Car Parking
- Clause 52.07 – Loading and Unloading of Vehicles
- Clause 52.12 – Service Station
- Clause 52.29 – Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road
- Clause 65 – Decision Guidelines

Zone

The land is subject to Clause 33.01 - **Industrial 1 Zone**.

Overlays

The land is subject to the following overlays:

- Clause 44.04 - **Land Subject to Inundation Overlay**

PLANNING PERMIT TRIGGERS

The proposal for the development of a service station, business advertising signage and internally illuminated signage requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 33.01 - **Industrial 1 Zone** a planning permit is required to construct a building or carry out works.
- Pursuant to Clause 44.04 - **Land Subject to Inundation Overlay** a planning permit is required to construct or carry out works.
- Pursuant to Clause 52.05 – Advertising Signage, a planning permit is required for business identification signage if the total advertising area of this signage exceeds 8 square metres. Furthermore, a planning permit is required for internally illuminated signage that exceeds a total advertising area of 1.5 square metres.
- Pursuant to Clause 52.29 – Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road a planning permit is required to create or alter access in a Road Zone, Category 1.

PUBLIC NOTIFICATION

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by:

- *Sending notices to the owners and occupiers of adjoining land.*
- *Placing two signs on site.*

The notification has been carried out correctly, and Council has received 70 objections along with 1 letter of support to date.

The key issues that were raised in the objections are:

- Increased traffic movement and implications on safety.
- Potential hazardous impacts on the Cardinia Lakes Retirement Village wetlands.
- Lack of pedestrian linkages.
- Proximity to fuel
- Noise
- Impact of illuminated signage
- Security of properties within the Cardinia Lakes Retirement Village and associated ecosystem.
- Need for a service station.

- Property values, insurance rates.

REFERRALS

VicRoads

The application was referred to *VicRoads* as a statutory referral. After initially objecting to the proposal in relation to vehicle access, *VicRoads* has now withdrawn their objection subject to conditions following the submission of amended plans to the proposal.

Melbourne Water

The application was referred to *Melbourne Water* as a statutory referral. After initially objecting to the proposal due to potential flood related issues, *Melbourne Water* has now withdrawn their objection to the proposal subject following the submission of amended plans to the proposal.

Environmental Protection Agency

The application was referred to Environmental Protection Authority (EPA) for comment. The EPA had no objection to the proposal and has provided some recommended conditions.

DISCUSSION

State and Local Planning Policy Framework

Industrial zoned land is intended to be reserved for uses consistent with industry. Applicable land should be made available to uses the zone considers to be consistent with its industrial purposes (Clause 17.02-1).

The subject site provides good access via a prominent road in Racecourse Road and is appropriately buffered from residential development via distance, non-residential uses and wetlands (Clause 17.02-1).

The layout and orientation of the built form within the development aims to create a safe and functional environment that does not adversely reduce community amenity via noise emissions and limits the impact on the established urban environment (Clause 13.04-1, Clause 15.01-1, Clause 21.04-1, Clause 21.06-1). Furthermore, the application of conditions provided by the EPA, will ensure that measures are in place to prevent detrimental impacts on the surrounding area including the Cardinia Lakes Retirement Village wetlands. This will assist in conserving the environmental biodiversity of the surrounding area (Clause 12.01)

Adequate and suitably located car parking facilities will also be provided on site to enable access via multiple transport modes, catering to the existing and future road network for the surrounding area (Clause 18.02-5 and Clause 21.06-1).

The proposed signage is consistent with that associated with a service station and therefore is appropriate within the scale of development (Clause 21.06-1). The signage itself is only relevant to business and services offered on the subject site and feature consistent colours and content (Clause 21.06-1).

Zone

Clause 33.01 - Industrial 1 Zone

The purpose of the zone is as follows:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.*

The proposal is considered to satisfy the above as a consequence of the following:

In this instance within the Industrial 1 Zone, a planning permit is not required to use the land for the purpose of a service station. However, approval is still required for the buildings and works associated with the service station. Therefore, this assessment can only consider the built form component of the proposal and not the use.

The service station and its ancillary convenience shop are sited in a manner consistent with most service stations. The single storey convenience shop with a maximum height of 4.2 metres is located to the rear of the allotment, whilst the 6.2-metre-high canopy and associated fuel bowsers sit directly in front facing Racecourse Road.

The canopy is setback in excess of 14 metres from the existing front boundary, 8.3 metres from the north boundary, 20 metres from the rear boundary and 9.6 metres from the south boundary. These distances are considered to provide sufficient buffers between all adjoining allotments ensuring it does not encroach upon the road or adjoining land.

The convenience shop is setback 4.88 metres to the north boundary, 7.947 metres from the south boundary and 5 metres from the east boundary with Cardinia Lakes Retirement Village. It is noted that the immediate adjoining land to the east is occupied by a small vegetable garden and large caravan parking area with the closest dwelling setback in excess of 60 metres. Nonetheless the 5-metre-wide setback along to the rear boundary of the subject site, provides sufficient space for the planting of significant vegetation to provide screening of the development from this perspective.

Furthermore, 2.4-metre-high timber paling fencing runs along the north and east boundaries with a 2.2-metre-high timber paling fence along the south boundary. This will provide further screening of the development.

It is considered the development is appropriate within the context of the Industrial 1 Zone and will not result in any adverse impacts on the amenity of the surrounding land.

Overlay

Clause 44.04 - Land Subject to Inundation Overlay

The purpose of this overlay is as follows:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.*

- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.*
- *To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*
- *To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.*

The proposal is considered to satisfy the above as a consequence of the following:

The proposal has been referred to the relevant flood plain management authority, Melbourne Water. They have not objected to the proposal subject to conditions regarding runoff, surface levels, fill and fencing. It is therefore considered that the development will not adversely impact the water quality, nor prevent the free passage and temporary storage of floodways, the proposal will maintain wetland health, waterway protection and flood plain health and minimise flood damage.

Particular Provisions

Clause 52.05 – Advertising Signage

As previously discussed, the proposed advertising signage comprises of an internally illuminated pole sign positioned at the corner of Racecourse Road and Azola Drive and business identification signage along the canopy and convenience shop. The service station is to open 24 hours therefore the proposed illuminated pole sign will be illuminated throughout the night.

The 7-metre-high internally illuminated pole sign will be visible from surrounding land most specifically Racecourse Road. However, it is noted that the intention of signage is that it is clearly visible. The design and scale of the sign is consistent with the majority of service stations and it is not considered out of character with the Industrial zoning of the land. It also is noted that in relation to the adjoining land not zoned industrial, the sign is setback approximately 100 meters from the nearest dwelling. It is therefore considered that there will be a limited impact on the amenity of the immediate area subject to the inclusion of conditions regarding the management of the levels of illumination.

The remaining non-illuminated business identification signage maintains consistent colours and typography throughout the subject site. They are also not used in an excessive manner, which ensures they do not contribute to visual clutter or disorder. As a consequence, it is not considered that the business identification signage will adversely impact the amenity of the area.

Clause 52.06 – Car Parking

Council's Traffic Engineers have reviewed the proposal and advised that they are satisfied with the proposed provision of 12 car spaces and vehicular manoeuvrability within the subject site.

Clause 52.07 - Loading and Unloading of Vehicles

The proposed service station's associated convenience shop has been provided with a loading bay of 7.6 metre x 3.6 metres in accordance with the minimum requirements.

Council's Traffic Engineers have reviewed the submitted information and provided no objection to the proposal.

Clause 52.12 – Service Station

The proposal achieves compliance with all of the requirements within the clause. It is therefore considered that the proposed development will not adversely impact the amenity of the surrounding land or impair traffic flow and road safety.

Clause 52.29 – Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road

VicRoads have advised that they have no objection to the proposal, subject to conditions regarding the provision of detailed design plans and vesting of a section of the road reserve to the Roads Corporation so that it may accommodate a footpath.

Objections

The following is a response to all concerns raised within objections to the application that have not already been reviewed in the discussion:

- Increased traffic movement and implications on safety.

The proposal has been referred to both VicRoads and Council's Traffic Engineers who have not objected to the proposal. It is therefore considered that the proposal will not have an adverse impact on the level of traffic or functionality of the intersection at Azola Drive and Racecourse Road.

- Potential hazardous impacts on the Cardinia Lakes Retirement Village wetlands and associated ecosystem.

The subject site is located in excess of 100 metres from the wetlands to the east at the adjoining Cardinia Lakes Retirement Village. Between the subject site and the wetlands is a small vegetable garden and large caravan parking area surfaced in concrete.

The application has been referred to Council's Development Engineer, who has provided conditions to manage drainage from the development appropriately and the EPA who have provided conditions in relation to mitigating vapour emissions, possible leaks and stormwater contamination. It is therefore considered that the conditions on the proposal will alleviate potential impacts from the service station on the wetlands.

- Lack of pedestrian linkages.

The proposed development incorporates a footpath along the section of the land that will become road reserve as per conditions of approval.

- Proximity to fuel

The proposal has been referred to the Environmental Protection Authority who have advised not objection to the proposal subject to conditions. It is considered that the inclusion of such conditions will mitigate against any potential detrimental impacts.

- Noise

As previously discussed, the closest dwelling to the subject site is located in excess of 60 metres away with the majority of dwellings associated with Cardinia Lakes Retirement Village located well in excess of 100 metres. Furthermore, the side and rear boundaries will maintain 2.2 – 24 metre high fencing and vegetation will be planted along the rear setback to further mitigate against adverse noise emissions.

- Implications on security of properties within the Cardinia Lakes Retirement Village.

The proposed development is maintaining the existing boundary fencing along the side and rear. In relation to concerns regarding ‘undesirable’ people congregating around the service station, such a concern is not considered to be planning related and does not form part of this assessment. Additionally, there is no evidence to suggest that there is any correlation between such people and the service station land use.

- Need for service station.

A number of objections note that given there are already other service stations in the area, that there is no need for another station. As has previously discussed, a planning permit is not required to use the land for a service station in this location, rather only the buildings and works associated with the service station require approval. Furthermore, the number of pre-existing service stations or any other use for that matter within an area of a similar proposed use is not a planning consideration.

- Property values, insurance rates.

In relation to planning decisions the loss of property values and/or increase of insurance rates, perceived or actual, cannot form the basis for the rejection of an application.

CONCLUSION

The proposal is consistent with the State and Local Planning Policy Framework, Zone, Overlay, Particular and General Provisions. It is therefore considered appropriate to support the development of a service station and advertising signage at **32-34 Racecourse Road, Pakenham VIC 3810** subject to the conditions

CONDITIONS

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a. All of the changes shown on plans TP 02, TP 03 dated Feb '16 Issue B, but modified to demonstrate:
 - i. Compliance with Condition 3
 - ii. Compliance with Condition 22.
2. The development as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
3. Before the development starts, a landscape plan prepared by a person suitably qualified and experienced in landscape design to the satisfaction of the Responsible Authority must be

submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:

- a. A survey (including botanical names) of all existing vegetation to be retained and/or removed.
- b. Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
- c. Details of surface finishes of pathways and driveways.
- d. 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.
- e. A minimum of 6 canopy trees with a mature height of 8 metres (minimum two metres tall when planted) and 16 small tree/shrubs planted in the 5 metres adjoining the east common boundary and a minimum of 12 small trees/shrubs planted elsewhere on the land.

All species selected must be native and to the satisfaction of the Responsible Authority.

4. 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.
5. 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.
6. 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.
7. All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level satisfactory to the Responsible Authority.
8. The loading and unloading of goods from vehicles must only be carried out on the subject land within the designated loading bay and must not disrupt the circulation and parking of vehicles on the subject land.
9. External lighting must be designed, baffled and located so as to not detrimentally effect on adjoining land to the satisfaction of the Responsible Authority.
10. Trailers must be stored wholly on the land and must not encroach on landscaping, car parking areas or accessways.
11. The works associated with the construction of the development must not detrimentally affect the amenity of the area, through the:
 - a. Transport of materials, goods or commodities to or from the land.

- b. Inappropriate storage of any works or construction materials.
 - c. Hours of construction activity.
 - d. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil.
 - e. Presence of vermin.
12. Before the development starts, drainage plans must be submitted to and approved by the Responsible Authority. The plans must show the provision of a stormwater detention system. The stormwater detention system will become the responsibility of the property owner or body corporate to maintain to the satisfaction of the Responsible Authority.
13. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
14. 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.
15. Before the development is occupied industrial standard concrete vehicle crossings as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
16. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
17. 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.
18. The illumination of the signs must not detrimentally affect the amenity of the area through the emission of unreasonable levels of light beyond the boundary of the subject land.
19. The signs lighting must be designed, baffled and located to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
20. The signs must not contain any flashing light.
21. The signs must be displayed and maintained to the satisfaction of the Responsible Authority.

VicRoads

22. Prior to the commencement of works, amended plans must be submitted to, and approved by, VicRoads. Once approved by VicRoads, the plans may then be endorsed by the Responsible Authority and will form part of the permit. The plans must be generally in accordance with the plans circulated 19 December 2016 and amended to show:

- a. The site and ground floor plan generally in accordance with the plans circulated 3 February 2017.
- b. The Functional Layout Plan (Traffix Group Drawing G21673-A-01 (9 November 2016) amended to show the footpath and property boundary in accordance with the plans circulated 3 February 2017.

23. Prior to the commencement of works:

- a. Detailed design plans must be submitted to, and approved by, VicRoads. The detailed design plans must be generally in accordance with the approved Functional Layout Plan, to the satisfaction of VicRoads and subject to any further minor amendments as required by VicRoads.
- b. A plan of subdivision must be submitted to, and approved by, VicRoads showing the vesting of that part of the land where any part of the approved roadworks, including the footpath, are proposed to be located. The land must be vested as road to the Roads Corporation.

24. Prior to the occupation of the service station:

- a. The roadworks in accordance with the approved Functional Layout Plan and Detailed Design Plans must be constructed to the satisfaction of, and at no cost to, VicRoads.
- b. The plan of subdivision that vests that part of the land as road to the Roads Corporation in accordance with Condition 23(b) must be lodged with the Titles Office at no cost to VicRoads.
- c. The permit holder must enter into an agreement with the Responsible Authority and VicRoads, pursuant to *Section 173 of the Planning and Environment Act 1987* or in any other manner to the satisfaction of VicRoads, to provide for the permit holder to reimburse all costs incurred by VicRoads and the Responsible Authority associated with the declaration of that part of the land in accordance with Condition 23(b) as arterial road pursuant to the *Road Management Act 2004* and to rezone the land to Road Zone Category 1 pursuant to the *Planning and Environment Act 1987*. The agreement must be to the satisfaction of, and at no cost to, VicRoads and the Responsible Authority.

Melbourne Water

25. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
26. The proposed service station and convenience restaurant must be constructed with finished floor levels set no lower than 26.15 metres to Australian Height Datum.
27. The proposed surface level of the site including the petrol pumping areas must be constructed with finished floor levels set no lower than 25.85 metres to Australian Height Datum.
28. Imported fill must be kept to a minimum on the property and only be used for the sub floor areas of the buildings and petrol pumping areas.

29. Any new fencing must be of an open style (50%) or timber paling construction type, to allow for the passage of flood water/overland flow.
30. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the AHD, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.

Environmental Protection Authority

31. Vapour recovery equipment must be installed to ensure vapours are recovered and prevented from escaping to atmosphere and impacting the local community during refilling operations of underground petroleum storages systems onsite.
32. Leak detection equipment must be installed and maintained on all underground petroleum storage tanks.
33. The service station shall implement EP Publication 888.4 The design, installation and management requirements for underground petroleum storage systems (UPSSs).
34. Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.
35. Construction and post-construction activities must be in accordance with EPA Publication 275 Construction Techniques for Sediment Pollution Control 1991 or as amended.
36. Stormwater contaminated with waste oil, grease, chemicals, leachate or sediments must not be discharged beyond the boundary of the premises and be collected and disposed of off-site by an EPA approved contractor or sent to sewer under Trade Waste Agreement.

Expiry

This permit will expire if one of the following circumstances applies:

- a. The development is not started within **two (2) years** of the date of this permit.
- b. The development is not completed within **four (4) years** of the date of this permit. The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterwards if the approved development has not commenced and twelve months if the approved development has commenced.

Notes:

- The preparation of the intersection layout plan, functional layout plan, the detailed engineering designs and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads policy, procedures and standards, and at no cost to VicRoads.
- In order to meet VicRoads requirements for these tasks the applicant will be required to comply with the requirements documented as "Standard Requirements – Developer Funded Projects" and any other requirements considered necessary depending on the nature of the work.

- Functional layout plans may need to be amended to accommodate any changes that may arise during the detailed design stage review; in response to the road safety audit; in relation to services and their relocation; vegetation; drainage; treatment of hazards within clear zones and other matters.
- The applicable flood level for this property grades from 25.82 metres to Australian Height Datum at the northern end of the property down to 25.60 metres to Australian Height Datum at the southern end of the property.
- If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference **282770**.
- As the development has an impervious ratio greater than 35%, the developer shall engage the services of a suitably experienced Engineer to design a stormwater detention system that will reduce the intensity of the storm water discharge entering Council's drainage system, i.e.: a detention system. The storm water detention system shall provide for the same five (5) year ARI peak discharge as that for a standard house lot with no storm water detention. A standard house lot is assumed to have a fraction impervious area of 35%. Calculations and a plan shall be submitted to Council for approval prior to construction. The storm water detention system must be constructed prior to the occupation of the proposed development.
- A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.

1 DEVELOPMENT OF A SERVICE STATION, ASSOCIATED ADVERTISING SIGNAGE AND ACCESS TO A ROAD ZONE, CATEGORY 1 AT 34 RACECOURSE ROAD, PAKENHAM

Moved Cr G Moore Seconded Cr C Ross

That Council support the application for the development of a service station and advertising signage at 32-34 Racecourse Road, Pakenham VIC 3810 subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a. All of the changes shown on plans TP 02, TP 03 dated Feb '16 Issue B, but modified to demonstrate:
 - i. Compliance with Condition 3
 - ii. Compliance with Condition 22.
2. The development as shown on the endorsed plan/s must not be altered without the written consent of the Responsible Authority.
3. Before the development starts, a landscape plan prepared by a person suitably qualified and experienced in landscape design to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a. A survey (including botanical names) of all existing vegetation to be retained and/or removed.
 - b. Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
 - c. Details of surface finishes of pathways and driveways.
 - d. 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.
 - e. A minimum of 6 canopy trees with a mature height of 8 metres (minimum two metres tall when planted) and 16 small tree/shrubs planted in the 5 metres adjoining the east common boundary and a minimum of 12 small trees/shrubs planted elsewhere on the land.

All species selected must be native and to the satisfaction of the Responsible Authority.

4. 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.

5. 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.
6. 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.
7. All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level satisfactory to the Responsible Authority.
8. The loading and unloading of goods from vehicles must only be carried out on the subject land within the designated loading bay and must not disrupt the circulation and parking of vehicles on the subject land.
9. External lighting must be designed, baffled and located so as to not detrimentally effect on adjoining land to the satisfaction of the Responsible Authority.
10. Trailers must be stored wholly on the land and must not encroach on landscaping, car parking areas or accessways.
11. The works associated with the construction of the development must not detrimentally affect the amenity of the area, through the:
 - a. Transport of materials, goods or commodities to or from the land.
 - b. Inappropriate storage of any works or construction materials.
 - c. Hours of construction activity.
 - d. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil.
 - e. Presence of vermin.
12. Before the development starts, drainage plans must be submitted to and approved by the Responsible Authority. The plans must show the provision of a stormwater detention system. The stormwater detention system will become the responsibility of the property owner or body corporate to maintain to the satisfaction of the Responsible Authority.
13. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
14. 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.
15. Before the development is occupied industrial standard concrete vehicle crossings as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.

16. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
17. 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.
18. The illumination of the signs must not detrimentally affect the amenity of the area through the emission of unreasonable levels of light beyond the boundary of the subject land.
19. The signs lighting must be designed, baffled and located to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
20. The signs must not contain any flashing light.
21. The signs must be displayed and maintained to the satisfaction of the Responsible Authority.

VicRoads

22. Prior to the commencement of works, amended plans must be submitted to, and approved by, VicRoads. Once approved by VicRoads, the plans may then be endorsed by the Responsible Authority and will form part of the permit. The plans must be generally in accordance with the plans circulated 19 December 2016 and amended to show:
 - a. The site and ground floor plan generally in accordance with the plans circulated 3 February 2017.
 - b. The Functional Layout Plan (Traffix Group Drawing G21673-A-01 (9 November 2016) amended to show the footpath and property boundary in accordance with the plans circulated 3 February 2017.
23. Prior to the commencement of works:
 - a. Detailed design plans must be submitted to, and approved by, VicRoads. The detailed design plans must be generally in accordance with the approved Functional Layout Plan, to the satisfaction of VicRoads and subject to any further minor amendments as required by VicRoads.
 - b. A plan of subdivision must be submitted to, and approved by, VicRoads showing the vesting of that part of the land where any part of the approved roadworks, including the footpath, are proposed to be located. The land must be vested as road to the Roads Corporation.

24. Prior to the occupation of the service station:

- a. The roadworks in accordance with the approved Functional Layout Plan and Detailed Design Plans must be constructed to the satisfaction of, and at no cost to, VicRoads.
- b. The plan of subdivision that vests that part of the land as road to the Roads Corporation in accordance with Condition 23(b) must be lodged with the Titles Office at no cost to VicRoads.
- c. The permit holder must enter into an agreement with the Responsible Authority and VicRoads, pursuant to *Section 173 of the Planning and Environment Act 1987* or in any other manner to the satisfaction of VicRoads, to provide for the permit holder to reimburse all costs incurred by VicRoads and the Responsible Authority associated with the declaration of that part of the land in accordance with Condition 23(b) as arterial road pursuant to the *Road Management Act 2004* and to rezone the land to Road Zone Category 1 pursuant to the *Planning and Environment Act 1987*. The agreement must be to the satisfaction of, and at no cost to, VicRoads and the Responsible Authority.

Melbourne Water

25. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
26. The proposed service station and convenience restaurant must be constructed with finished floor levels set no lower than 26.15 metres to Australian Height Datum.
27. The proposed surface level of the site including the petrol pumping areas must be constructed with finished floor levels set no lower than 25.85 metres to Australian Height Datum.
28. Imported fill must be kept to a minimum on the property and only be used for the sub floor areas of the buildings and petrol pumping areas.
29. Any new fencing must be of an open style (50%) or timber paling construction type, to allow for the passage of flood water/overland flow.
30. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the AHD, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.

Environmental Protection Authority

31. Vapour recovery equipment must be installed to ensure vapours are recovered and prevented from escaping to atmosphere and impacting the local community during refilling operations of underground petroleum storage systems onsite.
32. Leak detection equipment must be installed and maintained on all underground petroleum storage tanks.
33. The service station shall implement EP Publication 888.4 The design, installation and

management requirements for underground petroleum storage systems (UPSSs).

34. Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.
35. Construction and post-construction activities must be in accordance with EPA Publication 275 Construction Techniques for Sediment Pollution Control 1991 or as amended.
36. Stormwater contaminated with waste oil, grease, chemicals, leachate or sediments must not be discharged beyond the boundary of the premises and be collected and disposed of off-site by an EPA approved contractor or sent to sewer under Trade Waste Agreement.

Expiry

This permit will expire if one of the following circumstances applies:

- a. The development is not started within **two (2) years** of the date of this permit.
- b. The development is not completed within **four (4) years** of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterwards if the approved development has not commenced and twelve months if the approved development has commenced.

Notes:

- The preparation of the intersection layout plan, functional layout plan, the detailed engineering designs and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads policy, procedures and standards, and at no cost to VicRoads.
- In order to meet VicRoads requirements for these tasks the applicant will be required to comply with the requirements documented as “Standard Requirements – Developer Funded Projects” and any other requirements considered necessary depending on the nature of the work.
- Functional layout plans may need to be amended to accommodate any changes that may arise during the detailed design stage review; in response to the road safety audit; in relation to services and their relocation; vegetation; drainage; treatment of hazards within clear zones and other matters.
- The applicable flood level for this property grades from 25.82 metres to Australian Height Datum at the northern end of the property down to 25.60 metres to Australian Height Datum at the southern end of the property.
- If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference **282770**.
- As the development has an impervious ratio greater than 35%, the developer shall engage the services of a suitably experienced Engineer to design a stormwater detention system that will reduce the intensity of the storm water discharge entering Council's drainage system, i.e.: a detention system. The storm water detention system shall provide for the same five (5) year ARI peak discharge as that for a standard house lot with no storm water detention. A standard house lot is assumed to have a fraction impervious area of 35%. Calculations and a plan shall be submitted to Council for approval prior to construction. The storm water

detention system must be constructed prior to the occupation of the proposed development.

- A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.

Upon being put to the meeting, the motion was declared carried. Cr Jodie Owen called for a Division. For the Motion were Crs G Moore, C Ross, L Wilmot, B Owen, J Springfield and R Brown Total (6). Against the Motion were Crs J Owen, M Schilling and C Ryan Total (3).

MOTION WAS CARRIED

GENERAL REPORTS**2 PROPOSED SPECIAL CHARGE SCHEME FOR CONSTRUCTION OF INFRASTRUCTURE TO SERVICE HILL, O'SULLIVAN AND PEET STREETS' INDUSTRIAL AREA, PAKENHAM**

FILE REFERENCE INT178713

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Andrew Barr

RECOMMENDATION

That Council:

1. Acknowledge the prior consultation and level of landowner support as set out in this report including agreement to contribute to a special charge scheme to construct infrastructure to service the O'Sullivan – Hill – Peet Streets Industrial Area, Pakenham as set out in Attachment 2;
2. Approve the draft designs, estimates of cost and specifications generally describing the infrastructure services including sealed roads, intersections, kerb & channel, reticulated water and sewerage services, underground drainage, underground electricity, street lighting and telecommunications required to service land within the O'Sullivan – Hill – Peet Streets Industrial Area as set out in the estimate in Attachment 3;
3. Adopt the assessment of the Benefit Ratio for the proposed special charge scheme to fund these works as set out in Attachment 4 of this report;
4. Adopt the proposed area of the scheme and method of apportionment set out in Attachments 2 and 5 respectively;
5. Approve the proposed advertisement in Attachment 7 and give notice of intention to declare a special charge in accordance with the proposed declaration set out in Attachment 6 to fund finalising authority agreements and fees, designs and specifications and to construct infrastructure including land acquisition, sealed roads, intersections, kerb & channel, reticulated water and sewerage services, underground drainage, underground electricity, street lighting and telecommunications to service land within the O'Sullivan – Hill – Peet Streets Industrial Area;
6. Consider that declaration (Attachment 6) at its meeting of the 16 May 2017 or such later date as necessary;
7. Appoint Cr Owen, Cr Ross, Cr Ryan and Cr Schilling as a Committee with a quorum of two to hear and provide recommendations in relation to all submissions received pursuant Section 223 of the Local Government Act with respect to this scheme;
8. Determine the meeting of the Committee appointed to hear submissions be held commencing at 3.00pm Tuesday 11 April 2017 or such later time as determined necessary by the General Manager Assets and Services;
9. Authorise the General Manager Assets and Services to carry out the administrative

arrangements to enable submissions to be heard and considered; and

10. Approve the Public Notice as set out in Attachment 7 to be advertised in the Pakenham-Berwick Gazette as a newspaper that may service the area

Attachments

1	Scheme process chart	1 Page
2	Plan of area	1 Page
3	Estimated cost	2 Pages
4	Benefit ration calculation	2 Pages
5	Apportionment table	1 Page
6	Proposed Council declaration	2 Pages

EXECUTIVE SUMMARY

This report seeks to commence the formal consultative process to implement a Special Charge Scheme to fund construction of infrastructure to service the O'Sullivan – Hill – Peet Streets Industrial Area, Pakenham. Refer Attachment 1 - Scheme Process Chart.

This follows the Design Scheme reaching the stage where plans and estimates of cost are sufficiently developed to enable the Construction Scheme to be prepared.

Some landowners have requested Council to facilitate its development via a special charge scheme so costs are fairly shared. The scheme provides for landowners to meet the full cost consistent with other commercial developments and will provide significant economic and social benefits to the Cardinia Shire Community.

Four separate meetings have been held and a land owner survey was conducted in April 2016 providing indicative construction costs and contributions. Survey responses yielded a reasonable level of support with owners of 20 of the 32 individual properties, responsible for approximately 90% of the project cost, supporting construction of the works.

The total project cost is estimated to be \$10,298,823.95.

This report initiates the statutory process for the Special Charge Scheme (Attachment 1) and approves the issuing of the first statutory notice, 'Notice Of Intention to Declare a Special Charge' to commence the formalised consultative process.

BACKGROUND

The purpose of this report is to initiate a special charge scheme to fully fund construction of infrastructure to service the O'Sullivan – Hill – Peet Streets Industrial Area, Pakenham as shown on the Plan in Attachment 2. This is an old estate subdivided prior to subdividers being required to provide basic services and much of the estate remains without trafficable roads and constructed drains, electricity, water supply and sewerage infrastructure rendering the land virtually incapable of being used.

Ownership of the land is considered too fragmented for any one developer to properly coordinate development of the area. The high costs of providing services by the first landowner to develop their land and the free ride afforded to later adjoining property owners has and continues to stymie

development of the area leaving this high profile industrial precinct undeveloped, projecting a poor image at the gateway to Pakenham.

The infrastructure required to be constructed are developer works ordinarily funded and managed by the developers. However, the fragmented ownership means no owner/developer would be in effective control and able to coordinate the works without excessive levels of risk or cost. Notwithstanding and to assist, Council can employ its Special Rate and Charge powers to co-ordinate construction and fairly distribute, on a proportionately equitable basis, the cost of these essential infrastructure works between all benefiting landowners.

Several of the worst affected landowners have been seeking to have Council exercise those powers. Landowners have been reluctant to commit to construction of works without having some certainty on what the construction costs would be. Similarly, Council could not prepare a construction scheme without certainty on what works or costs would be involved. These construction costs and the associated special charge levy could only be determined once plans, specifications and estimates of cost are prepared which in themselves required an estimated investment of \$326,700.

In view of the significant up-front cost to prepare designs and cost estimates, Council resolved to approach this project via two Special Charge Schemes comprising:

- Scheme 1 – To prepare designs, specifications and estimates of cost to fully service the area; and
- Scheme 2 – A subsequent scheme to construct the infrastructure to service the area.

The first scheme is sufficiently progressed to provide adequate design plans, specifications and estimates of cost enabling the second scheme to be prepared and presented. The first scheme cannot be finalised as the plans, specifications and agreements involving the service authorities cannot be finalised more than 2-3 months before construction commences. This is because service authority approvals will lapse. The administrative process to establish the second Special Charge Scheme is anticipated to take up to six months. It is therefore proposed to finalise the first scheme closer to the time of construction and when plans, specifications and public authority agreements are completed.

This report is intended to initiate Scheme 2 to construct infrastructure required to service the O'Sullivan – Hill – Peet Streets Industrial Area as shown within the bold black line on the Plan in Attachment 2 including sealed roads, intersections, kerb & channel, reticulated water and sewerage services, underground drainage, underground electricity, street lighting and telecommunications. The estimated cost of constructing this infrastructure is \$10,298,823.95.

It is proposed to distribute costs for providing each individual service across the properties deemed to benefit by provision of that service, generally on the basis of relative area. A weighting is also proposed to reflect the additional benefit received by those properties that are otherwise very difficult to develop. All these type of properties are presently undeveloped.

Proposed contributions range from \$410 for those few properties only receiving access to upgraded telecommunications services to \$1.882 million for the largest property that currently has no services or access. These larger properties are owned by 'developers' wishing to develop and subdivide their land as a commercial venture but are currently not able to proceed because it is not viable to do so individually. Refer Attachment 3 - Apportionment Table.

A special charge may be levied on properties deriving 'special benefit' from proposed works to offset those costs. Many of these properties are already partly supplied with these services however none

are fully serviced. These properties will receive varying degrees of special benefit from the supply of additional services. In accordance with principles established by VCAT, it is also not necessary for these property owners to avail themselves of the 'special benefit' to be deemed to be in receipt of it.

In the case of Scheme 2 (construction scheme), it is considered that these properties will receive special benefit to varying degrees including special benefit in terms of:

- Provision of sealed all-weather access or improved access to the land including dust and mud reduction;
- Improved access including additional alternative access to and from Koo Wee Rup Road;
- Provision of reticulated water supply and / or sewerage services or improved access to those services;
- Access to or improved access to the electricity supply grid via an underground high voltage and low voltage supply and associated amenity benefits;
- Provision of street lighting and associated security and access improvements;
- Provision of proper drainage providing improved protection from flooding and / or ability to legally concentrate drainage discharges within approved limits without risk of litigation;
- Exemption from further contributions to Melbourne Water Corporation's Deep Creek South Drainage Scheme in the event of further development of the site;
- Provision of access to broadband telecommunications infrastructure (National Broadband Network);
- Provision of all services (reticulated water, sewerage, electricity and communications infrastructure, outfall and local drainage and fully constructed sealed roads) at more economical cost as part of a group scheme than if undertaken individually by any one landowner; and
- Improved amenity, economic development opportunities and property values.

Council is required to calculate the Benefit Ratio in accordance with Section 163 of the Local Government Act 1989 to determine the maximum proportion of the total project cost it may recover. This proportion of cost may not exceed the proportion of total benefits arising from the proposed works accruing to the properties to be levied. Consistent with the Benefit Ratio Calculation adopted in Council's resolution of the 20 January 2014 for Scheme 1 (design scheme), the reviewed calculation set out in Attachment 4 shows 100% of the benefits accruing to those properties to be levied. It is therefore proposed to levy those properties with the full cost of the works which is consistent with Council's policy for developers to service development of land at their own cost.

Contributions for the works have been assessed on a service by service basis. This involved the estimated costs of constructing each proposed infrastructure service (i.e. road, drainage, water, sewerage, electricity and telecommunications...etc.) being distributed between the properties receiving benefit, apportioned on the basis of area and weighted by a factor reflecting the improved development potential realised if this scheme proceeds. Consequently, contributions vary considerably depending on what services individual properties derive a benefit from, the property's size/portion of the property benefitting and its ease and ability to be developed separate to this scheme (it is not viable to develop some properties in isolation to this scheme due to the high initial cost of bringing services in). Apportioned costs are set out in Attachment 5 - Apportionment Table

together with a more detailed description of the apportionment methodology applied for each service provided to each property.

The O'Sullivan - Hill - Peet Street Industrial Area Special Charge Scheme No. 2 for construction of the required infrastructure is listed on the current Special Rate and Charge Scheme program with the anticipated commencement being in the 2017/2018 financial year.

This report is intended to initiate the statutory process for the Special Charge Scheme (Attachment 1) and seeks approval to issue the first statutory notice, 'Notice Of Intention to Declare a Special Charge' to commence the formalised consultative process. It follows extensive informal consultation with affected landowners since the design scheme commenced on May 2014

POLICY IMPLICATIONS

The proposed scheme has been developed in accordance with the provisions of the Local Government Act 1989, Cardinia Shire Council's Special Rate and Charge Scheme Policy and 5 year Special Rate and Charge Scheme Program which is based on community benefit, health, safety, amenity and landowner support.

In particular, this scheme is premised on installation of underground electricity in accordance with Councils policy for servicing of new industrial estates and provides for the full cost of this infrastructure to be met by the benefitting landowners. This reflects the commercial nature of the developments being serviced by this infrastructure and Council's policies providing for developers to meet the full cost of servicing their developments.

RELEVANCE TO COUNCIL PLAN

Development of Special Rate and Charge Schemes directly relates to the Council Plan goal of increasing the use of these schemes to finance road and drainage improvement programs. Additionally, the proposed special charge schemes for design and construction of infrastructure to service the O'Sullivan Road, Hill Street and Peet Street industrial area in Pakenham is referred to as a specific goal

CONSULTATION/COMMUNICATION

The O'Sullivan - Hill - Peet Street Industrial Area Special Charge Scheme No. 2 is listed on the current Special Rate and Charge Scheme program. It follows on from Special Charge Scheme No 1 - Design of Infrastructure to Service Hill, O'Sullivan and Peet Streets' Industrial Area, Pakenham declared in April 2014 which has been proceeding in close consultation with affected landowners to prepare designs and estimates of cost.

Questionnaire / surveys and meetings of landowners were conducted in 2007, 2008, 2010 and 2011 in the lead up to the design scheme. The formal consultation process to establish the design scheme was also conducted involving notification of landowners and seeking of submissions and objections.

Since commencing the design phase of the works in May 2014, four landowner meetings have been conducted to discuss both the design and proposed construction, at least four letters advising of progress have been issued and a survey of affected landowners was conducted to assess the levels of interest/support for the proposed construction scheme. This survey also provided preliminary estimates and apportioned costs to individual landowners. Numerous telephone inquiries seeking details of progress have also been responded to.

The landowner survey conducted in April 2016 seeking attitudes toward the construction scheme achieved the following responses:

	Support Construction Scheme	Oppose Construction Scheme	Nil Response	Total
Number of Titles	21	9	2	32
Percentage of Land Area	83.1%	16.1%	0.8%	32.6 Ha
Percentage of Levy	90.4%	9.5%	0.1%	100%

As evident in the table, there is a strong level of support amongst the landowners who own most of the land and would contribute most of the cost.

However, Council also needs to consider support from the number of rateable properties involved. The special charge legislation provides one right of objection per 'rateable property'. This will require further consideration at completion of the formal consultation phase of the scheme process. The level of support presented may also change following adjustments made to the initial draft distribution of costs in response to feedback from the survey and April 2016 landowner meeting.

The majority of those not in support are established properties along the Bald Hill Road portion of the scheme. The primary issues raised by landowners opposed to the scheme were:

- 1 Their inability to fund the contribution without detrimentally affecting existing businesses which are already operating satisfactorily with the existing Koo Wee Rup Road and Bald Hill Road infrastructure;
- 2 The landowners at the rear are really developers who can pass their costs on to purchasers of developed properties. Those landowners need the infrastructure, not the existing businesses and properties that are already developed.

The feedback received from landowners was duly considered and deemed to warrant a revision of the original cost distribution. It is now accepted the properties with existing access to Koo Wee Rup Road and Bald Hill Road will receive proportionately less benefit than the other properties; i.e. the other properties cannot be used or function without this infrastructure, whereas the properties with access to Koo Wee Rup Road and Bald Hill Road can and do. The revised distribution introduced a weighting to shift a proportion of the benefit and subsequently cost, toward those properties without access to Koo Wee Rup Road and Bald Hill Road and without utility services. The proposed scheme was subsequently amended to contain costs. Construction of kerb & channel in Bald Hill Road has been deleted in view of the need to widen Bald Hill Road in the future.

Overall it is considered revised apportionment provides a fair and reasonable allocation of costs relating to the scheme.

This report initiates the statutory process for the Special Charge Scheme by commencing the formalised consultative process through approving the issue of the first statutory notice, 'Notice Of Intention to Declare a Special Charge'. Property owners have 28 days to object and / or make written submissions to Council and may request a hearing before the Councillor Committee in support of their written submission. Following consideration of all submissions the Councillor

Committee will make a recommendation to Council regarding the construction scheme. Refer Attachment 1 - Scheme Process Chart.

FINANCIAL AND RESOURCE IMPLICATIONS

The estimated total project cost is \$10,298,824 wholly recoverable from the benefitting property owners as set out in the table in Attachment 3 - Apportionment Table.

As the project relates to capital works, Council is required to provide a plan whereby those levied may pay by instalments of principal and interest over at least four years. It is intended to have the major contributors responsible for most of the cost pay their contributions 'up front'. Additionally, the terms payment option, if requested, will be structured to recover 70% of landowner's contributions in the first year with the balance including interest repayable over the following three years. The interest rate provided for in the legislation is generally less attractive than if the landowners arrange their own financing. Overall this will reduce the financing demands on Council to very manageable levels.

CONCLUSION

The Peet, Hill and O'Sullivan Streets industrial area is unable to be developed by the landowners acting alone and continues to project a poor image to the gateway to Pakenham. Affected landowners have sought Council intervention to facilitate its development and Council possesses special rate and charge powers that may be exercised to properly service this area and share the cost of that servicing fairly amongst all benefitting landowners. Designs and estimates of cost have been prepared under a separate special charge scheme so that the extent of works, associated costs and a proposed cost sharing arrangement is now available. The recent landowner also shows a good level of support for a Council managed construction scheme. It is therefore concluded Council possesses sufficient information and landowner support to commence the formal consultation process with affected landowners to commence implementing a special charge scheme to fund construction of these works.

2 PROPOSED SPECIAL CHARGE SCHEME FOR CONSTRUCTION OF INFRASTRUCTURE TO SERVICE HILL, O'SULLIVAN AND PEET STREETS' INDUSTRIAL AREA, PAKENHAM

Moved Cr C Ryan Seconded Cr M Schilling

That Council:

1. Acknowledge the prior consultation and level of landowner support as set out in this report including agreement to contribute to a special charge scheme to construct infrastructure to service the O'Sullivan – Hill – Peet Streets Industrial Area, Pakenham as set out in Attachment 2;
2. Approve the draft designs, estimates of cost and specifications generally describing the infrastructure services including sealed roads, intersections, kerb & channel, reticulated water and sewerage services, underground drainage, underground electricity, street lighting and telecommunications required to service land within the O'Sullivan – Hill – Peet Streets Industrial Area as set out in the estimate in Attachment 3;
3. Adopt the assessment of the Benefit Ratio for the proposed special charge scheme to fund these works as set out in Attachment 4 of this report;
4. Adopt the proposed area of the scheme and method of apportionment set out in Attachments 2 and 5 respectively;
5. Approve the proposed advertisement in Attachment 7 and give notice of intention to declare a special charge in accordance with the proposed declaration set out in Attachment 6 to fund finalising authority agreements and fees, designs and specifications and to construct infrastructure including land acquisition, sealed roads, intersections, kerb & channel, reticulated water and sewerage services, underground drainage, underground electricity, street lighting and telecommunications to service land within the O'Sullivan – Hill – Peet Streets Industrial Area;
6. Consider that declaration (Attachment 6) at its meeting of the 16 May 2017 or such later date as necessary;
7. Appoint Cr Owen, Cr Ross, Cr Ryan and Cr Schilling as a Committee with a quorum of two to hear and provide recommendations in relation to all submissions received pursuant Section 223 of the Local Government Act with respect to this scheme;
8. Determine the meeting of the Committee appointed to hear submissions be held commencing at 3.00pm Tuesday 11 April 2017 or such later time as determined necessary by the General Manager Assets and Services;
9. Authorise the General Manager Assets and Services to carry out the administrative arrangements to enable submissions to be heard and considered; and
10. Approve the Public Notice as set out in Attachment 7 to be advertised in the Pakenham-Berwick Gazette as a newspaper that may service the area

3 RECREATIONAL VEHICLE APPLICATION - 75 NORRIS ROAD, PAKENHAM UPPER

FILE REFERENCE INT178603

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Shannon Maynard

RECOMMENDATION

That the Recreational Vehicle application for 75 Norris Road, Pakenham Upper be approved

Attachments

- 1 Site plan showing vehicle track 1 Page
- 2 Map showing location of objectors properties, circulated to councillors only 1 Page
- 3 Copies of objections circulated to councillors only

EXECUTIVE SUMMARY

As per Councils Recreational Vehicle Policy, Councillors are able to require the issuing of Recreational Vehicle Permits to be heard at a Council meeting for a decision. This application has been requested to be heard at a Council meeting.

BACKGROUND

The site is located on the western side and towards the end of Norris Road, Pakenham. The property is approximately 8.3 Ha in size.

The property contains an existing dwelling, outbuildings, and fenced paddocks/pasture.

The topography of the land is slightly sloped downwards from west to east. The motorcycle track has been created on the land to the north east of the dwelling. No planning permit was required for the earthworks to create the track.

The main characteristics of the surrounding area are low density rural properties with a mixture of grazing and horse related uses.

POLICY IMPLICATIONS

This application is in accordance with Council's Recreational Vehicle Policy.

RELEVANCE TO COUNCIL PLAN

The Policy is in line with Council Plan goals:

- Variety of recreational and leisure opportunities
- Balanced needs of development, the community and the environment

CONSULTATION/COMMUNICATION

The application was advertised to properties within 1000 metres of the applicant's property. Council received 32 objections to the proposal.

The key issues raised in the objections were based on:

- Noise
- Increased road use and traffic in local area
- Increased dust issues
- Environmental impact to flora & fauna
- Bushfire danger
- Negative affect on amenity
- Compliance with permit conditions

Officers have considered these concerns and offer the following response:

Noise

The noise factor will be controlled by the vehicle noise test which must be undertaken by the applicant prior to a vehicle being allowed to be used in accordance with this permit.

94Db rating has been recommended by the EPA as a reasonable level of noise for this type of activity and area. The duration of the noise will be controlled by only allowing for minimal hours of riding on the permit conditions.

Increased road users and traffic in local area

It is unlikely that by approving this permit it would dramatically increase the amount of road users in the area. This is not a commercial operation and is only for private use. The increase amount of traffic on the local roads would be minimal at best.

Increased amount of dust related issues

As stated above, this is only an application for private use, not commercial, and it is not anticipated that this application will result in an increased amount of traffic (dust) on the roads.

Environmental impact to Flora & Fauna

An environmental assessment has been done by our Vegetation Management Officer. Measures have been put in place to assure that damage to the environment is kept to minimal or none at all. These measures have been reflected on the conditions of the permit.

Bushfire danger

A condition will be placed on the permit regarding days of total fire ban. The designated area proposed for riding is a low risk area with the created track.

Negative effects on amenity

Any possible risk to the detrimental effect on amenity in the area will be mitigated by conditions on the permit. Alternatively, if the conditions do not adequately prevent these issues the effect on amenity can be reassessed at the end of the trial period.

Compliance with permit conditions and riding times

The permit would be issued on a temporary basis for a trial period of six months. Any non-compliance with the permit conditions would result in the immediate cancellation of the permit. Any residents in the area who detect non-compliance with the permit conditions are encouraged to report to the Compliance Services Team.

FINANCIAL AND RESOURCE IMPLICATIONS

There will be no financial implications to Council. Enforcement or monitoring activities in relation to this application will be absorbed into normal Compliance practices.

CONCLUSION

It is the recommendation that the permit be issued in this instance.

Council's Vegetation Management Officer conducted an assessment of the subject site, it has been considered the application can be supported with minimal impact on the environment.

The times allotted to the applicant for recreational vehicle use is very restrictive, and at maximum will result in riding for 4 hours a fortnight, during daylight savings, and 2 hours a fortnight in non-day light savings periods.

It is noted the applicant requested more hours and flexibility, however Council has considered the neighbouring property concerns and restricted the use occurring accordingly. These restricted hours seek to strike a balance between the use of the property for Recreational Vehicle and the surrounding residents amenity.

Site specific and standard conditions will alleviate concerns in relation to noise, environmental impact, bushfire danger and general amenity.

Non-compliance to the permit will result in investigation of the complaint, and may result in the loss of the permit.

As per the Policy, a review of the permit will be conducted six (6) months after the permit is issued. This will allow Compliance officers to assess the impact of the use of Recreational Vehicles, and ensure that any non-compliance with the conditions can be taken into account before issuing a permanent permit. At all times a Local Laws Permit can be revoked if conditions and compliance is assessed not being adhered to.

The application has been considered against the Recreation Vehicle Policy, as per this policy a meeting was held with the assessing Officer, Coordinator Compliance Services and Manager Development and Compliance Service, it was considered that the application can be supported subject to the following conditions:

1. No more than 2 motorbikes are permitted to be ridden at any one time
2. Motorbikes are only to be ridden on the designated area as per the attached approved plan
3. Permit is subject to each motorbike undertaking a noise test. Each noise test must show results of each bike being under 94Db
4. Riding is permitted on One (1) Saturday in any fortnight between the hours of 2pm-4pm in accordance with the permit, and Thursdays during the day light savings time period (AEDT) between 4pm – 5pm
5. The use of recreational vehicles is prohibited on the property on days of total fire ban.
6. The permit holder must be present during the activities permitted pursuant to this permit.
7. This permit is non-transferable, and will cease should the permit holder vacate the property.
8. This permit is for a trial period of six (6) months from the date of issue. Any complaints received in this time will be considered upon review of the permit.

3 RECREATIONAL VEHICLE APPLICATION - 75 NORRIS ROAD, PAKENHAM UPPER

Moved Cr L Wilmot Seconded Cr J Springfield

That the application for a Recreation Vehicle Permit at 75 Norris Road Pakenham Upper be refused due to its proximity to neighbouring dwellings and the associated amenity impacts.

Cd.

4 MAYOR AND COUNCILLOR ALLOWANCES

FILE REFERENCE INT176115

RESPONSIBLE GENERAL MANAGER Derek Madden

AUTHOR Doug Evans

RECOMMENDATION

That Council retain the Mayor and Councillor allowances at the maximum level as published in the Victorian Government Gazette so that the Mayoral Allowance will be \$76,521 per annum and the Councillor allowances \$24,730 per annum.

Attachments

- 1 Advertisement calling for community input 1 Page

EXECUTIVE SUMMARY

To consider setting the level of Mayor and Councillor allowances for the term of this current Council following Council's resolution at the Statutory Council Meeting held on 14 November 2016 to propose to retain the Mayor and Councillor allowances at the maximum level and seek public submissions on this proposal.

BACKGROUND

Under the provisions of Section 74(1) of the Local Government Act 1989 Council is required to review and determine the level of Councillor and Mayoral allowances within 7 months of a general election. Additionally, Section 74(4) of the Act provides for the right for persons to make a submission in respect of such a review.

Under the *Victorian Government's Policy Statement on Local Government Mayoral and Councillor Allowances* Cardinia is classified as a Category 2 Council.

The level of allowances payable for the various categories of Councils set in accordance with this *Policy Statement* were included in a notice published in the Victorian Government Gazette on 24 November 2016 to take effect from 1 December 2016, this notice increased the allowance by an amount of 2.5% as follows:

	Councillor Min/Max	Mayor Up to
Category 1	\$8,324 – \$19,834	\$59,257
Category 2	\$10,284 – \$24,730	\$76,521
Category 3	\$12,367 – \$29,630	\$94,641

An amount equivalent to the superannuation guarantee (currently 9.5%) is payable in addition to these amounts.

POLICY IMPLICATIONS

Any decision taken in regard to setting the level of allowances will apply for the 4 year term of the current Council. Council is also required to adopt and maintain a policy in relation to the

reimbursement of expenses incurred by Councillors in undertaking their duties as a Councillor and Council has accordingly adopted the *Councillor Expenses and Entitlements Policy*.

RELEVANCE TO COUNCIL PLAN

Nil

CONSULTATION/COMMUNICATION

Following the resolution of November last year a Public Notice was placed in the Pakenham Gazette, Pakenham News and Ranges Trader Mail as well as Council's website advising of the proposed level of allowances to be set and calling for submissions by 13 January. At the close of the exhibition period no submissions had been received.

FINANCIAL AND RESOURCE IMPLICATIONS

The 2016- 17 Budget has included sufficient funds to retain the Mayor and Councillors allowances at the levels previously set inclusive of the recent 2.5% increase

CONCLUSION

Council is required to review and determine the level of Councillor and Mayoral allowances within seven months of an election but is not in a position to increase the levels beyond those set by the Minister for Local Government.

It is considered fair and reasonable to retain the level of allowances at the maximum level allowable for a Category 2 Council being \$24,730 per annum for Councillors and \$76,521 for the Mayor. If these allowances are set they will be the allowances payable for the balance of the term of the current Council.

Council is only able to amend the allowances in the future if the Minister undertakes a review of the categories of Councils and amends these or increases the level of allowances having regard to movements in the levels of remuneration of executives within the meaning of the Public Administration Act 2004, as detailed in the Policy Statement.

4 MAYOR AND COUNCILLOR ALLOWANCES

Moved Cr M Schilling Seconded Cr C Ross

That Council retain the Mayor and Councillor allowances at the maximum level as published in the Victorian Government Gazette so that the Mayoral Allowance will be \$76,521 per annum and the Councillor allowances \$24,730 per annum.

Cd.

5 CIVIL WORKS PACKAGE - LANG LANG RECREATION RESERVE, CT17/04

FILE REFERENCE INT178629

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Stewart Pike

RECOMMENDATION

That;

- The tender submitted by Lasergrade Pty Ltd to undertake works associated with CT17/04 - Civil Works Package - Lang Lang Recreation Reserve be accepted by Council for the amount of \$6,189,148;
- The remaining tenderers be advised accordingly and;
- The common seal of the Council be affixed to the contract documents

Attachments

- 1 Confidential memorandum detailing tenders received circulated to councillors only 3 Pages

EXECUTIVE SUMMARY

This report provides consideration for the appointment of a contractor to undertake the works required under CT17/04 - Civil Works Package - Lang Lang Recreation Reserve.

The package of works under this contract includes the construction of 2 football ovals, 4 netball courts, car parking and access roads, wetland and storm water re-use system, oval irrigation and facility sports lighting.

The tender submitted by Lasergrade for the sum of \$6,189,148 (GST exclusive) represents the best value for money to Council and it is therefore recommended that CT17/04 - Civil Works Package - Lang Lang Recreation Reserve be awarded accordingly.

BACKGROUND

This package of works is the first stage of the Lang Lang Community Recreation Facility Masterplan implementation. The masterplan was adopted by Council on 21 March 2016. This first stage of works includes the construction of 2 football ovals, 4 netball courts, car parking and access roads, wetland and storm water re-use system, oval irrigation and facility sports lighting.

Tenders were advertised in The Age newspaper on Saturday 19 November 2016. Tenders closed on Tuesday 20 December with 10 submissions received (all of which were conforming). Submissions were received from the following companies;

2Construct	BMD Constructions
Canteri Bros	Civilex Victoria
Depan Group	Entracon Civil
Ertech	Goldsmith Civil and Environmental

Lasergrade	Maca Infrastructure
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The tenders were checked against a range of non-weighted selection criteria to ensure the viability of the tender submissions. These criteria include: compliance with the specification, compliance with the conditions of contract, occupational health and safety, financial viability, risk and insurance and conflict of interest.

The tenders were also assessed against the weighted criteria capability and capacity, relevant experience and past performance, management systems (quality, safety and environment) and project plan/program.

The tender submitted by Lasergrade for the sum of \$6,189,148 (GST exclusive) provides the best value for money to Council. It is therefore recommended that the tender submitted by Lasergrade be accepted for this contract.

POLICY IMPLICATIONS

Nil

RELEVANCE TO COUNCIL PLAN

The delivery of this project aligns with Councils' plan to provide active and passive recreation facilities to meet the needs of our residents, increase opportunities for our residents to participate in a range of sport, recreation and leisure activities, develop new and maintain existing parks, gardens and reserves in a sustainable way and to plan and develop built environments that support improved health and wellbeing of our communities.

CONSULTATION/COMMUNICATION

Extensive community engagement was undertaken during the development of the masterplan. The detailed design of this civil works package has been subjected to an extensive internal consultative process.

FINANCIAL AND RESOURCE IMPLICATIONS

Total funding available in accordance with the capital works program is \$9,696,000, of which there is \$1,145,000 in this financial year and \$8,551,000 over 2017/20 financial years. There is sufficient funding to proceed with the works.

A financial scorecard review of Lasergrade highlighted some concerns with their financial capacity to undertake the works. Additional security will be held for the duration of construction works and will be a requirement of the acceptance of this contract.

CONCLUSION

It is recommended that the tender submitted by Lasergrade for \$6,189,148 be accepted for CT17/04 - Civil Works Package - Lang Lang Recreation Reserve and that the additional security form part of the contract offer and acceptance.

**5 CIVIL WORKS PACKAGE - LANG LANG RECREATION RESERVE,
CT17/04**

Moved Cr R Brown Seconded Cr C Ross

That Council defers the decision for tender and suspends any other planned works until the April 2017 General Meeting and calls for a report as soon as possible from the Chief Executive Officer that addresses and advises the following;

1. The business case for the Project, including the methodology for the site selection and the needs analysis supporting the decision to build a Sporting Precinct.
2. A cost analysis of the total project detailing all supporting infrastructure and post construction costs.
3. The detailed Project Plan showing milestones, critical dates and budget forecasts .
4. How the security of such an isolated site is to be managed.
5. The conditions associated with the Bendigo Community Bank contribution.

Upon being put to the meeting, the motion was declared carried. Cr Jodie Owen called for a Division.

For the Motion were Crs C Ross, B Owen, J Springfield, C Ryan and R Brown Total (5).

Against the Motion were Crs G Moore, J Owen, L Wilmot and M Schilling Total (4).

MOTION WAS CARRIED

6 BRIDGE REPLACEMENT MANESTAR ROAD, UPPER BEACONSFIELD

FILE REFERENCE INT178677

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Alan Barnes

RECOMMENDATION

That;

- The tender submitted by North-Vic Constructions Pty Ltd to undertake works associated with CT15/35 - Bridge Replacement - Manestar Road, Upper Beaconsfield be accepted by Council for the amount of \$413,973;
- The remaining tenderers be advised accordingly; and
- The common seal of Council be affixed to the contract documents.

Attachments

- 1 Confidential memorandum detailing tenders received circulated to councillors only 2 Pages

EXECUTIVE SUMMARY

This report provides consideration for the appointment of a contractor to undertake the works required under CT15/35 - Bridge Replacement - Manestar Road, Upper Beaconsfield.

The works under this contract include demolition of the existing structure, construction of a new re-enforced concrete bridge, installation of bridge barriers, guard rails, signage and line marking.

Tenders were advertised on 5 November 2016 and closed 6 December 2016.

Tenders were received from three tenderers.

The tender submitted by North-Vic Constructions for the sum of \$413,973 (GST exclusive) represents the best value for money to Council and it is therefore recommended that CT15/35 - Bridge Replacement - Manestar Road, Upper Beaconsfield be awarded accordingly.

BACKGROUND

The Manestar Road Bridge over Cardinia Creek in Upper Beaconsfield is a timber structure nearing the end of its serviceable life and has been identified within the current Bridge Renewal Program for replacement. The Bridge borders the Yarra Ranges Shire Council and Cardinia Shire Council. The current asset agreement between the two councils indicates that maintenance and upgrade works are to be undertaken by Cardinia Shire with costs shared between the two council.

Tenders were advertised on the 5 November 2016 and closed on 6 December 2016 at 2.00pm. A total of three submissions were received from the following three tenderers:

Ace Infrastructure Pty Ltd

W Fox Engineering Pty Ltd

North-Vic Constructions Pty Ltd
--

The tenders were checked against a range of non-weighted selection criteria to ensure the viability of the tender submissions. These criteria include: compliance with the specification, occupational health and safety, financial viability, risk and insurance, compliance to conditions of contract and conflict of interest.

The tenders were also assessed against the weighted criteria, capability and capacity, relevant experience and past performance and project plan.

The tender submitted by North-Vic Constructions for the sum of \$413,973 (GST exclusive) provides the best value for money to Council. It is therefore recommended that the tender submitted by North-Vic Constructions be accepted for this contract.

POLICY IMPLICATIONS

Nil

RELEVANCE TO COUNCIL PLAN

The delivery of this project aligns with Councils' plan to "Maintain all Council roads and supporting infrastructure in accordance with the *Road Management Act 2004*", "Manage Council's assets using a life cycle approach that ensures adequate maintenance over the life of the asset" and to "Upgrade local roads to improve safety while considering the traffic demand".

CONSULTATION/COMMUNICATION

The design of the bridge has been subjected to an extensive internal consultative process. A communication plan has been prepared to ensure the restricted access across the structure is well communicated to residents and commuters prior to and during the time of construction

FINANCIAL AND RESOURCE IMPLICATIONS

This project has a \$475,000 allocation in the current 16/17 Council Capital Works Budget under Bridges Renewal and Upgrade. This budget will be funded through an agreement between Cardinia Shire Council and Yarra Ranges Councils, where each party will contribute 50% of the overall project cost, with Cardinia Shire Council staff managing the project.

Based on the tender submitted by North-Vic Constructions, there is adequate funding available in the Capital Works Budget to award this contract.

CONCLUSION

It is recommended that the tender submitted by North-Vic Constructions Pty Ltd for \$413,973 be accepted for CT15/35 - Bridge Replacement - Manestar Road, Upper Beaconsfield

6 BRIDGE REPLACEMENT MANESTAR ROAD, UPPER BEACONSFIELD

Moved Cr C Ryan Seconded Cr M Schilling

That;

- The tender submitted by North-Vic Constructions Pty Ltd to undertake works associated with CT15/35 - Bridge Replacement - Manestar Road, Upper Beaconsfield be accepted by Council for the amount of \$413,973;
- The remaining tenderers be advised accordingly; and
- The common seal of Council be affixed to the contract documents.

Cd.

7 ANNUAL SUPPLY CONTRACT - CONCRETE FOOTPATH, KERB & CHANNEL AND ASSOCIATED WORKS-NEW AND REPLACEMENT

FILE REFERENCE INT178684

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Malcolm Newman

RECOMMENDATION

That;

- The tenders submitted by Uniscape Pty Ltd, Hydradig Pty Ltd, Ultimate Group Pty Ltd, McDonough Contracting Pty Ltd, Rabot Paving Pty Ltd and All Repairs Building Maintenance be accepted for CT17/03 - Annual Supply Concrete Footpath, Kerb & Channel and Associated Works-New and Replacement for the initial three (3) year period commencing March 1, 2017 with provision for a two (2) year extension as tendered in accordance with the submitted schedule of rates;
- The remaining tenderers be advised accordingly and;
- The common seal of the Council be affixed to the contract documents.

Attachments

- 1 Confidential memorandum detailing tenders received circulated to councillors only 3 Pages

EXECUTIVE SUMMARY

This report provides consideration for the appointment of a panel of contractors to undertake the services required under CT17/03 - Annual Supply Concrete Footpath, Kerb & Channel and Associated Works-New and Replacement. The initial contract period is three (3) years with an optional two (2) year extension.

The works under this contract mainly include construction of new concrete footpaths and replacement of damaged footpath bays. There is also a component of footpath grinding of raised lips to ensure public safety, as well as, from time to time, new and replacement kerb and channel. The works will be delivered on a schedule of rates basis.

Of the seven (7) conforming tenders received, four (4) have been chosen to undertake primarily footpath and kerb and channel works. One (1) has been chosen as they specialise in grinding of footpath services only, and one (1) tenderer chosen to undertake minor maintenance such as footpath patching or tactile repairs that require urgent attention.

The six (6) tenderers conform to the requirements of the Contract and provide a good balance and variety of works to effectively deliver Council's footpath program requirements and maintenance obligations in accordance with the Road Management Act

BACKGROUND

Tenders have been sought for Annual Supply Concrete Footpath, Kerb & Channel and Associated Works-New and Replacement to undertake construction of new, and reconstruction of existing concrete works including footpaths, kerb and channel and perambulator crossings. The contract

also provides for the grinding of existing footpath bay lips necessary to satisfy the requirements of Council's Road Management Plan.

As per Council's previous annual supply contract of 2013, of which eight (8) contractors were selected, the tender was structured to enable Council to enter into contracts with several contractors to ensure adequate resources are required to complete a range of concrete footpath works in an efficient and timely manner. Works will be allocated on a project by project basis on an assessment of the individual rates of each contractor, their relative quality of work and the availability of the contractor at that time.

Tenders were advertised in The Age on 10 December 2016 and closed on 17 January 2017. Tenderers had the option to submit rates for any number of tasks across the different categories included in the tender to reflect their firm's specialisation.

Eight (8) tenders were received from the following contractors:

Uniscape Pty Ltd	McDonough Contracting Pty Ltd
Rabot Paving Pty Ltd	Safe Footpaths Pty Ltd
Ultimate Pty Ltd	All Repairs Building Maintenance
Hydradig Pty Ltd	DCS Concreting Solutions Pty Ltd

A detailed assessment taking into account the tenderer's experience, capacity, quality of workmanship and schedule of rates was undertaken from eight (8) responses of which one (1) submission was incomplete and did not meet the standard required for consideration. The other seven (7) submissions were considered to be conforming.

Of the seven (7) conforming tenders, four (4) have been chosen to undertake primarily footpath and kerb and channel works. One (1) have been chosen as they specialise in grinding of footpath services only, and one (1) tenderer chosen to undertake minor maintenance such as footpath patching or tactile repairs that require urgent attention.

The six (6) tenderers conform to the requirements of the Contract and provide a good balance and variety of works to effectively deliver Council's footpath program requirements and maintenance obligations in accordance with the Road Management Act.

POLICY IMPLICATIONS

The Local Government Act requires Council to advertise for tenders by public notice prior to entering into any contract valued in excess of \$150,000 for the supply of services and materials, and in the case of civil construction works where the works are valued in excess of \$200,000. This requirement has been complied with.

RELEVANCE TO COUNCIL PLAN

The appointment of the panel of contractors under this contract will enable Council to deliver new and replacement concrete infrastructure, together with grinding and minor maintenance repairs that is consistent with Council's plan to "Maintain all Council roads and supporting infrastructure in accordance with the Road Management Act 2004" and to "Manage Council's assets using a lifestyle approach that ensures adequate maintenance over the life of the asset".

It will also enable and enhance the provision of accessible facilities to meet identified community needs.

CONSULTATION/COMMUNICATION

An internal consultation was undertaken to determine the scope of services to be provided under this contract.

No specific community consultation is involved for periodic supply contracts

FINANCIAL AND RESOURCE IMPLICATIONS

Over the past years, Council typically expends over \$1million per annum on construction of new and replacement footpaths, renewal of kerb & channel and grinding of footpaths as part of its annual maintenance and capital works programs, with the actual amount varying considerably depending on annual budget allocations. There is not a specific budget set aside exclusively for these works which are funded from a various range of capital and operating budget allocations including new footpaths and footpath renewals.

Prices have been sought on a schedule of rates basis. This contract does not guarantee work or prevent Council from engaging consultants outside of the contract. There is no fixed financial implication resulting from the award of these contracts.

Services provided under this contract will be subject to individual project and program budgets and will be approved in line with the thresholds in Councils Procurement Policy.

CONCLUSION

It is recommended that the tenders submitted by Ultimate Group Pty Ltd, McDonough Contracting Pty Ltd, Uniscape Pty Ltd, Rabot Paving Pty Ltd, Hydradig Pty Ltd, and All Repair Building Maintenance for Contract 17-03-Annual Supply-Concrete Footpath, Kerb & Channel and Associated Works-New and Replacement be accepted.

7 ANNUAL SUPPLY CONTRACT - CONCRETE FOOTPATH, KERB & CHANNEL AND ASSOCIATED WORKS-NEW AND REPLACEMENT

Moved Cr C Ryan Seconded Cr M Schilling

That;

- The tenders submitted by Uniscape Pty Ltd, Hydradig Pty Ltd, Ultimate Group Pty Ltd, McDonough Contracting Pty Ltd, Rabot Paving Pty Ltd and All Repairs Building Maintenance be accepted for CT17/03 - Annual Supply Concrete Footpath, Kerb & Channel and Associated Works-New and Replacement for the initial three (3) year period commencing March 1, 2017 with provision for a two (2) year extension as tendered in accordance with the submitted schedule of rates;
- The remaining tenderers be advised accordingly and;
- The common seal of the Council be affixed to the contract documents.

Cd.

POLICY REPORTS

8 **COUNCILLOR AND STAFF RELATIONSHIPS POLICY**

FILE REFERENCE INT178846

RESPONSIBLE GENERAL MANAGER Derek Madden

AUTHOR Doug Evans

RECOMMENDATION

That Council adopt the amended Councillor and Staff Relationships Policy, as attached

Attachments

- 1 Councillor and Staff Relationships Policy 3 Pages

EXECUTIVE SUMMARY

To consider amending the Policy detailing the arrangements for interactions and relationships between Councillors and staff.

BACKGROUND

Following amendments made to the Local Government Act arising from the Local Government Amendment (Improved Governance) Act there is now a requirement that the CEO ensures that appropriate policies, practices and protocols are in place defining appropriate arrangements for interaction between Council staff and Councillors.

The Council adopted the Councillor and Staff Relationships Policy at its meeting held on 21 March 2016 to ensure that such arrangements are in place.

The intent behind the Policy is to ensure that the relationship between Councillors and staff are co-operative and supportive with a clear understanding of each other's roles and responsibilities.

Interaction between Councillors (on the one hand) management and staff (on the other hand) must be:

- open
- transparent
- honest
- conducted in a professional and courteous manner.

This type of appropriate conduct is important to the organisation operating effectively while achieving the best outcomes for the community.

Adherence to the Policy will ensure that Councillors govern and management and staff manage Cardinia Shire Council well and in the best interests of the community.

During discussions in regard to the Councillor Code of Conduct it has been suggested that an additional clause should be included in the Policy to provide for a process to be followed in the event that a Councillor feels the need to complain about the activities of the Chief Executive Officer.

The following additional paragraph is being suggested as an appropriate means of providing this process:

If a Councillor wishes to lodge a complaint regarding the conduct of the Chief Executive Officer, the complaint must be lodged in writing to the Mayor who will advise the Council about the complaint at the next available Council meeting when the meeting is closed to members of the public.

The Council may progress the handling of the complaint in the manner set out in the Code of Conduct to resolve disputes.

POLICY IMPLICATIONS

Council adopted the Councillor and Staff Relationships Policy on 21 March 2016 and an amendment to the policy to include reference to a complaint regarding the Chief Executive Officer is proposed

RELEVANCE TO COUNCIL PLAN

<Enter text here>

CONSULTATION/COMMUNICATION

Council has discussed the policy during consideration of revisions required to the Councillor Code of Conduct

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

CONCLUSION

It is suggested that a minor amendment be made to the Councillor and Staff Relationships Policy and the policy as amended be adopted.

8 COUNCILLOR AND STAFF RELATIONSHIPS POLICY

Moved Cr C Ryan Seconded Cr M Schilling

That Council adopt the amended Councillor and Staff Relationships Policy, as attached

Cd.

FINANCIAL REPORTS

9 **QUARTERLY FINANCE REPORT**

FILE REFERENCE INT178566

RESPONSIBLE GENERAL MANAGER Derek Madden

AUTHOR Richard Williams

RECOMMENDATION

That the quarterly financial report for the period 1 July 2016 to 31 December 2016 be received and noted.

Attachments

- 1 Quarterly Finance Report 10 Pages

EXECUTIVE SUMMARY

This report details Council's financial performance for the six months ended 31 December 2016

BACKGROUND

The report is broken into a number of parts highlighting different components that affect the financial result of Council:

- Income Statement – Analysed by Income, Expenditure and Non-recurrent Items;
- Balance Sheet;
- Cashflow Statement; and
- Capital Works.

FINANCIAL AND RESOURCE IMPLICATIONS

The analysis undertaken as part of the Financial Performance Report is based on the differences between the budget adopted in April 2016 and the actual result as at 31 December 2016.

The operating result for the six months ended 31 December 2016 is a surplus of \$4.786m. This is \$3.662m better than the budgeted surplus of \$1.124m.

Operating income is \$1.969m favourable to budget, predominantly in Rates & Charges and Statutory Fees & Fines. Operating expenditure is \$1.693m favourable to budget, mainly in Materials & Services, partly offset by Depreciation.

The total cash balance as at 31 December 2016 is \$71.839m, which is \$20.536m higher than at the end of June 2016. Excluding developer related funds, the cash balance is \$37.905m.

Capital Works expenditure for the six months to 31 December 2016 is \$17.452m, which is \$8.987m more than at the same time last year.

For further details, Councillors are referred to the detailed Financial Performance Report attached.

CONCLUSION

It is appropriate that the Council receives and notes the Financial Performance Report for the period 1 July 2016 to 31 December 2016

9 QUARTERLY FINANCE REPORT

Moved Cr L Wilmot Seconded Cr C Ross

That the quarterly financial report for the period 1 July 2016 to 31 December 2016 be received and noted.

Cd.

ACTIVITY REPORTS**10 QUARTERLY PERFORMANCE REPORT**

FILE REFERENCE INT178562

RESPONSIBLE GENERAL MANAGER Derek Madden

AUTHOR Jo Battin

RECOMMENDATION

That the Quarterly Performance Report for the July to December 2016 period be received and noted.

Attachments

- 1 Quarterly Performance Report 52 Pages

EXECUTIVE SUMMARY

To present the Quarterly Performance Report for the July to December 2016 period.

BACKGROUND**New Councillors**

With the Victorian local government elections in October, we welcomed our sixth elected Cardinia Shire Council, comprising nine councillors – five returning and four new to the role. Cr Brett Owen was elected Mayor for 2017 and Cr Jodie Owen was appointed Deputy Mayor.

We are looking forward to working with our new councillors to support positive change and appropriate services and facilities across the shire. The group is a good mix of ages and genders, with some experienced in the role and some fresh faces, providing a dynamic and exciting energy to help steer our organisation and ensure we remain focussed on and connected to the community we serve.

Victorian Government advocacy and funding**Increased services**

Council was delighted with the Victorian Government's commitment to increasing ambulance services in the shire with \$1.1 million to purchase a site in Pakenham for a new purpose-built modern facility. The ambulance station is part of the \$8.5 million Growth Areas Infrastructure Contributions (GAIC) fund.

We also welcomed the Victorian Government's commitment to increase police numbers by almost 3,000 officers across the state over the next four years. Council has continued to advocate to the Victorian Government in recent years to request additional police resourcing for the shire and wrote to the Police Minister and the Police Association earlier this year.

This announcement is an acknowledgment of our community's concern about increasing crime in the shire, and we look forward to seeing an increased police presence throughout Cardinia Shire in the coming months and years.

Recreation facilities

Council was extremely pleased to welcome Member for Eastern Victoria Daniel Mulino to the shire in November, to announce \$4.07 million from the Victorian Government's Growing Suburbs Fund to support the development of three key recreation projects:

- \$2.825 million for the Deep Creek Development in Pakenham – a regional reserve to provide open space, recreation facilities, environmental assets and education facilities.
- \$545,000 for upgrades and development of the Emerald to Gembrook Multi-use Trail.
- \$700,000 for the Growth Corridor District Playground project providing upgrades and expansions to play spaces across four suburbs.

This funding is in addition to the \$5,520,000 received in 2015, toward the delivery of the IYU Soccer Reserve upgrade and the Heatherbrae Recreation Reserve Pavilion.

Construction of Heatherbrae Pavilion in Officer was completed in November, providing local sporting clubs with a community meeting spaces, offices, change rooms, umpires' rooms and amenities. The reserve includes two football and cricket ovals with flood lights, two netball courts, two cricket nets, a half-court basketball court, tennis hit-up wall and a sensory playground. Landscaping and carpark works were also part of the \$2.767 million project.

A significant part of the \$7.7 million IYU Regional Soccer facility in Henry Road, Pakenham, has been completed and soccer competitions are being played at the reserve. The three soccer pitches include an all-weather synthetic soccer pitch and two turf pitches with lighting and the reserve also includes a half-court basketball court and children's playground. The pavilion is also well underway.

White Ribbon accreditation

I am proud to announce that the organisation has achieved status as a White Ribbon accredited workplace – recognition for all our work in preventing and responding to violence against women in the workplace and in the community.

Over the past 18 months, we have worked hard to create a safer and more respectful workplace, through education and training, enhanced resource allocation, improved workplace policies, and effective leadership.

This internationally recognised accreditation acknowledges the initiatives we have put in place to educate staff about the many forms of family violence, how to seek assistance if they are either using violence or are the target of it, and how best to support someone in need.

We are now all aware that our shire experiences high rates of family violence. I am proud of the efforts of staff to join the organisation in taking a stand, through their support of White Ribbon Day and other initiatives Council has joined with such as Together We Can.

Tertiary campus to continue for our shire

Council was pleased to receive the news that Federation University Australia will take responsibility for Monash University's Berwick Campus. The university will offer courses at the campus in 2017 and take full operation from Monash University in 2018.

This is great news for the shire and we are pleased that education opportunities will continue to be offered to prospective students so close to home. The closure would have had a direct impact on students, forcing more of our young people to travel great distances to study. Having this campus continue, not only means local education opportunities, but also ensures employment opportunities for teachers and administration staff are kept closer to the shire.

Council continues to advocate to both federal and state governments to increase education provision in the shire. We hope to work closely with Federation University Australia over the coming year to ensure course options and degree subjects support our local students' aspirations.

New facilities – Arena Child and Family Centre

Construction of the Arena Child and Family Centre in Officer was completed and the centre prepared for commencement at the beginning of Term 1, 2017, with two four-year-old groups and one three-year-old group, and a wrap-around service available to provide longer hours of care for working parents.

The centre will offer comprehensive services to the community (from maternal and child services to kindergarten) in a purpose-built centre; including a consulting room, kindergarten, and a community room available for hire by the general public. We hope this centre will become a great hub for families of young children to develop supportive social networks.

The \$2.7 million project was supported with a contribution of \$650,000 from the Victorian Department of Education.

New flexible plastic collection

Council launched a new collection service for residents to be able to recycle plastic bags and soft, flexible plastic packaging via the kerbside recycling service in December.

We are proud to be part of this initiative, along with three other Victorian councils, the Australian Packaging Covenant and SKM Recycling, as part of the Victorian Government's 'Metropolitan Local Government Waste and Resource Recovery Fund'.

To launch the service, all Cardinia Shire households were provided with promotional plastic bags to start bundling items for collection along with their regular recycling, assisting Council in reducing the huge amount of plastic that ends up in landfill.

Flexible plastics recovered in this way will be recycled into a range of products including bags and packaging material, trays and general purposes containers, playground equipment, and textiles for clothing, toys and furniture.

Policy implications

Nil

Relevance to Council Plan

A major component of the attached report details progress in delivering the actions adopted to deliver the Council Plan.

Consultation/communication

Nil

Financial and resource implications

There are no financial implications involved in receiving this quarterly performance report.

Conclusion

It is appropriate to receive the quarterly performance report and note the contents.

10 QUARTERLY PERFORMANCE REPORT

Moved Cr C Ryan Seconded Cr M Schilling

That the Quarterly Performance Report for the July to December 2016 period be received and noted.

Cd.

11 QUARTERLY ENVIRONMENT REPORT

FILE REFERENCE INT178615

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Desiree Lovell

RECOMMENDATION

That the report be noted

Attachments

Nil.

EXECUTIVE SUMMARY

This report provides a summary of some key environmental sustainability projects currently being undertaken by Council. Projects have been categorised according to the Sustainable Environment Strategy themes:

- Climate change and energy conservation
- Development and built environment
- Water conservation
- Waste minimisation and sustainable procurement
- Natural systems

A similar report will be presented each quarter highlighting new programs or projects that have achieved significant milestones

BACKGROUND

There are a broad range of environmental actions taking place throughout the organisation. While many of these occur within or are led by the Environment Unit, the vast majority of the organisation is involved in environmental sustainability to some degree. Below is a highlight of some of the key projects currently being undertaken.

All actions fall within the Council Plan 2016-17 under the key performance area of Environment 'we will continue to plan and manage the natural and built environment for present and future generations'.

Climate change and energy conservation

Council Plan action – Reduce Council's energy consumption and help the community to do likewise.

1. Solar rates community program

Council has partnered with a group of 20 Victorian councils and greenhouse alliances on a program to provide low income households (specifically aged pensioners) with access to solar energy systems to reduce their energy costs. This program is made possible by the Victorian Government's New Energy Jobs Fund.

Installing solar PV can deliver immediate savings on household electricity costs while also providing the ability for vulnerable householders to cool their homes during heatwaves without fear of price shock. However, the high initial costs associated with installation limits the ability for some households to add renewable energy options to their homes.

This program will utilise the council rates mechanism to assist with financing the solar PV systems to support these households. Council is aiming to support the delivery of the solar electricity systems to nine vulnerable households over the next two years to establish and trial the funding mechanism as part of the program.

2. Update on carbon reductions

Since the endorsement of the Aspirational Energy Transition plan Council has implemented numerous activities to reduce its emissions and energy costs. These include:

- upgrades of Council facilities including Cardinia Life, the Cardinia Cultural Centre and the Beaconsfield Community Complex
- upgrade of decorative street lights with energy savings globes
- installation of 243 kW of solar electricity systems comprising of over 930 solar panels at 14 sites
- incorporation of sustainable design in new Council facilities

These initiatives are saving over 1,200 tonnes of CO₂e per annum and \$165,000. Council has a planned ongoing role out of projects similar to these in the coming years. In 2012, Council's emissions were 9,064 tonnes of CO₂e, hence the 1,200 tonnes of CO₂e reduction achieved by these initiatives equates to 13% of Council's 2012 emissions levels. The Aspirational Energy Transition Plan also includes Council's intention to move to 100% renewable electricity, based on a competitive financial solution being available to achieve this.

Development and built environment

3. Sustainable Homes Workshops

Council has partnered with the Koo Wee Rup regional health service to deliver four workshops focussing on living sustainably. The three hour workshops ran in August, September, October and November 2016 and focused on energy, water, waste and sustainable gardening.

The workshops were facilitated by a specialist facilitator and included presentations from Council officers. The workshops took place at the recently renovated Hewitt Eco House at the health service that demonstrates how the environmental performance of an existing home can be improved.

Each event had 15-20 participants, many attended all four sessions. Positive feedback was received from workshop participants on the content and the assistance it provided. Participants were provided with a sustainable homes guide and devices to reduce utility costs such as energy saving light globes. The workshops followed the sustainable homes program model developed by the South East Councils Climate Change Alliance (SECCCA) in 2011.

4. Review of the Sustainable Environment Strategy

Council's Sustainable Environment Strategy (SES) 2009-12 is now out of date. Over the next 18 months the Environment Unit will coordinate the review of the outdated SES and develop a new document. The new strategy will provide a vision and clear direction to help guide decision making in relation to best practice environmental management. In addition it will form the umbrella framework to environmental sustainability and provide a holistic policy direction to ensure there is cohesion between those more targeted strategies such as the Integrated Water Management Plan and Aspirational Energy Transition Plan.

The new plan will provide an overview of environmental indicators for the Shire, focusing on the following themes:

- Climate change

- Biodiversity
- Sustainable development of human settlements
- Water
- Waste
- Council leadership and engagement

Work has begun and the next step is to engage the services of a specialist consultant to provide some of the information required in order to accurately assess the current state of the environment in Cardinia Shire. This will enable officers to determine appropriate indicators (where we don't already have the information) that will form a part of the Sustainable Environment Strategy.

Water conservation

Council Plan action – Plan to manage water in an integrated manner, including the reduction of potable water consumption by Council and households.

5. Melbourne Water living rivers funding

Council has been successful in obtaining two grants through Melbourne Water's living rivers program.

- \$20,000 for the detailed design and investigation of erosion control and a raingarden at Gembrook Park
- \$40,000 to implement some of the findings from the living rivers funded water sensitive urban design study in the hills. Officers are currently working through the report findings and decisions on the best allocation of these funds will be made in the near future.

Waste minimisation and sustainable procurement

Council Plan action – reduce the amount of waste going to landfill to meet the State governments waste and resource recovery policy targets.

6. Annual waste and recycling services guide

Council's 2017 Waste and recycling services guide was distributed in December along with Council's Connect magazine. This continues to provide cost savings for distribution of the guide and more timely communications on waste initiatives and emerging issues. This year's guide has a strong focus on the new kerbside flexible plastics recycling initiative launched in November, while also directing the community to use Council's online community compass tool for searching key waste collection dates.

7. Biannual hard and green waste collection results

Council's new contractor WM Waste Management Services have performed its first biannual hard and green waste collection service, running from 31 October to 2 December. Preliminary data has shown increased resource recovery rates, including excellent take up of the new couch recycling stream, at over 2,000 recycled (as of week 4), rather than sent to landfill. Final data will be available with the next report.

8. Kerbside flexible plastic recycling

During National Recycling Week (7-13 November) Council launched the new kerbside flexible plastics recycling collection, a first in metropolitan Melbourne. Cardinia Shire residents along with those from partner councils Hobsons Bay and Nillumbik were distributed 10 special recycling plastic bags, along with information on how to easily recycle flexible plastics conveniently at home. City of Boroondara is set to launch the initiative locally in February 2017.

The information packs distributed to households advise residents to bundle and bag their plastics, which allows for them to be easily sorted at SKM's Recycling facility.

Interest by the community in the project has been high with 10,033 likes (as of 24 November) on related social media posts and other overwhelmingly positive responses. Feedback is also starting to come through, indicating that the message is translating into actions, with residents already

starting to collect and bundle together their flexible plastics for recycling. Audits on the success of the project are expected to be carried out early in 2017.

This initiative is made possible by funds from SKM Recycling (\$160,000) and the Metropolitan Waste Resource Recovery fund (\$30,000), as well as \$10,000 contribution from each partner council and the Australian Packaging Covenant.

The initiative will reduce waste to landfill. Already other Victorian and interstate councils have been enquiring on the innovative project.

Natural systems

Council Plan action – Preserve and improve our bushland and natural environment by implementing weed management strategy and programs and continuing activities on high conservation bushland reserves and roadsides.

9. Emerald Starbush

Council is part of the Emerald Star Bush Community Partnership Project (ESBCPP). The Emerald Star Bush (ESB) is considered to be one of the rarest plants within the Cardinia Shire region, with only approximately 6,400 individual plants known to exist.

The partnership project volunteers have logged over 2,000 volunteer hours to conserve the plant since the groups' inception.

The group received a \$50,000 grant to promote and conserve the ESB through community awareness raising activities and to advocate for sustainable land management on private and public land. This includes targeted control of weeds, revegetation and removal of biomass during fuel reduction works that is considerate to conserve the ESB.

The grant also includes the installation of signage, population health monitoring, surveying of public and private land to locate and identify potential new populations and research into the plants seed dormancy to assist with propagation.

The ESBCPP is also advocating for 'endangered' listing of the species within the Environmental Protection and Biodiversity Conservation Act. This is supported by the State Action Statement for the species under the Flora and Fauna Guarantee Act.

10. Weed control grants

Council's annual weed control grant scheme is open to any owner or manager of private property in the Shire, to assist with the costs associated with weed control of noxious and environmental weeds. The grant can assist with funding the purchase of herbicides, equipment hire, contractor labour and weed disposal. Funding is offered on a first come, first served basis, to those that meet the selection criteria (including considering chemical free weed control as the first choice where appropriate).

A maximum of \$250 is available to any one landowner, with environmental groups also encouraged to apply. Landowners are encouraged to work together to control weeds on their properties, and across property boundaries.

The budget for 2016-17 is \$40,000. Currently 90% of the annual budget for this program is allocated.

11. Wattle Creek Reserve Restoration Project 2015-17

Wattle Creek Reserve is located within the Emerald region and drains into Lake Treganowan, within the Emerald Lake Park. This reserve forms part of the vegetation corridor linking Wrights Forest to

the west and Bunyip State Park to the north east. This riparian corridor shelters Wattle Creek and contributes to water quality improvements, creek bank stabilization and sediment retention.

The Wattle Creek Reserve restoration project is a two year project that commenced in 2015, and is funded (to the value of \$40,000) through the Victorian Government's Dandenong Ranges Environmental and Bushfire Reduction Community Grants Program.

The project focuses on restoring vegetation along the reserve, with the recent planting of 1,000 indigenous plants and removing the heavily invaded weeds.

Engaging local landowners has also occurred, to encourage participation in weed control works on their land. Council partnered with Johns Hill Landcare Group, in delivering a 'good neighbour' program to landowners in six streets in close proximity to the Reserve. This program provided advice on weed management delivered by two weed identification workshops and plant giveaways. 42 properties have engaged in this process.

This project is nearing completion with the final report due to be submitted to the funding agent by the end June 2017.

12. Pepis land wetlands restoration project

The Pepis land wetlands restoration project commenced in 2015 and saw the large scale removal of willow, blackberry and other woody weeds which had invaded the land surrounding the two spring fed dams at the site. These works are in line with the Emerald Spatial Plan and the Pepis land Masterplan.

In addition, a Pepis land wetland management plan 2016 (Rakali Consultants) has been finalised, and provides a 10 year plan guiding the restoration and rehabilitation of the conservation area surrounding the two dams.

The plan outlines staged removal of the large willows that currently dominate the site, and seek to replace the canopy and ground storey plants with indigenous species and appropriate aquatic species.

During 2015-16, 20 fenced revegetation beds were established in the outer dam areas, to further enhance the slopes around the dam with indigenous species, formerly inundated with woody weeds.

13. Roadside weed control program 2016-17

The Roadside weed control program (co-funded by the Victorian Government through the Roadside weed and pests management program), is well underway with a focus on the township areas of Cardinia, Officer, Officer South, Pakenham, Pakenham South, Lang Lang, Heath Hill and Tonimbuk. This program targets regionally prohibited and regionally controlled noxious weeds such as blackberry, broom, thistle and ragwort. Environmental weeds (i.e. weeds not listed in noxious category) are not targeted through this program.

CONSULTATION/COMMUNICATION

Where internal and external consultation has taken place it is captured in the background information above.

CONCLUSION

This report has focused on how Council is leading the way providing community awareness, education and engagement opportunities in the areas of waste reduction, energy and water consumption and biodiversity conservation. Many of these programs are ongoing.

11 QUARTERLY ENVIRONMENT REPORT

Moved Cr C Ryan Seconded Cr M Schilling

That the report be noted

Cd.

12 MAJOR PROJECTS AND STRATEGIES ACTIVITY REPORT

FILE REFERENCE INT178605

RESPONSIBLE GENERAL MANAGER Michael Ellis

AUTHOR Andrew Barr; Charles Taveira; John Davey; Desiree Lovell

RECOMMENDATION

That the report be noted

Attachments

Nil.

EXECUTIVE SUMMARY

As part of the reporting process to Council, this monthly report provides an update of the current status of major projects and strategies in progress. It includes an update on major projects, capital works, special charge schemes and asset management current at the time of this report.

Capital works

Recreation reserves

IYU Recreation Reserve pavilion

The project is progressing with external brickworks nearing completion, electrical, mechanical, fire and hydraulics service installations are approximately 75 per cent complete, carpentry works are completed and plaster works have commenced. Plaster ceiling battening has also commenced. Window frames have been installed with glazing works currently being completed. Works are scheduled for completion May 2017

Chandler Recreation Reserve pavilion

Construction works are ahead of schedule, with all contract works nearing completion, painters are putting the finishing touches to the project. The passenger lift is on schedule for delivery in February with project completion due in March. The upgrade to the sewerage system is nearly complete.

Bunyip tennis and netball facility

The Bunyip tennis and netball facility has been completed, three months ahead of schedule. The new facility replaces the old tennis rooms and includes social rooms, kitchen, gallery, office, home and away amenities, change rooms, stores, unisex change facilities and umpire's rooms.

Lang Lang Community and Recreation Precinct

Tenders for the civil works closed December 2016. A separate tender assessment report will be presented to this Council meeting for consideration.

James Bathe Recreation Reserve

The design works for the civil components are progressing. An integrated skate and play space are being incorporated to the north-east of the site along with the half basketball courts which provides one multi use space on the reserve

Nar Nar Goon netball court reconstruction

Works on the reconstruction of the two existing netball courts at Nar Nar Goon Recreation Reserve will commenced in late January. The works will address issues with the run-off areas and the grades of the playing surface.

Mountain Road Recreation Reserve resurfacing works

Construction works on the resurfacing of the Mountain Road Recreation Reserve sports oval and athletics track are progressing, with the irrigation component of the project nearing completion.

Deep Creek Reserve

Design work associated with the wetland, playground, building, kick-a-bout area, nursery and other components has now been completed. Tender packages relating to earthworks recently closed and a report recommending a preferred contractor will be presented at the March Council meeting. Further contracts relating to the playground, civil and building components will follow.

Roads, drains and bridges

Wheeler Road, Maryknoll

Tenders for the Wheeler Road Special Charge Scheme works closed in January. A separate tender assessment report will be presented to this Council meeting for consideration.

2016-17 Bridge renewal program

On site construction works associated with the Bunyip-Modella Road Bridge have commenced. Works are expected to be completed in March with the contractor looking to minimise disruptions to commuters.

The tender for the design and construction of the Manestar Road Bridge closed in December with a separate tender assessment report being presented to the Council meeting for consideration.

2016-17 Road program

Rehabilitation works at Spencer Street in Nar Nar Goon are expected to commence in mid-March 2017. Works are expected to continue through to May pending weather conditions.

Council's road reseal program is now complete. The asphalt overlay and replacement program is also nearing completion and will continue throughout autumn. There are a number of projects which require works to be delayed until later in the financial year due to high tourist visitation numbers and current construction works.

2016-17 Unsealed roads re-sheeting program

The 2016-17 unsealed roads re-sheeting program is 50 per cent complete, with approximately 24 kilometres of unsealed roads replenished with new crushed rock material that has been lost due to varied weather conditions and general wear and tear, resulting in an improved and safer trafficable surface.

2016-17 Drainage program

The 2016-17 drainage program is well underway with 90 per cent of the budget now committed or completed. Some of the projects included are:

- major drainage works at the rear of Toomuc Reserve which are now complete
- renewal works associated with the replacement of aging infrastructure in Cockatoo is being procured,
- a Water Sensitive Urban Design (WSUD) solution for Toomuc Creek site along Council's depot site, an engineering consultant is being engaged for the design.

McGregor Road pedestrian operated signals (POS)

The major works associated with the installation of the POS have been completed. The POS will significantly improve the safety of pedestrians, including school children, at this location.

Cockatoo-Gembrook Trail

Detailed design of isolated civil components such as intersection realignments, major pedestrian crossings and level challenges is almost complete. The tender package is being finalised and will be advertised in March.

Asset management

Sealed roads

Around 50 per cent of Council's sealed road network condition assessments have been completed and will be finished by April. These works are required to comply with conditions within the Road Management Plan and assists in the long term planning for future sealed road works.

Strategies

Waste and Resource Recovery Strategy

The review of the Waste Management Strategy and Litter Strategy is continuing, exploring the challenges and opportunities for Council in litter management, waste and resource recovery and waste related education into the future. A draft strategy will be available for review and feedback in June 2017.

CONCLUSION

This regular activity report is provided for Councillor's information.

12 MAJOR PROJECTS AND STRATEGIES ACTIVITY REPORT

Moved Cr C Ryan Seconded Cr M Schilling

That the report be noted

Cd.

REPORTS OR MINUTES OF COMMITTEES

The Mayor advised that minutes from various Committees and recent Council Briefing Sessions were available for any interested councillors

REPORTS BY DELEGATES

Pride march

Cr Schilling reported on the Council participation in the Pride March held on 29 January.

Cardinia Bicycle Users Group (BUG)

Cr Moore advised of his attendance at the Annual General Meeting of the Cardinia Bicycle Users Group and presented a certificate of appreciation for the Assistance provided to the group by the Council.

Australia Day Awards

Cr Moore presented to the Council a framed collection of Australia Day Award medals received from Mr Paul Wilton who was the Australia Day Ambassador that addressed the Bunyip Australia Day celebrations.

The Mayor advised that the collection would be displayed in the Civic Offices.

REPORTS BY THE MAYOR

The reported on recent activities involving advocacy with both the State and Federal Governments as follows:

Official openings, sod turnings

- Official opening of the John Henry Primary School on 2 February with the Minister for Education James Merlino
- Turning of the sod for the Officer Town Centre on 3 February with Daniel Mulino MP
- Turning of the sod for the Gum Scrub Creek Primary School on 13 February with the Minister for Education James Merlino, MP

Meetings with MPs

- Attended the Interface Council's Group Meeting on 1 February in company with the Minister for Local Government, Natalie Hutchins
- Visited Emerald Lake Park on 16 February in company with Brad Battin MP, to inspect the weed management works resulting from the \$600,000 grant received for these works
- Mayor and Cr Jodie Owen met with Commissioner of Police at Narre Warren

Meetings or official functions with Government Departments

- Council staff attended the Municipal Association of Victoria Forum on Family Violence and support on 20 February
- Council staff met with representatives of the Department of Health and Human Services regarding affordable housing and the State Government's Housing Plan priorities
- Council staff met with Victoria Police Officers in regard to forthcoming community events
- Council staff met with staff from the State Government's Office of Suburban development regarding developments in the growth corridor.

Recent Grant Applications lodged

- \$40,000 application through the Australian Drug Foundation for establishment of a community Local Drug Action Team
- \$150,000 through Sustainability Victoria for the Casey Cardinia Business Efficiency Program
- \$334,000 through Libraries Victoria for replacement of the mobile library trailer
- \$73,000 to the Department of Treasury and Finance for damages resulting from the January storm event
- Under the State Government Shared Fund application for:
 - \$1.6M for Koo Wee Rup Secondary College
 - \$1.3M for Pakenham Secondary College
 - \$530,000 for Gum Scrub Creek Primary School, and
 - \$2M to create a Parentzone at Pakenham Hills Primary School
- \$2M for the Lang Lang Community Recreation Reserve and \$900,000 for the Bunyip Soccer Club pavilion under the Building Better Regions Fund will be lodged this month

Recent Grant applications approved

- \$2.8M for the Deep Creek Reserve project
- \$500,000 for the Cockatoo to Gembrook Trail
- \$350,000 for the upgrade of Pakenham Main Street Kindergarten
- \$1.2M for the Gum Scrub Creek Children's Centre
- \$700,000 for District playgrounds
- \$100,000 for upgrades to the Catani Netball Courts
- \$100,000 for upgrades to the cricket oval at the Koo Wee Rup Primary School

Council also provided a letter of support for the \$150,000 grant application submitted by Family Life under the Community Partnerships for Primary Prevention Program to expand the Together We Can program seeking to prevent family violence in the Shire.

The Mayor noted that so far this financial year a total of 40 grant applications have been lodged totalling over \$29M the disappointing part of this however is that only 19 of these have so far been approved for a total of \$8.2M

Announcements

The Mayor advised that he was pleased to hear of the State Governments announcement by the Minister for Public Transport of the \$660 million worth of upgrades that will be carried out along the Pakenham rail line including the depot to be built in Pakenham East that will include a maintenance facility, train simulators and stabling for up to 30 trains – creating 100 new ongoing local jobs.

PRESENTATION OF PETITIONS

Cr Moore tabled a petition from residents of Garfield, the prayer of the petition reading 'We therefore ask the Cardinia Shire Council to urgently look into the possibility of erecting a small roundabout on the Nar Nar Goon – Longwarry Road and Thirteen Mile Road intersection'

The Mayor advised that this petition will lay on the table for consideration by the Council at its next meeting.

NOTICES OF MOTION

Nil

COMMUNITY QUESTION TIME

The Mayor advised that a series of questions had been received from Mrs Gloria O'Connor noting that her first question had been withdrawn.

The Mayor referred Mrs O'Connor's second question to GMCWB to read and answer.

Question

With reference to the recently advertised new State government primary school to be built in Officer, which will include \$2 million dollars contribution from Cardinia Shire Council, could you please advise the reason for local council funding of a state government education facility?

Answer

Council is very excited about the new primary school in Officer as it is the first time that the DET and Council have worked together on a fully integrated service.

An Children's centre has been included in the plans for Officer for some time and land had already been allocated for it. Council was keen to line up the building of the Children's centre with the building of the school next door. Discussions around construction timelines led to the idea of fully integrating the early childhood centre on to the school site rather than having it on a lot next door.

To that end, the master planning and design of the school have been done in consultation with Council and now the children's centre, which includes a maternal and child health centre and community rooms, will all be under the one roof line with the school. This will provide a seamless integration of services for families attending the MCH, Kinder and primary school and will provide better value for money with the construction. It will be a real community hub.

The \$2 million allocated to this project is from developer contributions that were already allocated to the Officer precinct for the children's centre. An additional \$1.2 million dollars from the state government Children's Capital program will also contribute to the build costs.

The Mayor asked Mrs O'Connor whether she wished to as a supplementary question.

Mrs O'Connor asked in regard to the developer contributions.

The Mayor referred the question to GMPD to answer

GMPD advised that developer contributions were provided by all developers within the growth corridor not just individual developers.

The Mayor referred Mrs O'Connor's final question to GMAS to read and answer

Question

Among creeks and waterways in Cardinia Shire, what details are recorded concerning the history of Whiskey Creek coming from the hills north of the Princes Highway (now the Cardinia Lakes residential district) and continuing southward through what was previously farmland (now a public reserve adjacent to Pakenam golf course) towards Bald Hill Road?

Answer

Whiskey creek historically flowed from the north under the Princes Highway discharging into Pakenham creek.

Around 2000 Melbourne Water created the Eastern Outfall Drain North of the highway then piped

the creek through the developed Blue Grass Estate discharging into the Deep Creek reserve.

The Mayor asked Mrs O'Connor whether she wished to ask a supplementary question

Mrs O'Connor raised concern with the condition of the creek where it flowed from Oaktree Drive.

GMAS advised that the works being undertaken within Deep Creek Reserve would serve to improve the appearance and environmental significance of the area and offered to meet with Mrs O'Connor to explain the works being undertaken.

The Mayor advised of a question received from Mr Bill Ronald and referred the question to Cr Graeme Moore to read and answer.

Question

The community is well aware of how Cardinia Shire Council forced the closure of the nationally recognised Light Horse Museum in Nar Nar Goon North, destroying a significant historical educational and tourist venture operating successfully for the past 30 years.

What exactly is Council currently doing to achieve a re-opening of this museum and when can the community expect the museum to open again without hindrance of Council initiated bureaucratic red tape permits and onerous conditions to overcome?

Answer

Cr Moore addressed Mr Ronald's statement that Council forced the closure of the Light Horse Museum and provided a history for the benefit of the gallery and new Council members in that

Council responded to a complaint from a visitor to the Light Horse Museum, who was expressing concern over the safety of visitors to the museum. A complaint was also lodged with the Country Fire Authority in regard to the lack of firefighting equipment at the Museum.

Council Officers inspected the property and then sought to work with the owner for an extended period of time (14 months), prior to placing a building order on the property to have the Essential Safety Measures put in place.

Council has continued to work with the owner and their representatives in:

- funding the cataloguing the collection, to assist in having the collection recognised as of National significance,
- helping to engage qualified people to prepare plans and provide the necessary private approvals.

The community reasonably expect museums to meet the basic Safety requirements of the building act and would reasonably expect Council to act to ensure their safety is protected.

Council will continue to work with the owners to have the collection acknowledged for its significance and to have the museum and its collection once again open.

Cr Moore commented that the days when Council would turn a blind eye to such safety issues with the community at risk were gone and noted that Council is working with Bernie Dingle and his son Edward to achieve a positive outcome in the future. Cr Moore also expressed his disappointment that goods donated by him for the recently held fundraising event for the Light Horse Museum were not acknowledged during the event.

The Mayor asked Mr Ronald whether he wished to ask a supplementary question, Mr Ronald

declined the offer.

The Mayor noted that a question had been received from Marie Collins referred the question to GMPD to read and answer

Question

Nearly 50% of my property has been identified as land the Council wants for public open space and the Council proposed to remove my house to provide this open space for future residents.

I have lived here now for over 30 years and am now in my late 70's and don't want my home and future to be consumed fighting a greedy Council over providing more than my fair share of the open space for the Glissman Road development.

At my age and poor health how am I going to negotiate a better deal for me and my family with a Council with limitless fund to spend on legal teams to acquire my land?

Answer

Council has consulted the residents in Glissman Road for a number of years over possible development options, with each option having different levels of support from different owners.

All interested parties will have the ability to make a submission to Council and an independent planning panel when the draft structure plan is exhibited in the near future.

The development of Glissman Road will only occur as and when the owners of the property choose to develop.

The Mayor asked Ms Collins whether she wished to as a supplementary question and Ms Collins did not wish to.

The Mayor advised that two questions had been received from Mr Alan Poulton and referred the question to GMPD to read and answer

Question 1

The land grab for future public open space for my land holding will create an unworkable subdivision of my land owned by me for over 40 years. We who came here many years ago are having our land devalued due to council imposed planning overlays and restrictions to provide for future residents.

At my current age I don't want my remaining years to be dominated by technical and legal negotiations with council, why is Council hell bent on forcing me off my land?

Answer

Council has consulted the residents in Glissman Road for a number of years over possible development options, with each option having different levels of support from different owners.

All interested parties will have the ability to make a submission to Council and an independent planning panel when the draft structure plan is exhibited in the near future. Public open space is one element of the planning scheme amendment and the location of this reserve will be tested through the exhibition and panel process.

The development of Glissman Road will only occur as and when the owners of the property choose to develop.

Question 2

Why did council endorse the preliminary development plan dated 4 July 2016 prior to starting costings and seeking authorisation to rezone the land, at Council Meeting 18 July 2016?

When the report to council in the executive summary clearly stated 'residents and property owners in the Glissman Road area remain divided on development in the area.

Answer

Council has been consulting the owners of Glissman Road for a number of years, with many differing views being expressed over this time. The draft plan and subsequent exhibition process, will enable all interested parties to make submissions in a transparent manner for Council and an independent planning panel to consider.

The Mayor asked Mr Poulton whether he wished to ask a supplementary question.

Mr Poulton expressed his concern that Council's processes were bulldozing the development plan for Glissman Road.

The Mayor advised of a series of question received from Ms Till Vervoort and referred the first question to MG to read and answer

Question 1

There has been quite some talk about Councillor and staff relationships in the past 12 months. The COUNCILLOR AND STAFF RELATIONSHIPS POLICY REPORT in today's agenda states that: Interaction between Councillors (on the one hand) management and staff (on the other hand) must be:

- open
- transparent
- honest
- conducted in a professional and courteous manner.

How and where are ratepayers able to hear or read about this open/transparent interaction? Ratepayers seems to be kept in the dark.

Answer

Council always attempts to be open and transparent in its deliberations and interactions. I refer you to the Know Your Council Website where you can access and compare the performance of Councils across the state. One particular data set on the site is the number of decisions made by Council's when meetings are closed to the public. Council prides itself on minimising the number of issues that it considers behind closed doors and compares very well to all other councils across the state on this particular measure.

The Mayor asked Ms Vervoort whether she wished to ask a supplementary question.

Ms Vervoort expressed her experiences with the Council stating that she considered that ratepayers should have more opportunity of asking questions of councillors and staff.

MG advised that there were processes in place and the those persons lodging submissions to statutory processes were provided an opportunity to address the Council if they so wished.

The Mayor referred Ms Vervoort' next question to GMCS to read and answer

Question 2

We have lost a great deal of experience in the last Council elections. Could you please advise which Councillors are on the Finance Committee and what is their financial experience to deserve this important position?

Answer

The Councillors serving on the Audit Committee are the Mayor Cr Brett Owen and Cr Leticia Wilmot who are both well experienced Councillors. The Audit Committee also has independent members who were well qualified and experienced in financial and IT matters. The Committee overviews the Council's finances but also considers many other aspects of the Council's operations.

The Mayor advised that he was looking forward to being an active member of the Audit Committee.

The Mayor referred Ms Vervoort's next question to MG to read and respond.

Question 3

How many Councillors understand the rules and regulations surrounding a Retirement Village and the financial arrangements imposed on residents in those Villages please?

Answer

I would assume that the Councillors have varying understandings of the functioning and financial arrangements within Retirement Villages, some Councillors have such an understanding as they have family members being resident in retirement villages whereas other Councillor do not.

The Mayor asked Ms Vervoort whether she wished to ask a supplementary question

Ms Vervoort advised that she was attempting to achieve was to ensure that all councillors had such knowledge.

The Mayor referred Ms Vervoort's final question to MG to read and answer

Question 4

The Cardinia Council reviews its policies and rules on a regular basis, which is good business practise. When will ratepayers be able to address Councillors at Council meetings during question time please? We need a more open and transparent Q and A session at Council meetings.

Answer

When Council looks to review or amend a policy or to implements a new policy a community engagement exercise will be conducted to gain resident input into the Policy. The extent of this and the form that this engagement will take will depend on the type of policy concerned. Council has a community engagement framework that sets out the various forms of community engagement activities that should be conducted and provides for a community question time at council meetings. At this stage Council is not considering a change to the public question time format at council meetings, however this can occur at any time if the Council so wishes, it would however require amendment of the Council's Meeting Procedure Local Law.

The Mayor asked Ms Vervoort whether she wished to ask a supplementary question.

Ms Vervoort expressed her opinion that Council did need to change its processes and asked if the Community would have an opportunity to comment.

MG advised that if Council saw fit to changes its processes that an amendment would be required to the Meeting Procedure Local law and that all members of the community would have an opportunity to provide input into this process.

The Mayor thanked the gallery for their attendance and input and advised that the next Council Meeting to be held on 20 March would be held in the pavilion at Chandler Reserve, Belgrave – Gembrook Road Avonsleigh.

Meeting closed at 9.05pm

Minutes Confirmed
Chairman