Council Meeting
Tuesday 22 January 2019
Notice and Agenda of Meeting to be held in the Function Centre, Bunjil Place, Narre Warren Commencing at 6:30 pm

Vision for the future Australia’s most liveable city.

Chairperson: Mayor, Councillor Amanda Stapledon

Members: Deputy Mayor Rosalie Crestani
Deputy Mayor Tim Jackson
Councillor Damien Rosario
Councillor Gary Rowe
Councillor Geoff Ablett
Councillor Milla Gilic
Councillor Rex Flannery
Councillor Sam Aziz
Councillor Susan Serey
Councillor Wayne Smith BJ, JP

Chief Executive Officer: Glenn Patterson
Order of Business

1. Reading of the Prayer and Faith Message ..........................................................3
2. Statement of Acknowledgement .................................................................3
3. Apologies ........................................................................................................3
4. Confirmation of Minutes ................................................................................3
5. Declarations of Conflict of Interests and Personal Interests ..................3
6. Public Question Time ....................................................................................3
7. Officer's Reports for Consideration .............................................................4
8. Consideration of Reports of Committees .................................................64
   8.1. Assembly of Councillors .................................................................65
9. Petitions ....................................................................................................66
10. Notices of Motion ......................................................................................67
11. Reports by Council Delegates .................................................................68
12. Urgent Business .........................................................................................71
1. READING OF THE PRAYER AND FAITH MESSAGE

2. STATEMENT OF ACKNOWLEDGEMENT

3. APOLOGIES

4. CONFIRMATION OF MINUTES

5. DECLARATIONS OF CONFLICT OF INTERESTS AND PERSONAL INTERESTS

Declaration by Councillors of any Conflict of Interest or Personal Interests pursuant to Sections 79 and 79B of the Local Government Act 1989 (the Act) in any items on the Notice Paper. (Note that Section 79(2)(a)(i) of the Act requires Councillors to disclose the nature of a Conflict of Interest or a Personal Interest immediately before the relevant consideration or discussion). Section 79B also requires that the Councillor declaring a Personal Interest must seek consent from Council to be exempt from voting on the item.

6. PUBLIC QUESTION TIME
Officer’s Reports

Smart City Advisory Committee Meeting
Customer and Business Transformation
Transformation Office
Clint Allsop

ITEM:7.1. Ward: NA

Purpose of Report: To provide Council with the minutes of the Smart City Advisory Committee meeting held on Monday 26 November 2018.

Council Plan Reference

1. A leader in applying technology and innovation.
   1.1 Leverage technology to build a smart city and improve service delivery.

Executive Summary

The quarterly Smart City Advisory Committee was held on Monday 26 November 2018. This report and the attached minutes (Attachment A) are presented in accordance with the Committee’s Terms of Reference.

Background

The Smart City Advisory Committee was established in 2018 and is made up of 12 community members, Council officers and the Smart City Portfolio Holders as Councillor delegates. The Committee has an advisory role and it brings community perspectives to Council. The Committee provides strategic advice and advocacy to the City of Casey on Smart City concepts, issues and initiatives of relevance to the municipality in line with the Council Plan and City of Casey Smart City Strategy.

The core objectives of the Committee are to:

- Oversee the development and implementation of Council policies, strategies and action plans relating to Smart Cities.
- Assist Council to identify and make recommendations on issues affecting residents of the City of Casey that may be able to be solved through the application of Smart City concepts.
- Encourage and support activities and events which promote and support Casey becoming and continuing to be a Smart City.
- To enable greater public participation in decision making via various community engagement and consulting strategies.

Meetings of the Committee are normally chaired by one of the Councillor delegates to this Committee, Cr Aziz, Cr Rowe or Cr Jackson. On this occasion, Dheeren Velu was appointed by the committee as a temporary chairperson.

Items of Note

The Committee discussed items of note including:
INNovation Crowd presentation by Chris Hall

Dr Jeremy Novak from Southern Cross University conducted a collaborative activity to help define how smart city thinking can be applied to creating a liveable city

Smart City Demonstration Project Update

Financial Implications

There are no financial implications.

Officer Direct or Indirect Interest

No Council officers involved in the preparation of this report have a direct or indirect interest in matters for consideration.

Conclusion

The Smart City Advisory Committee plays a valuable role in assisting Council to enhance, strengthen and advocate the way that Casey leverages technology, innovation and data to deliver on Casey’s strategic objectives and provide community value through agreed actions and initiatives.

Attachments

1. Smart City Advisory Committee Meeting - Attachment A [7.1.1]

**Recommendation**

That the minutes of the Smart City Advisory Committee Meeting (Attachment A) of 26 November 2018 be noted.
Smart City Advisory Committee Meeting
Minutes
Boonwurrung and Wurundjeri Rooms, Bunjil Place, Narre Warren
Monday 26 November 2018 at 6:30 pm

1. Welcome & Statement of Acknowledgement

2. Present: Dheeren Velu (Chair), Michael Gibbs, Craig Nicholls, Marlene Hargreaves, Saurabh Jhanjee, Greg Plant, Tim McCoy, Shyh Wei Teng, Dale Munckton, Dr Jeremy Novak (Guest Speaker), Landi Theart (City of Casey), Clint Allsop (City of Casey), Chris Hall (City of Casey), Ashley Pratt (City of Casey)

Apologies: Cr Sam Aziz, Cr Gary Rowe, Cr Timothy Jackson, Brian Murphy, Andrea Bulacios, Samantha Jansen

Minutes: Landi Theart (City of Casey)

Meeting Started: 6:30pm

3. Declaration by Councillors and Council Officers of Conflict of Interest or Personal Interest pursuant to Section 79 and 79B of the Local Government Act 1989.

4. Confirmation of the minutes of previous meeting

Not formally moved. There wasn’t any objection - in only being the second meeting and having a temporary chairperson it was purely an oversight.

5. Business arising from the minutes of the previous meeting

Some discussion was initiated around the community problem statements and proposed solutions. This discussion was progressed within Next Steps.

6. General Business

6.1 Chris Hall from City Economy provided an update on the INNovation Crowd

Chris Hall has been working to build and support a local entrepreneurial and startup community through a range of events and a dedicated program of activities. This is being undertaken with support from Federation University and Casey Tech School.

The community of local entrepreneurs is growing, with the key focus now is to open up opportunities for the broader community to become engaged through further innovation, networking and education related events across Casey.

6.2 Guest speaker: Dr Jeremy Novak from Southern Cross University

Dr Novak is an Australian expert on Smart Cities, having travelled and spoken nationally and internationally on the subject.
Dr Novak ran a collaborative activity to bring together members of the committee in different groups and consider what aspects of the community, society and the environment contribute to making our city more liveable.

Each group scaled and ranked the aspects that they each thought should be focused on to help create Australia’s most liveable city. Dr Novak offered to consolidate the responses and communicate the outcomes back to Casey to be considered in line with the community challenges and solutions currently being discussed by the committee – awaiting receipt.

6.3 Smart City Demonstration Project update - Ashley Pratt (Smart City Lead)

Ashley Pratt provided an update to the group on recent progress of the various initiatives. The recent focus has been to consolidate and clarify the scope to ensure that community outcomes are being delivered and can be measured. Each of the projects are at various stages of delivery, noting the complexities and challenges in delivering and utilising new and unfamiliar technologies.

6.4 Expectations, next steps and actions:

6.4.1 Action carried over from last meeting:
Before the next meeting, committee members to consider a relevant community problem and propose a solution for which the group can collaboratively discuss and evolve a solution. This could form a database of future concepts and ideas the group can continue to build on. It was noted that not everyone had communicated their ideas through Slack, and there was a general feeling within the committee to lock down some priority areas by the next meeting.

6.4.2 Summary of Slack channel (community challenge/solution) ideas to be emailed to Chris Hall and Dr Novak.

6.4.3 Members to go through these ideas and Ashley to create sub channels and voting functionality to enable discussion of the top three in the next meeting

6.4.4 It was suggested that some members of the group may wish to get together outside of the committee, particularly related to a focused Internet of Things group to help Council leverage this technology

6.4.5 Tim McCoy suggested a detailed overview of LoRa WAN, technology focus discussion and possible open forum to elaborate how the sensors are used and networks it provides.

6.4.6 Continue to update the committee in future meetings on the progress of Casey’s Smart City Demonstration Projects

6.5 No other business.

6. Urgent items without notice

No urgent items were discussed

7. Next Meeting

The next meeting is scheduled to take place on Monday, 25 February 2019 at 6:30 pm.

Meeting Closed 8.52pm
Purpose of Report: To advise on a change to the Arts Development Funding auspice arrangement.

Council Plan Reference

2. An inclusive safe and connected community.
   2.4 Encourage residents to be active and engaged in their community.

Background

On 17 April 2018, Council approved the three-year Arts Development Funding to 20 organisations to support a broad range of arts opportunities and activities that significantly benefit Casey residents. This included $10,000 (plus CPI) for the School of Hard Knocks Limited as an auspice for the Voices of the Casey community choir project. A Funding and Service Agreement (FASA) was entered into with the School of Hard Knocks in June 2018 and the organisation received $4,000 for its first year of funding.

In recent times, Voices of Casey and the School of Hard Knocks have come to a mutual agreement that, due to changes in personnel and organisational structure at the School of Hard Knocks, another organisation, Play It Forward Ltd, would be a better auspice for the community choir project.

Funding and Service Agreement

Council officers received confirmation from the School of Hard Knocks that it wishes to withdraw from the FASA and return the 2017/2018 funding in full as no expenses for the community choir project were incurred.

The proposal to change the auspice for this project came about because the two individuals from the School of Hard Knocks who had been working closely with Voices of Casey to deliver the community choir project, left the organisation for Play It Forward Ltd. Their continued involvement will ensure that Play It Forward Ltd as the new auspice will bring about a positive outcome for the community choir.

Financial Implications

The change in auspice has no financial implications for Council. The 2017/2018 funding allocation will be returned to Council and, once a new FASA is in place, this funding will be paid to Play It Forward. Year 2 and 3 funding amounts plus CPI per year will be provided as per the conditions outlined in the FASA.

Officer Direct or Indirect Interest

No Council officers involved in the preparation of this report have a direct or indirect interest in matters for consideration.
Conclusion

Council officers have consulted with representatives from School of Hard Knocks, Voices of Casey and Play It Forward Ltd and are satisfied that the proposed new auspice arrangement is acceptable to all parties and will ensure the effective delivery of the project for the Casey community.

A Council decision is required to re-allocate three years of Arts Development Funding from the School of Hard Knocks to Play It Forward Ltd as the new auspice for the Voices of Casey community choir project.

Attachments

Nil

Recommendation

That:

Council approve the reallocation of the 2017-2021 Arts Development Funding from the School of Hard Knocks (a total of $10,000 plus CPI) to Play It Forward Ltd to auspice the Voices of the Casey Community Choir.
Officers’ Reports

The Factory Rehearsal Centre for the Arts User Representative Group Minutes

Community Life
Active Communities
Callum Pattie

ITEM: 7.3.

Purpose of Report: To provide Council with the minutes of The Factory Rehearsal Centre for the Arts User Representative Group meeting held on 13 December 2018.

Council Plan Reference

2. An inclusive safe and connected community.
   2.4 Encourage residents to be active and engaged in their community.

Executive Summary

Attached for information are the minutes of The Factory Rehearsal Centre for the Arts User Representative Group meeting held on 13 December 2018 at The Factory Rehearsal Centre for the Arts, Cranbourne East. This report and the attached minutes of the meeting are presented in accordance with this group’s Terms of Reference which state that a report summarising the activities and key achievements of the group are to be presented to Council.

Background

The Factory User Representative Group was established by Council and its role is to:

- Facilitate communication between regular users, community representatives, Council officers and Council in matters related to The Factory Rehearsal Centre for the Arts User Representative Group.
- Provide community input to Council which relates to the operation of The Factory Rehearsal Centre for the Arts User Representative Group.

Meetings of the group are chaired by the Chairperson of Casey Arts and Cultural Advisory Committee, Cr Smith BJ JP, or his nominated representative.

Items of Note

- WIFI Installation - During 2018 free WIFI has been installed for use by hirers and the community attending programs at The Factory.
- 2019 Bookings - There has been high demand for booking hours in 2019 with an increase in weekend hiring.

Officer Direct or Indirect Interest
No Council officers involved in the preparation of this report have a direct or indirect interest in matters for consideration.

Conclusion

City of Casey’s The Factory User Representative Group continues to reflect Council’s commitment to a partnership between Council and the community and looks forward to further assisting Council to identify key issues in relation to the operation of The Factory Rehearsal Centre for the Arts.

Attachments

1. The Factory User Representative Group Minutes - Attachment A [7.3.1]

Recommendation

That the minutes of The Factory Rehearsal Centre for the Arts User Representative Group (Attachment A) of 13 December 2018 be noted.
The Factory Rehearsal Centre for the Arts User Representative Group Minutes

Held in Practice Room 1, The Factory Rehearsal Centre for the Arts
13 December 2018 at 6.00 pm

1. Welcome

“The City of Casey acknowledges that we are on the traditional land of the Bunurong and Wurundjeri people and pays its respects to elders both past and present.”

Present: Susan Bergman, Rhonda Craig, Jenny Zuiderwyk, Cr Wayne Smith BJ JP, Andrew Stringer (Factory Coordinator).

Apologies: Christopher Stock, Chantelle Riordan.

Absent: Ian Gration.

2. Declaration by Councillors and Council Officers of Conflict of Interest or Personal Interest pursuant to Section 79 and 79B of the Local Government Act 1989.

No conflict of interest declared.

3. Welcome: New members Rhonda Craig and Jenny Zuiderwyk to the group.

4. Confirmation of the minutes of previous meeting

Moved by Susan Bergman, seconded by Cr Wayne Smith BJ JP.

Carried

5. Business arising from the minutes of the previous meeting

Nil action items were raised at the last meeting.

6. The Factory Coordinator’s report

- A new WIFI system has been installed in the facility.
- A summary of the projected 2019 bookings was provided to the group.
- The new Victorian Child Safe legislation was explained to the group.
- An update was given of the status of storage space at The Factory.
- Warden training will be provided for group leaders in term one 2019.
- A picnic table will be installed on the grass in front of The Factory.
- The barbecue is available for all groups to use during the summer period.
- Heating and air conditioning have been installed in the foyer.
7. General Business

- Susan Bergman noted that The Factory car park is often full when the Basketball Centre is busy.

- Cr Smith notified the group of the proposed railway station and parking project for the Casey Indoor Leisure Complex.

- Rhonda Craig mentioned the parking congestion around the storage shed area is resulting in access being difficult.

**Action item:** The Factory Coordinator will provide some witches hats for the Cranbourne Lions Concert Band to use when moving their trailer.

- Rhonda Craig requested that a new hook be installed on the wall for the hanging of a plaque for the Cranbourne Lions Concert Band.

**Action item:** The Factory Coordinator will arrange for a new hook to be installed.

- Cr Smith updated the details of the Lindsay King award.

**Action item:** The Factory Coordinator will arrange to have the plaque updated with the latest winner details.

- Cr Smith notified the group that a facility upgrade to the Factory has been nominated in the current Council Plan.

- Cr Wayne Smith notified the group that Pony Music in Hallam will be closing down.

- Cr Smith briefed the group of the Mayoral Drought Concert highlights.

8. Next Meeting date

To be advised.

9. Meeting closing time

7.00 pm.
Officers’ Reports

Cranbourne Public Hall
Community Life
Active Communities
Callum Pattie

ITEM: 7.4.
Ward: Mayfield

Purpose of Report: To inform Councillors of the Cranbourne Public Hall building restoration support measures.

Council Plan Reference

2. An inclusive safe and connected community.
   2.4 Encourage residents to be active and engaged in their community.

Background

At its meeting on 21 March 2017 Council, in adopting Notice of Motion No 3132 moved by Cr Stapledon, resolved in part:

1. That Council meet with the Cranbourne Public Hall Committee to discuss support for and assistance with writing funding/grant applications to restore the Cranbourne Public Hall.
2. That a report come back to Council at the 2nd Council meeting in June advising of progress and any developments.

At its meeting on 20 June 2017 Council, when considering Officers Report: Item 6.19 resolved in part:

1. That Council officers write to DELWP seeking feedback on whether potential funding might be available to assist restoration of the Cranbourne Public Hall from funds raised from landfill tax that now sits in general funds.
2. A report come back to Council once a response has been received.

At its meeting on 21 November 2017 Council, when considering Officers Report: Item 6.14 resolved in part:

1. That Council write to the Honourable Lily D’Ambrosio MP Minster for Energy, Environment and Climate Change, seeking a response from Council’s communications for the past 6 months.
2. That a report come back to Council in 3 months’ time advising the status of communication.

At its meeting on the 20 March 2018 Council, when considering Officers Report: Item 6.12 resolved in part:

1. That the report be noted.
2. That Council prepare a delegation, including the Mayor and Ward Councillors, requesting a meeting with Mr Jude Perera and Minister D’Ambrosio, and then a meeting with the Shadow Minister, to seek funding to upgrade the Cranbourne Public Hall.

3. That Council request two separate meetings, one with the Labor Candidate for Cranbourne and one with the Liberal Candidate for Cranbourne.

4. That a report come back to Council once these meetings have taken place.

Cranbourne Public Hall

The Cranbourne Public Hall (the Hall), built in 1973 on crown land, is one of 19 public halls within the City of Casey. This community facility is managed by an independent voluntary Committee of Management (COM) as a formal legal structure with statutory responsibilities under the Associations Incorporation Act 1981.

The COM reports to the Department of Environment, Land, Water and Planning (DELWP). The Hall is available to the local community for hire and the COM has identified the Hall is in need of repair and would like to ensure the facility is fit for purpose into the future.

Outcome

Following extensive communication with various Government Departments and Agencies regarding funding and support for the Cranbourne Public Hall, Council officers met with the Mayor on the 26 November 2018 and agreed on the following outcomes:

1. That officers prepare a delegation, including the Mayor and Ward Councillors, to meet with Ms Pauline Richards MP, Member for Cranbourne, to seek funding to upgrade the Cranbourne Public Hall.
2. That Council refer the Cranbourne Public Hall restoration project for consideration in the development of the 10-year Capital Works Program.
3. That officers continue to monitor potential funding opportunities and forward relevant opportunities to the Cranbourne Public Hall Committee of Management for consideration.

Officer Direct or Indirect Interest

No Council officers involved in the preparation of this report have a direct or indirect interest in matters for consideration.

Conclusion

Council officers have been in communication with various Government Departments and Agencies in relation to opportunities for funding and support for the restoration of the Cranbourne Public Hall.

Officers will organise a meeting with Ms Pauline Richards MP, Member for Cranbourne, the Mayor and Ward Councillors to seek support for funding to upgrade the Cranbourne Public Hall. Council will consider the Hall restoration project within the 10-year Capital works Program and officers will continue to support the Committee with potential funding opportunities.

Attachments

Nil
Recommendation

That the report be noted.
Officers’ Reports

Casey Fields Steering Committee
Community Life
Active Communities
Callum Pattie

ITEM:7.5.
Ward: Mayfield

Purpose of Report: To provide Council with the minutes of the Casey Fields Steering Committee Meeting held on Monday 19 November 2018.

Council Plan Reference

2. An inclusive safe and connected community.
   2.1 Enhance the health and wellbeing of all residents.
   2.4 Encourage residents to be active and engaged in their community.

Background

Attached for information are the minutes of the Casey Fields Steering Committee meeting held on Monday 19 November 2018 at the Casey Fields Regional Athletics Centre. This report and the attached minutes are presented in accordance with this Committee's Terms of Reference which state that a report summarising the activities and key achievements of the Committee are to be presented to Council.

The Casey Fields Steering Committee comprises Councillors, Council officers and representation from relevant organisations that have a role in the ongoing development of Casey Fields including sporting clubs and the community.

The core responsibilities and objectives of the committee are to:

- Receive regular updates on the progress of development of Casey Fields.
- Provide input into any significant changes to the Casey Fields Master Plan.
- Foster community involvement in the Casey Fields project.
- Provide a forum for information sharing between interested community groups, service organisations and Council in relation to the development and operation of Casey Fields.

Meetings of the Committee are chaired by one of the two delegates to this Committee, Cr Stapledon or Cr Crestani. Cr Ablett is the alternate delegate. On this occasion, the meeting was chaired by Cr Stapledon.

Items of Note

- **Capital Works Update** – Renovation and coring of the VFL oval surface. Renovation of cricket wicket tables on ovals 4 and 5. The planned construction of cricket sightscreens on oval 4. Oval 3 conversion to summer season grass.

- **Master Plan and Team 11 Update** – Members were given an update on the planned implementation of the adopted Casey Fields Master Plan. Members were also given an update on Team 11 and the Soccer Precinct with civil construction of stage one due for commencement in late 2018.
• **Events** - Casey Fields continues to host several events that consolidate its position as the south east’s premier regional outdoor sports venue. Recent and upcoming events include:
  – Melbourne Football Club AFLW and JLT Cup Games through February and March 2019.

**Other Business** – The Committee was informed that Glenn Weir, a founding member, was resigning from the committee.

**Action Items Outstanding**

Nil.

**Officer Direct or Indirect Interest**

No Council officers involved in the preparation of this report have a direct or indirect interest in matters for consideration.

**Conclusion**

The meeting of the Casey Fields Steering Committee provided an opportunity to discuss current issues relating to the operation and the future development of the Casey Fields sporting precinct.

**Attachments**

1. Casey Fields Steering Committee Minutes - Attachment A [7.5.1]

**Recommendation**

That the minutes of the Casey Fields Steering Committee Meeting (Attachment A) of 19 November 2018 be noted.
Casey Fields Steering Committee Meeting
Minutes
Casey Fields Athletics Centre - Community Room
Monday 19 November 2018 at 6.00 pm

1. Welcome

“The City of Casey acknowledges that we are on the traditional land of the Bunurong and Wurundjeri people and pays its respects to elders both past and present.”

David Richardson, Manager City Presentation chaired the Casey Fields Steering Committee meeting.

2. Present:  Cr Amanda Stapledon and Cr Gary Rowe (City of Casey), Barry Freeman (Casey Cardinia HPV Club), Scott Memery (Casey Fields BMX Club), Glenn Weir (Cranbourne Football Club, Cranbourne Cricket Club), Kerril Burns (Community representative), Bill Upston (BASE), Rebecca Sparks (Cranbourne Netball Club), Con Di Pietro (Cranbourne Tennis Club), Stuart Merrick (Casey Cardinia Athletics Club), David Richardson, Wright Paterson and Carly Goodrich (City of Casey).

Apologies:  Cr Rosalie Crestani, Cr Rex Flannery, Cr Geoff Ablett, Peter Fitchett, (City of Casey), Adrian Bogner (Casey Fields BMX Club), Ross Moore (Casey-South Melbourne Cricket Club), Lyn Scholes, (Community representative), Lana Utatao (Casey Warriors Rugby League Club), Scott Skewes (Devon Meadows Junior Football Club), Peter Maynard (Melbourne Football Club, Casey Demons), Michelle Baxter-Hanna (Cranbourne Little Athletics Club).

Minutes:  Wright Paterson (City of Casey)

3. Declaration by Councillors and Council Officers of Conflict of Interest or Personal Interest pursuant to Section 79 and 79B of the Local Government Act 1989.

Nil.

4. Confirmation of the minutes of the previous meeting

Minutes of the meeting held on Monday 20 August 2018 were accepted. Moved by Kerril Burns, seconded by Con Di Pietro. Carried

5. Business arising from the minutes of the previous meeting

Nil.
6. Items for discussion

6.1 Capital Works and Grounds Projects (David Richardson and Carly Goodrich)

Current/planned Capital Works Projects discussed are listed below:

- Oval 3 to be converted to warm season grass.
- VFL Pavilion AFLW related upgrade in design consultation with an appointed Project Manager.
- Rugby Pitch 1 and 2 summer renovation works to surfaces.
- Oval 4 Cricket sightscreens construction commenced.
- Tennis Precinct – car park surface renovation has been completed. New drinking fountains are being installed.
- BMX Precinct spectator mounding works continue.
- Existing farm fencing throughout the site being replaced by bollards.

6.2 Master Plan and Team 11 Update (Carly Goodrich)

- Carly Goodrich presented an overview of the adopted Master Plan implementation process.
- The Team 11 announcement has been delayed with no date set.
- Tenders for stage one of the soccer precinct released with civil construction of stage one due for commencement in late 2018.

6.3 Events (Wright Paterson)

Casey Fields continues to host several events that consolidate its position as the south east's premier regional outdoor sports venue.

Recent and future major events include:

- CCHPVC 2018 October event had 130 team entries with over 1,000 participants. The event was a success.
- MFC AFLW 2019 Games confirmed for 3 February MFC v Fremantle, 24 February MFC v North Melbourne and 16 March MFC v Adelaide Crows.
- MFC JLT Pre-season Game confirmed for 9 March 2019 MFC v Brisbane Lions at 4.10 pm.
- BMX facility confirmed as venue for the 2019 State Championships (November 2019 date to be advised).
- Reminder of the Sikh Games scheduled for Easter 2019

7. Other Business

- Glenn Weir announced his retirement from the Casey Fields Steering Committee. Glenn was a founding and continuing member of the committee since 2004. Glenn was thanked by the committee for his outstanding contribution to Casey Fields.
- Bec Sparks announced she was stepping down from the Cranbourne Football Netball Club Netball committee after 8 years of service and stepping down from the Casey Fields Steering Committee after 3 years of service. Bec was thanked by the committee for her dedication an outstanding contribution to Casey Fields.
• Cr Stapledon moved to have an official Certificate of Appreciation issued to Glenn and Bec to thank them officially for their years of service.
  Moved by Wright Paterson, seconded by David Richardson.  
  
  Carried

• Con Di Pietro on behalf of the Cranbourne Tennis Club thanked Council for the tennis car park surface upgrade.

• The intrusion of cars and motorbikes onto the Criterium and BMX tracks was discussed. The committee agreed to continue to inform the Victoria Police and Council officers when incidents occurred. Council officers will investigate fencing and gate security of the site.

8. **Urgent Items without Notice**

  Nil.

9. **Next meeting**

  The next meeting is scheduled to take place on Monday 18 February 2019.

  Meeting closed at 6.50 pm.
Officers’ Reports

Community Gardens Policy Update

Purpose of Report: To seek Council’s endorsement of updates to the Community Gardens Policy.

Council Plan Reference

2. An inclusive safe and connected community.
   2.2 Build neighbourhoods that are safe and foster community connection.
   2.4 Encourage residents to be active and engaged in their community.

Background

In 2015, the Community Gardens Policy was adopted by Council. This Community Gardens Policy is underpinned by Council’s Community Development Principles, identifying that community garden groups are most successful when developed out of a clear community need and when they are community led and managed.

The Community Gardens Policy outlines Council’s commitment to well run, sustainable, accessible and inclusive community gardens as a support function rather than an operator. The Policy identifies Council’s role as:

- Supporting the establishment of community run community gardens (where appropriate) on Council owned, proposed Council owned, and Council managed land.
- Providing assistance to community groups to self-manage community gardens.
- Facilitating residents’ access to apply for community grants to fund community garden establishment and operation.

In 2018 the Child Wellbeing and Safety Act 2005 was amended to include new Child Safe Standards; Council’s commitment to these Standards is articulated in the Child Safe Policy, adopted 18 December 2018.

Discussion

The Community Gardens Policy in Attachment 1 was recently reviewed in line with Council’s Child Safe Policy and the following additions are proposed:

Section 6.1 – Council’s role.

All children or young people who attend services, programs, events and spaces in the City of Casey have the right to feel and be safe. The wellbeing and safety of children and young people in our care will always be our priority.
Section 6.2 - Community garden groups role

Complying with Council’s request that all users of a community garden do not leave children up to 18 years of age at the garden without a supervising adult.

Consultation

In reviewing this policy, Council officers consulted with Active Communities, Safer Communities and Governance departments

Council Plan Reference
This initiative aligns with Strategic Objective 2 of the Council Plan.

Officer Direct or Indirect Interest

No Council officers involved in the preparation of this report have a direct or indirect interest in matters for consideration.

Attachments


Recommendation

That Council endorse the proposed updates to the Community Gardens Policy.
Community Gardens Policy

Version: 1.3
Date updated: January 2019
Responsible Department: Active Communities

1. Purpose
The Community Gardens Policy confirms Council’s commitment to community run community gardens.

2. Definitions
- Council means Casey City Council, being a body corporate constituted as a municipal Council under the Local Government Act 1989.
- Councillors means the individuals holding the office of a member of Casey City Council.
- Council officer means the Chief Executive Officer and staff of Council appointed by the Chief Executive Officer.
- Community gardens means places where people come together to garden collectively, grow food and build community.
- Council owned land means land that is currently owned by Council.
- Proposed Council owned land means a parcel of land which is intended for transfer to Council ownership (in particular land that is part of a new estate or development which will be handed over to Council when development is complete).
- Council managed land means a parcel of land which is owned by another party, with an agreement/lease in place for Council to manage the land on behalf of the land owner.

3. Scope
This policy applies to community groups, residents and organisations who wish to establish, or who already have established a community garden on Council owned, proposed Council owned, or Council managed land. This policy does not apply to the Myuna Farm and the Old Cheese Factory, or other community gardens that are Council operated.

Council policy documents change from time to time and it is recommended that you consult the electronic reference copy at www.casey.vic.gov.au/policiesstrategies to ensure that you have the current version, alternatively you may contact Customer Service on 9705 5200.

This policy does not apply to community gardens established on Crown land, Department of Education and Early Childhood Development land or private land, except where Council has entered into an agreement with the owners to manage the property (land and/or building).
4. **Context**

The rapid development of the municipality, a proliferation of small blocks and heightened interest in sustainable living has influenced growing interest in community gardens. Council encourages participation in community gardens as they play a key role in building strong communities and social connection through:

- enhancing community identity.
- providing opportunities for environmental, social, educational and health benefits.
- fostering partnerships, co-operation and communication within the community.
- promoting social and cultural diversity.
- creating volunteer participation and skill development opportunities.
- enhancing civic pride.

This Policy is consistent with a number of Council policies and plans that encourage residents to be active and engaged in their community and promote healthy sustainable and connected communities, including:

- Municipal Public Health and Wellbeing Plan 2017 - 2021
- Landscape Policy 2010
- Community Facilities Plan 2018
- Sustainability Plan 2010

The Community Gardens Policy recognises that community gardens and the groups managing them must comply with the following legislation:

- Planning and Environment Act (1987)
- City of Casey Community Local Law (2018)
- Casey Planning Scheme
- The Occupational Health and Safety Act 2004

5. **Policy**

The City of Casey is committed to well run, sustainable, accessible and inclusive community gardens through:

- supporting the establishment of community run community gardens (where appropriate) on Council owned, proposed Council owned, and Council managed land.
- providing assistance to community groups to self-manage community gardens.
- facilitating residents’ access to apply for community grants to fund community garden establishment and operation.

6. **Roles and Responsibilities**

6.1 **Council’s Role**

Council’s role in relation to community gardens includes:

- providing information to link residents with existing community gardens.
- supporting interested parties to establish and incorporate new community groups.
- working with interested parties to assess a potential community garden site including location suitability, soil suitability, complementary use of Council’s community facilities and accessibility for all residents.
- funding opportunities.
- promoting community gardens (e.g. on the City of Casey website).
Community Gardens Policy (Version No.1.3)

- considering requests from community groups to establish community gardens on Council owned, proposed Council owned, and Council managed land.

- negotiating an initial occupancy agreement with the community garden group for up to two years if an application to establish a community garden on Council owned, proposed Council owned, and Council managed land is successful.

- negotiating an extension to the occupancy agreement if conditions of the agreement are met and there is continued support for the community garden.

The City of Casey’s Community Gardens Guidelines provide detailed information for residents interested in starting a community garden group and then supporting the group to self-manage a successful community garden. These guidelines also outline how community groups can apply for approval to establish a community garden on Council owned, proposed Council owned, or Council managed land.

Once a community garden group is established Council support will be similar to that provided to other community groups, e.g. arts groups, residents groups.

Council’s preference is for community gardens to be co-located with other Council community facilities.

All children or young people who attend services, programs, events and spaces in the City of Casey have the right to feel and be safe. The wellbeing and safety of children and young people in our care will always be our priority.

Council is not responsible for the maintenance or management of community gardens and associated assets.

6.2 Community garden group’s role

The community garden group’s role in relation to community gardens includes:

- Identifying a site for the community garden that is well located – preferably one that is co-located with other Council community facilities, and is close to public transport or car parking, securely fenced, convenient to facilities such as public toilets, water, electricity and equipment storage.

- providing a detailed site map of the proposed location.

- applying for and obtaining any relevant planning and/or building permits.

- engaging the community surrounding the proposed community garden, and through public consultation identify and manage risks.

- working with Council to ensure the soil at the proposed community garden site is suitable for growing food for human consumption.

- ensuring that the group is financially stable enough to meet the ongoing costs of maintaining the community garden at an acceptable standard.

- maintaining the membership of the group into the future.

- complying with the terms and conditions of the occupancy agreement set by Council for the community garden.

- Complying to Council’s requests that all users of a community garden do not leave children up to 18 years of age at the garden without a supervising adult.

6.3 Application process and conditions of use

All eligible community garden groups wishing to utilise Council owned, proposed Council owned or Council managed land to develop a community garden, must complete an application form.

To be eligible, community garden groups must:

- be incorporated or auspiced by an incorporated association.

- hold (or purchase upon application approval) a minimum $10 million public liability insurance.

- be willing to collaborate with Council and the community.
• provide a plan:
  • identifying and managing any possible risks related to operating the community garden.
  • detailing how the momentum of the group will be kept going into the future.
  • Outline how community support will be obtained for the proposed community garden.
  • detailing how the community garden group will be funded.
  • provide a detailed site map of the proposed location.

Once approval is received by Council, the community garden group is responsible for maintaining and self-managing the community garden.

6.4 Committee of Management’s role

If a community garden is proposed to be located on a site, which is managed by a community committee (e.g. a Neighbourhood House or Community Learning Centre) through a lease agreement, the proposal can only proceed to Council if it has the written support of the committee of management for the establishment and operation of a community garden within that site. Any works or alterations to the premises would require Council consent as per the terms of the lease agreement.

6.5 Permit fees and charges

Council sets fees and charges for planning permits, building permits and occupancy agreements, which may be applied for the establishment of community gardens. Information regarding these fees is available on Council’s website. Fees and charges are reviewed annually as part of Council’s annual budget process.

Officers will advise groups if their community garden would attract any fees. Cost sharing arrangements (e.g. utilities) may also be required. See the Council’s Community Gardens Guidelines for more details.

6.6 Relocation or closure of a community garden

Council is not responsible for maintaining community gardens. Council reserves the right to terminate the agreed use of the land if a community garden established on Council owned, proposed Council owned, or Council managed land:
  • fails to comply with the terms of the occupancy agreement.
  • is not maintained.
  • if Council requires the land for another purpose.
  • becomes unsafe or unsightly.
  • ceases to be insured.

Additionally, both the community garden group and Council have the right to terminate the occupancy agreement if the group ceases to function or is no longer auspiced by an incorporated organisation.

7. Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

8. Review

The next biennial review of this document is scheduled for completion by 30 April 2021.
Officers’ Reports

Conservation Advisory Committee
City Planning and Infrastructure
City Planning
Nicola Ward

ITEM: 7.7.
Ward: NA

Purpose of Report: To provide Council with the minutes of the Conservation Advisory Committee meeting held Wednesday 5 December 2018

Council Plan Reference

5. A city that sustainably plans and manages growth while protecting its diverse landscape.
   5.3 Develop awareness and encourage involvement of the community in the preservation and improvement of the natural environment and local heritage sites.

Background

The City of Casey Conservation Advisory Committee met on 5 December 2018 (minutes form Attachment A). The meeting was chaired by Robin Dzedins.

Items for Council to Note from the Minutes

The Natural Resource Management Sub-committee met prior and provided feedback on the Environment and Heritage grant programs. The Sub-committee provided supportive feedback and highlighted the value in the grants program in supporting community groups and individuals. The Sub-committee offered a range of recommendations to further improve the process and outcomes achieved through grants.

Greg Hunt, Executive Officer of the Westernport Biosphere Foundation, presented on the history of the Biosphere, its projects and current challenges. Greg noted that there are nine Biospheres across Australia and spoke about the importance of a local Biosphere and the international recognition this brings through the UNESCO branding.

The Committee noted the Biosphere has strong community foundations and ongoing interest. Greg highlighted the Biosphere seeks to balance the goals of conserving biological diversity and promoting economic development through its numerous projects including advocacy on the China Trade and impacts on migratory birds, coordination of pest animal control and water stewardship. The Biosphere sees itself as a clearing house for environmental issues, a facilitator and regional collaborator that can bring groups together.

Greg acknowledged and thanked Council for its continued supported and reflected on the successful partnerships and programs being delivered, in particular the Growing Connections Project.

At the conclusion of the formal meeting the Committee were invited to participate in a tour of Moonlit Sanctuary and learn about conservation efforts to protect some of Victoria’s most threatened species. The tour was highly valued by Committee members and reaffirmed the importance of the work undertaken by the Committee across throughout the year.
Council officers thanked the Committee for their work over the year, giving up their time to attend monthly meetings and advocate for the environment on behalf of the community.

**Officer Direct or Indirect Interest**

No Council officers involved in the preparation of this report have a direct or indirect interest in matters for consideration.

**Conclusion**

The City of Casey Conservation Advisory Committee plays a valuable role in assisting Council to enhance, strengthen and advocate on natural environment, heritage, sustainability and waste matters in Casey.

**Attachments**

1. Conservation Advisory Committee Minutes - Attachment A [7.7.1]

**Recommendation**

That the minutes of the 5 December 2018 meeting of the Conservation Advisory Committee be noted.
Minutes of Meeting held: 5 December 2018

Moonlit Sanctuary, 550 Tyabb-Tooradin Rd, Pearcedale  7.30pm – 8.30pm

1. Statement of acknowledgement

2. Attendance and apologies

Attendees: Cr Damian Rosario (late attendee), Ian Chisholm, Robin Dzedins (chair), Halina Gwitzdzil, Don Jewell, Linda Moon, Tony Patti, Barbara Perkins, Kay Taranto, Ricardo Simao, Thelma Wakelam. Karen Borton (Council officer), Simon King (Council officer) Sandra McPhee (Council officer).

Apologies: Ruth Croft, Melissa Peppin, Nicola Ward (Council officer).

3. Conflicts of Interest

No conflicts of interest

4. Minutes of the November Meeting

The minutes of the November meeting be accepted as written.

Moved – Robin Dzedins Seconded – Ian Chisholm Carried

5. Presentation – Greg Hunt – Executive Officer Westernport Biosphere Foundation -

Robin introduced Greg Hunt, Executive Officer of the Western Port Biosphere Foundation who presented on the history of the Foundation, its projects and current challenges.

Greg informed the Committee the Foundation was born of community interest to protect the ecological values of Westernport, recognised for its diverse ecological values and listed under the Ramsar Convention. Greg highlighted that Westernport is also recognised under the United Nations Educational, Scientific and Cultural Organisations (UNESCO) Man and the Biosphere Program and highlighted one of the primary aims of the Foundation is to achieve a sustainable balance between the goals of conserving biological diversity, promoting economic development and maintaining cultural values.

Greg provided an overview of the Foundations’ recent environment and advocacy projects which included submissions to China Trade on impacts to migratory birds, community pest animal control and threatened species management and related community engagement programs. Greg stated the Foundation had recently finalised a $2.6million community project to reconnect the landscape through revegetation, protection and enhancement of remnant vegetation and pest animal control and informed that Casey was a recipient of funding across the project’s life.
Greg informed the Committee that Westernport is one of only nine Biospheres in Australia and suggested that the UNESCO brand could be leveraged to better support the region and organisations that operate within its boundaries. Greg highlighted the Foundation aims to continue its involvement between the network of Biospheres and will advocate for greater regional collaboration.

Greg provided the Committee with an overview of staff resources, noting they currently have a communications officer, two project facilitators and a bookkeeper to support its work.

Greg acknowledged the Foundation relies on Council’s financial support through its annual membership and noted a recent survey of Foundation members overwhelmingly showed the need to continue to meet and work with others on nature conservation and discuss matters of sustainable development. Greg highlighted the Foundation will continue to seek alternative funding streams through State and Federal Governments and philanthropic organisations to support the long-term viability of the Foundation.

Greg stated that the Foundation is developing future project ideas on water stewardship and cultural engagement and are also in discussions with the Port Phillip and Westernport Catchment Management Authority on the expansion of pest animal control programs.

Greg thanked the Committee for the opportunity to present and confirmed the Foundation will continue to explore opportunities for collaborative networks in the Biosphere and remains a strong facilitator and regional collaborator to local community groups, government agencies and non-government organisations.

Robin Dzedins thanked Greg for an informative presentation and offered an invitation for Greg to present at a future meeting of the Committee.

6. Sub-committee Reports

NRM Sub-committee.

The NRM Sub-committee met prior to the meeting, no report was required due to all members being present at the Sub-committee.

7. Items of Other Business

No Items of Other Business were raised.

8. List of Actions

No Actions were identified

9. Tour – Moonlit Sanctuary

The December meeting of the Conservation Advisory Committee was held at the Moonlit Sanctuary, Pearcedale. Committee members and their partners were invited to participate in a night walk of the Sanctuary and learn about the efforts underway to protect some of Victoria’s most threatened species.

At the conclusion of the tour Council officers thanked the Committee for their ongoing commitment and dedication, recognising the valuable contribution they make on behalf of the Casey community.

Meeting close: 11:00pm
Minutes of Meeting held: 5 December 2018

Moonlit Sanctuary, 6.00pm – 7.15pm

1. Welcome

2. Attendance and apologies

Attendees: Ian Chisholm, Robin Dzedins, Halina Gwitzdzil, Don Jewell, Linda Moon, Kay Taranto, Ricardo Simao, Thelma Wakelam, Karen Borton (Council Officer), Simon King (Council Officer), Sandra McPhee (Council Officer).

Apologies: Ruth Croft

3. Conflicts of Interest

No conflicts of interest

4. Items for Discussion

Volunteer Management Update

Council officers provided an update on the Friends Group Networking meeting, noting it will be held every 3 months. Dates will be provided to Committee members in early January and will include a tour of Active volunteer group sites.

The Sub-committee highlighted opportunities to support Friends Groups across other sites, including on Parks Victoria and Melbourne Water land. The Committee discussed the Victorian Friends Network and how it links to Casey's Friends Group network. The Committee also highlighted Cardinia Council's Cardinia Creek Community Reference Group and suggested City of Casey consider similar groups.

Action: Council officers to follow up on State Friends Group registry.

Environment and Heritage Grant Review

Council officers sought feedback from the Sub-committee on existing Environment and Heritage Grant programs. Council officers advised that a review on the grants was currently underway and sought feedback on the purpose of the grants, customer experiences, funding and opportunities to streamline the application process. The Sub-committee noted the existing grants include, Biodiversity Incentive Scheme Grant, Heritage Grant, Environmental Sustainability Grant and Environment Support Grant.
The Sub-committee discussed grant programs and provided the following feedback:

- SmartyGrants is a convenient portal for grant coordination.
- Continuity of grants is important.
- The current Heritage Grant doesn’t really support the outcomes due to minimal funding.
- It was noted that Heritage Grants require extra funding, up to $10,000 was recommended.
- The guidelines and co-contributions are restrictive, especially when it comes to heritage.
- There are issues with the applicant having to pay and receiving reimbursement later, this could be a barrier to some people applying.
- Further follow up on management of Heritage sites, including enforcement is encouraged.
- Biodiversity grants appear successful and achieving good on ground outcomes.
- Biodiversity grants should take a landscape approach and encourage groups of landholders to work together.
- Improvements to how we link into Enviro-news and promote the grants.
- It was suggested that Council develops a grant program to support the management of significant trees on private property.
- Ensure all grant guidelines are clearer and are supported, with case studies and information.
- Improve clarity on funding for volunteer labor as in-kind contribution.
- It was suggested that a theme could be introduced each year for the Sustainability Grants.

Meeting close: 7.15pm
### Officers’ Reports

<table>
<thead>
<tr>
<th>Managing the Municipal and Industrial Landfill Levy</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Planning and Infrastructure</td>
</tr>
<tr>
<td>Waste and Contaminated Land</td>
</tr>
<tr>
<td>Michael Jansen</td>
</tr>
</tbody>
</table>

**Purpose of Report:** To update Council on the review of the Municipal and Industrial Landfill Levy by the Victorian Auditor General

**Council Plan Reference**

5. A city that sustainably plans and manages growth while protecting its diverse landscape.
   5.4 Manage waste, water, biodiversity and energy use to achieve a clean, efficient and resilient city.

**Background**

At its meeting of 4 July 2017, Council resolved

1. *That Officers continue to advocate on behalf of Council for a transparent redistribution of money accumulated by the Landfill Levy and that significant funds from the levy should be directed towards reducing waste to landfill including supporting Councils in the South East of Melbourne to transition to Advanced Resource Recovery Technologies.*

2. *That at a future meeting, officers report to Council the findings of the Victorian Auditor-General’s audit of Management of the Landfill Levy.*

Councils, the Municipal Association of Victoria and others have been publicly critical of successive governments for their lack of transparency and the effectiveness of redistribution of funds raised through the landfill levy. The Victorian Auditor General’s Office (VAGO) responded by investigating to provide an independent assessment of landfill levy system. The Report “Managing the Municipal and Industrial Landfill Levy” was tabled in parliament in July 2018 and can be found at [https://www.audit.vic.gov.au/report/managing-municipal-and-industrial-landfill- levy](https://www.audit.vic.gov.au/report/managing-municipal-and-industrial-landfill-levy)

The following section is a summary extracted from the Audit Report and supporting information.

**Audit Summary**

The Municipal and Industrial Landfill Levy (MILL) and its distribution is intended to play an important role in minimising the environmental impacts of waste and in promoting investment in alternatives to landfills such as Advanced Waste Processing. It was established in 1992 to encourage recycling by putting a price on every tonne of waste that goes to landfill. Since 2005, approximately $1.7 billion has been collected through the levy.

These proceeds are used first to fund core activities of environmental agencies, with the remaining balance transferred to the Sustainability Fund. Payments from the fund can only be made to foster:
• environmentally sustainable uses of resources and best practices in waste management
• community action or innovation in relation to the reduction of greenhouse gas substance emissions, or adaptation or adjustment to climate change in Victoria.

The Department of Environment, Land, Water and Planning (DELWP) administers the fund and provides support to the Sustainability Fund Committee set up by the Minister for Energy, Environment and Climate Change to support the strategic and accountable management of these trust monies.

VAGO audited five agencies involved with the collection of the MILL, administration of the fund and/or that are recipients of its funding:

• Department of Environment, Land, Water and Planning (DELWP)
• Environment Protection Authority
• Sustainability Victoria
• Metropolitan Waste and Resource Recovery Group
• Gippsland Waste and Resource Recovery Group.

The most significant findings included that more is going into the fund each year than is being redistributed resulting in the accumulation of a significant pool of money. As at 31 December 2017, the balance of the fund was $562 million, and the balance of the fund is predicted to remain high.

Since 2009, $401 million has been distributed from the fund - 48 per cent of the $829 million that has been transferred into it over this period. Figure 1 shows the growth of the fund since 2009 compared to the total of MILL income raised.

Figure 1: MILL income compared with fund growth

![Figure 1: MILL income compared with fund growth](source: VAGO)

Over the past three years, MILL payments to environmental agencies have increased by 71 per cent — from $76.1 million in 2015–16 to a forecasted $130.5 million in 2017/18. This increase is primarily due to
EPA reform funding. Over the next four years, the MILL is expected to collect approximately $215 million a year.

In 2014, the Act was changed to allow additional public entities to be funded from the MILL for 'environment assessment, protection, restoration or improvement purposes'. Funding under this section of the Act increased from $5.9 million in 2015–16 to $24 million in 2017–18, with Parks Victoria (PV) being the primary recipient.

Monies paid from the MILL under this provision are not consistently subject to a financial acquittal, meaning most agencies are not required to demonstrate whether they use these funds for the specific purpose provided.

Fund distributions have varied over time depending on government policy and priorities. Over the past two years, budget commitments from the fund have been at their highest levels since the fund was established.

One outcome from the 2013 Report of the Ministerial Advisory Committee on Waste and Resource Recovery Governance Reform was the transfer of fund management from SV to DELWP. The report found a perceived conflict of interest in SV's role as the administrator of the fund and being one of its primary funding recipients.

DELWP is now the primary recipient of funding from the fund, receiving $354.13 million or 79 per cent of active program funding, though a proportion of this funding is passed on through grant programs. Two of the five Sustainability Fund Committee members are DELWP employees responsible for policy areas that benefit from funding. As committee members they are also involved in assessing and providing advice on their own budget proposals.

The committee has attempted to address these conflicts through a conflict of interest policy and procedures that require members to disclose conflicts and decisions made on how they should manage them. These controls are not sufficient to address the inherent conflict of interest created by the current membership of the committee. DELWP recognises this is an issue that needs to be resolved. The Minister has recently approved an update of the Guidelines, as part of DELWP’s response to the audit, to change the membership of the committee to make it fully independent.

There were also findings regarding:

- Regular and alternative approval pathways
- Investment and administration
- Role of the committee
- Clarifying guidance
- Committee assessments and advice
- Project delivery
- Role of the team
- Funding agreements
- Monitoring
- Reporting
- Escalation of project risks
- Financial acquittal
- Funding outcomes
- Evaluation
- Lessons learned
- Overall fund outcomes
- Public reporting

While VAGO found that MILL distributions to environmental agencies and the transfer of the remaining balance to the fund accord with the Act, there is a potential risk that the MILL, and the fund, are not always
used for their intended purposes, and that activities that receive fund monies are not achieving the legislative objectives of better waste management, reduced greenhouse gases or effective adaptations to climate change. This is because:

- there is no process to ensure that agencies that receive MILL funding under section 70E(3)(d) of the Act spend this money in line with legislative objectives
- committee advice to government on the eligibility and merit of proposals to fund is incomplete and inconsistent, limiting the ability of the minister to make informed decisions that allow full comparison between competing proposals
- the construct of the committee, which includes senior staff of DELWP —the main funding beneficiary—creates an inherent conflict of interest
- the lack of a formal process to ensure the committee considers proposals by departments other than DELWP, or that change significantly after feedback from the Expenditure Review Sub-Committee (ERSC), means proposals can bypass the requirement for committee assessment, as occurred in 2017–18
- there is a significant lack of evaluation of funded activities and public reporting on fund outcomes.

A significant proportion of funds have remained unspent over many years, representing an opportunity cost. The 2016–17 and 2017–18 State Budget (Budget) commitments will only reduce the balance of the fund in the short term. If the situation persists, where significant fund balances remain unspent over extended periods, the public may by extension, reasonably question the quantum of the charge on every tonne of waste that goes to landfill.

VAGO made 14 recommendations for the Department of Environment, Land, Water and Planning:

1. assess alignment with the legislative purpose and establish a financial acquittal process for distributions made under section 70E(3)(d) of the Environment Protection Act 1970 (see Section 2.3)

2. establish an independent committee to manage inherent conflicts of interest while maintaining access to subject-matter expertise (see Section 3.5)

3. review the role of the Sustainability Fund Committee and Sustainability Fund team:
   - revise and update the committee’s terms of reference (role and responsibilities, memberships, managing conflicts of interest, +/- KPIs, rules for decision-making)
   - clarify the role of the team and the committee in the oversight of project delivery (see Sections 3.5 and 4.2)

4. develop clear guidance regarding the treatment of the following:
   - applications seeking core administrative costs
   - eligibility of applications seeking ongoing funding (see Section 3.3)

5. establish processes to ensure all proposals seeking funding from the Sustainability Fund are assessed by the Sustainability Fund Committee before approval by the Minister for Energy, Environment and Climate Change and the Premier (see Section 3.4)

6. review the evaluation criteria applied to assessing proposals to clearly reflect the requirements specified in the legislation, 2016 Sustainability Fund Priority Statement and Sustainability Fund Guidelines (see Section 3.2)

7. improve the quality of advice provided to the Minister for Energy, Environment and Climate Change by providing the assessment against each evaluation criteria (see Section 3.5)

8. relate the number of funding agreement milestones to the value and/or complexity of funded programs and link payment milestones to reporting requirements to minimise administrative burden (see Section 4.2)
9. examine mechanisms to encourage the earlier development of project plans for approved programs (see Section 4.2)

10. require funding recipients to provide key categories of expenditure in support of the financial acquittal of funding agreements to enable the Sustainability Fund team to review whether the funds have been used for the purpose intended (see Section 4.2)

11. implement the evaluation framework to evaluate outcomes of funded programs to clearly demonstrate the extent to which programs have contributed to the specified legislative objective (see Section 4.6)

12. identify overall Sustainability Fund outcomes to measure the extent to which expenditure has successfully delivered legislative objectives (see Section 4.6)

13. develop a formal process to consistently apply lessons learned including:
   - capturing and storing them centrally to enable them to be considered by the Sustainability Fund Committee when assessing proposals
   - sharing them with agencies to enable them to be considered when developing new program proposals (see Section 4.7)

14. publish an annual public report for 2018–19 and future years detailing the activities of the Sustainability Fund and outcomes achieved (see Section 4.8).

DELWP accepted all 14 recommendations and developed an action plan to address them.

Financial Implications

The City of Casey contributes in the order of $4 million per annum via the Landfill Levy and until recently receive negligible return on investment.

In 2017/18 Casey received $537,540 under the Recycling Services Temporary Relief Funding Agreement to assist with the transition to higher recycling costs following the change in Chinese Waste Import policies. This funding was made available to all Victorian Councils and sourced from the Sustainability Fund.

The Sustainability Fund is also being used to fund the development of a business case for the procurement of Advanced Waste Processing technologies for the south east cluster of councils including the City of Casey.

These benefits remain disproportionately low in comparison with the amounts contributed by Casey ratepayers.

Officer Direct or Indirect Interest

No Council officers involved in the preparation of this report have a direct or indirect interest in matters for consideration.

Conclusion

The VAGO audit vindicates the long-held criticism of the inadequacies of the system to redistribute money raised by the Municipal and Industrial Landfill Levy via the Sustainability Fund. It is evident that redistribution of moneys has recently increased but it does still not match incoming funds while significant expenditure goes to state government agencies.

The recommendations have been accepted and a commitment made to implement them.
Casey will continue to seek opportunities for funds raised through the MILL to be reinvested in diverting waste from landfill. The current project aimed at transitioning away from landfill with the establishment of AWP in the south east provides state government an opportunity to invest significant funds raised from the Landfill Levy into the purpose for which it was originally intended.

Attachments

Nil

Recommendation

That the report be noted.
## Officers’ Reports

### Soldiers Road Bridge Berwick - Pedestrian Path Investigation

**City Planning and Infrastructure**  
**City Design & Construction**  
**Trevor Griffin**  

**ITEM: 7.9.**

**Ward: Edrington**

<table>
<thead>
<tr>
<th>Purpose of Report:</th>
<th>To advise Council on investigations into the installation of a pedestrian path on the west side of the Soldiers Road bridge, Berwick.</th>
</tr>
</thead>
</table>

### Council Plan Reference

2. An inclusive safe and connected community.  
   2.2 Build neighbourhoods that are safe and foster community connection.

### Background

At its meeting on 2 October 2018, Council, in adopting Notice of Motion No 3248, moved by Cr Serey, resolved:

1. *That Council Officers investigate the installation of a pedestrian path on the western side of the Soldiers Road bridge where it crosses the Monash Freeway.*

2. *That the results of this investigation be reported to Council.*

This report details the investigations into the provision of a pedestrian path on the west side of the Soldiers Road Bridge, Berwick. Refer to Attachment A for locality Plan.

### Existing pedestrian path access

There is an existing footpath on the eastern side of the bridge which provides north-south connectivity across the Princes Freeway. Any pedestrians in the school peak coming from the estates on the west side of Soldiers Road can use the existing school crossings to safely cross Soldiers Road to use the existing footpath on the eastern side of the Soldiers Road bridge.

### Footpath on the Western Side of the Soldiers Road Bridge

The Soldiers Road bridge structure is maintained by VicRoads and Council maintains the road and footpath which is consistent with the Code of Practice for Operational Responsibility for Public Roads. If Council was to consider the installation of a footpath on the Soldiers Road Bridge, it would need VicRoads approval as it could impact the structural integrity of the bridge with the additional weight of the concrete used to construct the path.

A preliminary investigation identifies there is likely to be insufficient available space on the western side of the bridge to accommodate a 1.2 metre pedestrian footpath (minimum allowable width). Bridge widening would most likely be required and has an associated high cost.
Furthermore, if a footpath could be accommodated within the existing bridge width it would require the current traffic lanes to move closer to the existing footpath on the eastern side of the bridge which has previously generated feedback from the community as already having the traffic too close.

**Officer Direct or Indirect Interest**

No Council officers involved in the preparation of this report have a direct or indirect interest in matters for consideration.

**Attachments**

1. Soldiers Road Bridge Berwick Pedestrian Path Investigation - Attachment A [7.9.1]

**Recommendation**

That the report be noted.
Council Plan Reference

2. An inclusive safe and connected community.
   2.2 Build neighbourhoods that are safe and foster community connection.

Background

At its meeting on 17 April 2018 Council, in considering the status report on investigations into hooning and anti-social behaviour in Prospect Hill Road, Narre Warren, resolved:

1. *That Council commence the procedure to temporarily close Prospect Hill Road at 69 Prospect Hill Road to prevent through traffic accessing the Cul-de-sac section under Schedule 11 Clause 10 1 (c) of the Local Government Act 1989 for a six-month period*

2. *That affected residents be notified of the proposed trial road closure at the entrance to the Cul-de-sac section of Prospect Hill Road.*

3. *That the trial closure be implemented, and a report come back to Council after the trial period is completed to discuss the findings.*

This report details the findings of the 6-month closure of the Cul-de-sac section of Prospect Hill Road. Refer to Attachment A for a locality plan.

Road closure

A fence and bollard treatment were installed in June 2018 west of the access to 69 Prospect Hill Road closing off the Cul-de-sac section of Prospect Hill Road. Refer to Attachment B for a photo of the treatment. The closure has been in place for nearly 6 months and Council has received no complaints about hooning or antisocial behavior since the treatment was installed.

Community consultation findings

A letter was sent to residents in November 2018 explaining that Council is considering the permanent closure of Prospect Hill Road Cul-de-sac given that since the closure has been in place there have been no complaints about hooning activity in this section of Prospect Hill Road.

The letter offered for residents to call Council officers and discuss any concerns if they were against the permanent closure of the Cul-de-sac. Council officers received one objection to keeping the Cul-de-sac closed; from a resident having issues accessing their property now that the parking in the Cul-de-sac has
been blocked off by the closure. Council officers offered to consider parking restrictions along the resident’s frontage to improve their property access, but they were not supportive of this.

There has also been some positive feedback from residents in Prospect Hill Road that the closure has stopped the hooning behaviour in the Cul-de-sac section of Prospect Hill Road and that the area is much quieter and safer since the closure.

**Officers Recommendation**

Council officers recommend that Council considers the permanent closure of the Prospect Hill Road Cul-de-sac in accordance with the provisions of the Local Government Act 1989 under Schedule 11 Clause 9.1 “A Council may block or restrict the passage or access of vehicles on a road by placing and maintaining any permanent barrier or other obstruction on the road”.

Council officers have been in contact with VicRoads who have no objections to the permanent closure of Prospect Hill Road Cul-de-sac.

**Officer Direct or Indirect Interest**

No Council officers involved in the preparation of this report have a direct or indirect interest in matters for consideration.

**Conclusion**

In reviewing the 6-month closure of the Prospect Hill Cul-de-sac Council officers propose leaving the fence and bollard treatment in place and that the Cul-de-sac remain closed permanently.

**Attachments**

1. Prospect Hill Road Cul- De- Sac Permanent Closure - Attachment A [7.10.1]
2. Prospect Hill Road Cul- De- Sac Permanent Closure - Attachment B [7.10.2]

**Recommendation**

1. That Council endorse the permanent closure of the Prospect Hill Road, Narre Warren Cul-de-sac; pursuant to Schedule 11 Clause 9.1 of the Local Government Act 1989.
2. That local residents be advised of this decision.
Locality Plan
Officers’ Reports

Photo of Road Closure Treatment
Officers’ Reports

Contract Acceptance and Sealing Contract No CT000482
City Planning and Infrastructure
City Design & Construction
Trevor Griffin

ITEM: 7.11. Ward: Mayfield

Purpose of Report: To advise on the tenders received for Contract No CT000482 – Lawson Poole Reserve Pavilion Renewal, Cranbourne and recommend the acceptance of a preferred tenderer and accept the overall project budget.

Council Plan Reference

8. An efficient and effective customer focused Council with sufficient resources to meet priorities.
   8.1 Plan, deliver and manage assets and resources to meet the needs of current and future communities.

Executive Summary

CT000482 is a contract for the renewal of the Lawson Poole Reserve Pavilion, Cranbourne. The Contract Period is 32 weeks (per MBAV calendar) from date of acceptance of tender.

It is recommended Harris HMC Interiors (VIC) Pty Ltd be accepted as the preferred tenderer to undertake the construction works for the Lawson Poole Reserve Pavilion, Cranbourne.

Background

Following a thorough evaluation process, involving a qualitative assessment of tender submissions, pricing analysis, clarifications and accurate comparison, the Tender Evaluation Panel recommends Harris HMC Interiors (VIC) Pty Ltd as the preferred provider for this contract.

Description of Tendered Services/Goods

The project is located at 1200 Thompsons Road, Cranbourne. The works include a large extension and refurbishment to the site. The works include new soccer change rooms, referees’ room, first aid, amenities, community room, undercover viewing areas/decking, a semi commercial kitchen and servery, and a refurbishment to the cricket/football changerooms. The new pavilion will also have a new accessible point of entry and allow universal access for people with all abilities.

Tender Submissions

Public tenders were called on 3 November 2018. Tenders closed on 5 December 2018 and four (4) submissions were received from the following organisations:
• Carelli Constructions Pty Ltd
• Kingdom Projects Pty Ltd
• MISR Engineering Contractors Pty Ltd
• Harris HMC Interiors (VIC) Pty Ltd

Conforming/Non-conforming Tenders

All tenders were initially assessed for conformity with the general scope and conditions of contract. All four (4) tenders received were deemed to be conforming.

Tender Evaluation

Tenders were evaluated in accordance with the tender evaluation criteria outlined in the specification.

The tender evaluation panel consisted of:

• Manager, City Design and Construction
• Team Leader, Building Design
• Senior Contracts Officer, Property and Procurement
• Project Manager, Building Design and Construction
• Technical Officer, Civil Design

All members of the evaluation panel completed a disclosure of interest with no conflicts identified. The objective of the evaluation panel was to critically assess the capability of each tenderer to provide the best value and quality service and to select the preferred tenderer.

Tender Analysis

Utilising the Tender Evaluation Matrix, the Evaluation Panel undertook an initial evaluation and shortlisting process based on the submissions (including base submitted price) of each of the four contractors.

All submissions were scored and weighted in accordance with the predetermined weighting criteria. During the tender evaluation process, further information was required to ensure all submissions were able to be compared accurately. Further clarifications were sought from the preferred contractor to accurately clarify their submission.

Following the review of Council’s tender analysis matrix, Harris HMC Interiors (VIC) Pty Ltd satisfactorily addressed the selection criteria including experience, qualifications, management systems and quality of submission. The submission from Harris HMC Interiors (VIC) Pty Ltd received an overall Quality Assessment score of 78.5/100 and a Price Assessment score of 100/100 and is recommended as the preferred tenderer with an overall score of 91/100.

Harris HMC Interiors (VIC) Pty Ltd recently successfully delivered a refurbishment project to the Sweeney Reserve Football Pavilion and has experience in delivering similar projects. They also have excellent management systems and procedures and committed an experienced team of resources to deliver the project.

Refer to Confidential Attachment A for additional ‘contractual information’.

Funding/Financial Considerations
The recommended tender price is within the overall allocated project budget in the 2018/19 and 2019/20 Capital Works Program.

**Officer Direct or Indirect Interest**

No Council officers involved in the preparation of this report have a direct or indirect interest in matters for consideration.

**Attachments**


**Recommendation**

1. That Council award the tender for Contract No CT000482 – Lawson Poole Reserve Pavilion Renewal, Cranbourne to Harris HMC Interiors (VIC) Pty Ltd for the Final Tender Price and Construction Contingency as detailed in the Confidential Attachment to this report.

2. That the Contract documents be signed and sealed.
ITEM: 7.11

Contract Acceptance and Sealing Contract No CT000482 – Attachment A

In accordance with Section 89 (2) (d) the information in this attachment has been deemed confidential information by the Chief Executive Officer under section 89(2)(d) of the Local Government Act 1989 as it contains contractual matters.
Officer’s Reports

Inability to Secure Land for Sports Facilities at 195S Alisma Boulevard, Cranbourne North

City Planning and Infrastructure

City Planning

Nicola Ward

ITEM: 7.12.

Ward: Mayfield

Purpose of Report: To inform Council of the inability to secure land for sports facilities at 195S Alisma Boulevard, Cranbourne North and to seek Council endorsement to inform the community of this issue.

Council Plan Reference

8. An efficient and effective customer focused Council with sufficient resources to meet priorities.
   8.1 Plan, deliver and manage assets and resources to meet the needs of current and future communities.

Executive Summary

Land at 195S Alisma Boulevard, Cranbourne North (the Land) is depicted as future soccer and cricket facilities in the Cranbourne North Stage 2 Precinct Structure Plan (the PSP). Ongoing negotiations with the landowner have failed to secure the Land for this purpose due to the significant gap between the relevant Development Contributions Plan (DCP) value for the land and the developer’s view of land value.

A recent offer to acquire the land for the 2018 DCP valuation of $15.48 million was declined by the developer.

It is appropriate for the surrounding residential community to be notified of the situation.

Background

The PSP and its accompanying DCP were prepared by the then Growth Areas Authority (now the Victorian Planning Authority (VPA)) and adopted by the Minister for Planning in June 2011. Council was identified as the Responsible Authority for this precinct and given responsibility to administer the PSP and DCP.

At the time it was adopted, the PSP was expected to provide for approximately 2,000 new dwellings and 5,600 new residents within the following 20 years. It included the designation of a 6.8 hectare site for future active open space to cater for three soccer pitches and one cricket oval to support this new residential community. This land is now identified as 195S Alisma Boulevard, Cranbourne North (the Land). Refer to Attachment A for the future urban structure depicted in the PSP.

The DCP ascribes land values to all parcels of land required for public infrastructure, as well as construction costs for infrastructure including roads, intersections, sports fields and community facilities. The total sum of expenses associated with land and construction projects is then converted into a per hectare levy on all developers within the precinct, to ensure costs are equitably distributed.

It is therefore imperative that Council acting as the Collecting Agency administering the DCP responsibly manage the money collected from developer contributions by ensuring expenses above and beyond those...
ascribed in the DCP are minimised. Any payment for an infrastructure project or for public land above what
the DCP is collecting would mean that another project is then unable to be delivered unless alternative
sources of funding is identified.

Ongoing negotiations to secure the Land for its intended purpose for sports facilities have failed due to the
significant gap between the DCP ascribed value for the land and the owners view of land value. Unfortunately, there is no legislative ability for Council to require the developer to accept the DCP valuation
notwithstanding that they have been making DCP contributions on the basis of the DCP’s land valuation.

It is noted that in 2017, in response to a number of concerns with the implementation of DCPs including the
matter of land valuations, the State Government implemented a new Infrastructure Contributions system
that includes legislation to restrict land valuations to those ascribed in new Infrastructure Contributions
Plans. However, this applies only to new PSP areas and does not provide any assistance in this instance.

Planning History

A permit was issued in 2014 to the developer of a significant parcel in the PSP area (including the subject
Land), Konann Pty Ltd, to subdivide its land into more than 1,000 residential lots. The permit was generally
in accordance with the PSP (as is required by the relevant planning controls) as it showed the allocation of
land for the various uses in accordance with the future urban structure plan and the DCP’s land use budget. Refer to Attachment B for the endorsed plan under this permit.

The permit required a Section 173 Agreement (s173) be entered into to provide for the delivery of precinct
infrastructure items, including DCP projects, before a Statement of Compliance could be issued for the first
stage of subdivision. There were four DCP projects applicable to the development of the Konann Pty Ltd
land, including the 6.8 ha active open space land.

Statement of Compliance refers to the final stage in the subdivision process. Once a developer receives a
Statement of Compliance, they are able to register their plan of subdivision with the Titles Office and create
new individual titles for each new lot in the subdivision.

Following the issue of the permit, development of the land commenced under the name of Tulliallan Estate.
Following standard procedure for the commencement of s173 negotiations with a developer, at the
commencement of the development Council officers presented a ‘without prejudice and subject to Council
approval’ offer to Konann Pty Ltd with proposed terms for the agreement. These terms provided for payment
of the DCP value of the active open space (and some other land). The proposal was not accepted by
Konann Pty Ltd as it claimed that the value of the Land was significantly higher than the land values
ascribed to the land by the DCP.

Subsequent legal advice received by Council officers noted that, despite the permit conditions, Council
could not refuse to issue a Statement of Compliance based on the owner not entering into the s173 if all
other public works upon which the issue of Statement of Compliance depended were completed. As such,
development was allowed to commence in the absence of a s173 securing the land for sports fields. It is
important to note that all permits issued since 2015 have resolved this ‘loophole’ by bringing the timing of
s173 forward to prior to the certification of the first stage.

Legal Claim

In late 2015, Konann Pty Ltd applied for a planning permit to subdivide the Land designated for sports fields
into 132 residential allotments. Given the PSP depicts the Land as future active open space under the
planning scheme, Council was required to refuse to issue a planning permit. The application was refused on
16 February 2016 on this basis.

Subsequently, Konann Pty Ltd made a claim, pursuant to Section 98 of the Planning and Environment Act
1987 (the Act), against:
The Minister for Planning for financial loss suffered as the natural, direct and reasonable consequence of the Land being reserved for a public purpose under section 98(1)(a) of the Act; and
Council for financial loss suffered as the natural, direct and reasonable consequence of Council’s refusal to grant a planning permit under section 98(2) of the Act.

The Minister for Planning and Council both rejected the claims and the developer referred the claims to the Supreme Court of Victoria (the Court). The claim posed legal questions aimed at testing the liability of both the Minister for Planning and Council to financial compensation with respect of the land being reserved for a public purpose in the absence of a Public Acquisition Overlay.

If either of the claims were established by the Court, it would have been a landmark and precedential decision whose effect would be to undermine the very system upon which land development in Victoria’s growth areas is premised. The decision would likely have significant flow on impacts with other landowners and developers in a similar situation.

The development of land for urban purposes is inextricably linked with the ability of a Council to deliver and acquire public land for arterial roads, open space and community facilities. If the DCP cannot fund the identified land, then this funding needs to come from somewhere else – either Council or the State Government.

Throughout 2017 and 2018, Council’s legal team and valuer have attempted to gain a clearer understanding around the discrepancy between the DCP value for the land and the claim by Konann Pty Ltd.

In March 2018, Konann Pty Ltd sought leave from the Court to discontinue its claim for compensation against Council given it was of the understanding that Council wanted to obtain the Land and there had been a significant increase in the value of the Land since the date of refusal of the permit. This leave was granted by the Court, and accordingly the questions concerning legal entitlement to compensation (whether from the Minister for Planning or from Council) remain unresolved.

Current Permit Application

On the 12 June 2018, Konann Pty Ltd lodged a new application to subdivide the Land identified as Active Open Space in the PSP into 138 residential lots. Refer to Attachment C for the plan of application lodged.

Prior to Council being in a position to determine this application, the applicant lodged a Section 79 Application for Review to the Victorian Civil and Administrative Tribunal (VCAT). VCAT have recently set dates for the proceeding with a hearing now likely to be set down in the second quarter of 2019

Request for State Government assistance
With the State Government responsible for the legislative framework in which Council must operate a DCP, Council officers have sought the assistance of the Minister for Planning with respect to this issue. A meeting was held with the Office of the Minister for Planning in July 2018, where the following issues were raised by Council:

- That whilst a voluntary purchase of the Land is preferable, this is not practicable given the price expectations of Konann Pty Ltd;
- That even if Council was in the position to pay Konann Pty Ltd’s price expectations for the Land, it would set a precedent for other growth area public land that Council cannot financially sustain;
- That there is a systemic issue between the amount collected from DCP contributions and the exposure that Council and/or the State Government may be required to pay for the Land under a compulsory acquisition proceeding. Whilst it is not unusual for a Council to use a PAO, it is not appropriate in circumstances where the end price could be so variable and the funding source is unknown.

The meeting was ended with no clear commitment of support by the State Government.

**Offer to Purchase**

An offer was made to Konann Pty Ltd to purchase the Land at the June 2018 DCP valuation, being $15.48 million. This offer was declined because Konann Pty Ltd insisted that the land value was well beyond the value ascribed to the DCP (roughly double in fact). A further request to consider an offer of $15.48 million for a reduced area of land was also made, and subsequently declined by Konann Pty Ltd.

**Consideration of Issues**

Having had no success in securing an agreement with Konann Pty Ltd and given the potential exposure to costs when further Supreme Court proceedings commence (which is likely according to legal advice), it is appropriate for Council in its capacity as Collecting Agency under the relevant DCP to determine whether to proceed with any attempts to secure the Land for sports fields or to not pursue the acquisition of the Land. It is also timely to bring this issue to the attention of the community, which may expect the outcome of sports fields as depicted in the PSP and shown in the Tulliallan Estate marketing.

Specifically, it is understood that the Tulliallan Primary School would like to see the Land secured so that a joint use agreement could be entered to facilitate school usage of these future sports fields.

The need for sports fields and active open space in this locality as depicted in the PSP is clearly demonstrated. The PSP was prepared in accordance with Council’s Leisure Facilities Development Plan and Casey already has insufficient soccer and cricket facilities to meet population demand. A loss of this future facility would put increased pressure on existing and other planned soccer and cricket facilities and reduce areas that can be used informally for recreation.

However, these concerns need to be balanced with the suitability of Council paying considerably more for the land than has been allocated by the DCP. Given that the active open space would also have provided an important resource for the Tulliallan Primary School, there would seem to be some responsibility on the State to assist in the acquisition at the very least.

It is necessary at this stage to broaden the conversation on a matter that will be of interest to the local community. Council will be kept abreast of further developments.

**Financial Implications**
If Council were to proceed with the acquisition at the valuations prepared by Konann Pty Ltd, the DCP would face a significant shortfall in funds to complete all the projects that it is planning to deliver. This could have flow on effects to other land and infrastructure projects across Casey’s growth areas eventually resulting in additional unfunded liabilities.

If the developer’s view of land value was accepted, it could create a precedent of spending more than the DCP collects for any given project. Council has been able to manage this in most of its DCPs as other developers do not generally take the same approach as Konann Pty Ltd. The DCP framework relies on an understanding that values paid for land approximate the values ascribed to that land by the DCP, which in turn form the basis of the levies which are charged. The broader industry understanding is that the DCP’s set the framework in which development can occur. If this framework is undermined by wildly varying land values, then growth area council’s will be unable to afford the cost of facilitating urban growth.

Given that the law in the area is a little unsettled at the moment according to Council’s legal advisors, the legal questions posed by Konann Pty Ltd in any subsequent legal proceedings may also result in further financial exposure to Council in terms of compensation if they are to proceed to a hearing and Council were ultimately unsuccessful, which is a real risk.

Officer Direct or Indirect Interest

No Council officers involved in the preparation of this report have a direct or indirect interest in matters for consideration.

Conclusion

Council Officers have been unable to secure land identified as 195S Alisma Boulevard for future sports facilities as identified in the Cranbourne North Stage 2 Precinct Structure Plan and accompanying Development Contributions Plan for a value which is reasonable and affordable within the context of the relevant DCP.

It is considered timely for the surrounding residential community to be notified of the situation. The Minister for Education should also be advised given the implications for the Tulliallan Primary School.

Attachments

2. Land at 195 S Alisma Boulevard Cranbourne North - Attachment B [7.12.2]
3. Land at 195 S Alisma Boulevard Cranbourne North - Attachment C [7.12.3]
Recommendation

1. That Council note that Officers have been unable to secure the land at 195S Alisma Boulevard, Cranbourne North for sports fields as depicted in the Cranbourne North Stage 2 Precinct Structure Plan and Development Contributions Plan for a value which is reasonable and affordable in the context of the relevant DCP.

2. That Council advise the Tulliallan Primary School, residents and sporting clubs in proximity to 195S Alisma Boulevard, Cranbourne North of the inability to secure the land for sports fields as depicted in the Cranbourne North Stage 2 Precinct Structure Plan and the Development Contributions Plan.

3. That Council write to the Minister for Planning and the Minister for Education advising of Council’s decision on this matter.
Section 3 - Vision & Urban Structure

Council Meeting - 22 January 2019

Page 57
NOTATIONS

1. DEVELOPMENT OF MEDIUM DENSITY SITES IS SUBJECT TO AN AMENDMENT TO A FUTURE PLANNING APPROVAL PROCESS.

2. GLASSCOCKS ROAD AND BERWICK-CRANBOURNE ROAD INTERSECTION TO BE DESIGNED TO COMPLY WITH PlANS APPROVED BY VARIOUS AUTHORITIES.

3. TANNING LEAF AREAS PROVIDED ON NO PUBLIC ROADS WILL BE DESIGNED TO MEET THE INFLUENCING ENGINEERING CONSTRUCTION AND DESIGN MANUAL FOR EXHIBITIONS.

4. THE INDICATIVE LOCATION OF Diagrams PATHS ON BERWICK-CRANBOURNE ROAD AND GLASSCOCKS ROAD ROAD IS SHOWN.

5. THE ALIGNMENT OF MIDDLE PARK DRIVES ALLS ARE ADEQUATE DIMENSIONS FOR THE PRINCIPAL SUBDIVISIONS OF THE LAND located on the northern side of GLASSCOCKS ROAD. THIS IS SHOWN FOR INCORPORATION INTO FUNCTIONS ONLY.

6. FEES DETAILS FOR LOT 650 TO BE PROVIDED ON THE LANDSCAPE IMPROVEMENT PLAN.

7. DETAILS FOR THE TREE PROTECTION ZONE IFING ALONG THE AVENUE OF ELMS IS SHOWN ON THE CONDITION PLANS.

8. STAGE 6B IS SUBJECT TO RESTRICTIONS REQUIRING SUITABLE INTERFACE TREATMENTS TO THE LOCAL CENTRE SITE.

9. THE ALIGNMENT OF WHEELERS PARK DRIVE ALLOWS ADEQUATE DIMENSIONS FOR THE PRACTICAL CONSTRUCTION OF THE LAND located on the northern side of GLASSCOCKS ROAD. THIS IS SHOWN FOR INCORPORATION INTO FUNCTIONS ONLY.

10. DETAILS FOR THE TREE PROTECTION ZONE IFING ALONG THE AVENUE OF ELMS IS SHOWN ON THE CONDITION PLANS.

11. STAGE 6B IS SUBJECT TO RESTRICTIONS REQUIRING SUITABLE INTERFACE TREATMENTS TO THE LOCAL CENTRE SITE.


14. KARAWARRA & CHAMBERS CRESCENT TO BE CONSTRUCTED WITH 7.3M CARRIAGEWAY TO FACILITATE ENDORSED HERITAGE AND RESERVE INTERFACE CONSTRUCTION PLAN - CONDITION 3.

15. HERITAGE PLACE (TULLIALLAN H0152) TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY - REFER TO ENDORSED HERITAGE AND RESERVE INTERFACE CONSTRUCTION PLAN - CONDITION 3.

16. THE INDICATIVE LOCATION OF SHARED PATHS ON BERWICK-CRANBOURNE ROAD AND GLASSCOCKS ROAD ARE SHOWN.

17. TURNING AREAS PROVIDED AT NO THROUGH ROADS WILL BE DESIGNED TO MEET THE MPA ENGINEERING CONSTRUCTION AND DESIGN MANUAL FOR SUBDIVISIONS.


20. DETAILS FOR THE TREE PROTECTION ZONE IFING ALONG THE AVENUE OF ELMS IS SHOWN ON THE CONDITION PLANS.

Purpose of Report: To provide an update on Bunjil Place operations

Council Plan Reference

4. The destination for arts, culture, sport and leisure that attracts visitors and brings communities together.
   4.3 Establish Bunjil Place as a leading arts and cultural precinct.

Background

Bunjil Place opened to the public on 28 October 2017 as the City of Casey’s flagship arts, cultural and community precinct. The vision for Bunjil Place is to be the central heart of the Casey community, offering visitors an unprecedented mix of arts, leisure, entertainment, library and civic facilities in one location.

Bunjil Place fulfilled this vision and in addition attracted national praise and recognition through a number of award nominations.

First Birthday Celebrations

In October 2018, Bunjil Place celebrated its first birthday with a weekend of community programmes to showcase the venue. Plaza activation saw live music and roaming performers to entertain visitors of all ages, whilst they enjoyed on site food trucks.

Two free theatre shows were held for community to attend, providing free access to 2,000 visitors who may otherwise be unable to visit and enjoy the theatre and studio spaces within the precinct. A Mayoral Charity concert Casey Cares closed out the weekend, raising much needed funds for drought affected farmers.

More than 7,000 visitors joined in the first birthday celebrations.

The first birthday celebrations also provided an opportunity to reflect and celebrate with Bunjil Place partners on the successful year of operations, the international recognition received through a suite of prestigious design awards and the engagement of community within the precinct.

Christmas Festivities

On 1 December 2018, the Mayor officially opened Bunjil Place Christmas celebrations with the lighting of the seven-metre bespoke Christmas tree and nativity scene. Complementing the Christmas festivities was a maker’s market showcasing the wares of 70 stall holders. The event was rounded out by the Casey choir and attracted almost 3,000 visitors in one evening.

Throughout December, the plaza continued to be activated with card making workshops, flash-mob performances by local choirs, holiday movies and community carol events.

National and International Recognition
In celebrating Bunjil Place’s first birthday, Council was also able to recognise the many industry awards received for the design and operation of the Bunjil Place precinct. The following industry recognition have been received:

- **Architecture of the Year** - International Design Awards 2017
- **Gold Prize in the Institutional Category** - International Design Awards 2017
- **Gold Prize in the Landmarks, Symbolic Structures, Memorials, Public Category** - International Design Awards 2017
- **William Wardell Award for Public Architecture** - 2018 Australian Institute of Architects (Victorian Chapter) Awards
- **Awarded Best in Victoria** - 2018 Australian Engineering Excellence Awards
- **Winner of the Cultural Category** - Global Architecture & Design Awards 2018
- **Australian Timber Design Award** - Timber Design Awards 2018
- **Excellence in Timber Design (Public or Commercial)** - Timber Design Awards 2018
- **Excellence in the Use of Timber Products (Timber Veneers)** - Timber Design Awards 2018
- **FINALIST Australian National Architecture Awards 2018 (Public Architecture)** - National Architecture Awards 2018
- **Short-Listed World's Best Interiors in the Societal Awards** - Frame Awards 2018
- **Winner of the Customer Service Project of the year – Service Transformation – CSIA Australian Service Excellence Awards**

**Community Partnerships**

Community partnerships have now been established between Bunjil Place and Bendigo Bank, Star News Group, Quest Narre Warren, Berwick Mazda, Highview Accounting, Telstra Retail and Business Group, Balcon Group, Zeemo Creating Marketing, Atura Dandenong, Chisholm Institute, Gian Group, Federation University Australia and Pitcher Partners. These valued partners worked with Council to deliver a range of events and activities for the local community.

**Operating Update**

There have been many highlights over the past year and Bunjil Place has welcomed more than 2.5M visitors, box office sales exceeded $3.2M with 95,000 tickets sold, and 72,000 visitors to the Gallery since opening.

In 2019 Bunjil Place will continue to offer quality entertainment, exhibitions and creative programming. The programming for 2019 is shaping up to be an outstanding year with a focus on story telling.

We have the Australian Ballet in January with over 1,200 tickets sold, Kitty Flannigan is selling fast, our morning melodies season opening with Marina Prior is sold out and as a result a new show is on sale. We are also hosting a pop-up restaurant that is sold out.

Bunjil Place has a range of precinct wide activations planned for 2019 including International Women’s Day breakfast, and CLIMARTE and Virgin Australia Fashion Festival are certainly shaping up as highlights.

The continued operations of Bunjil Place provides learnings about ways in which Council can maximise the efficiency of service delivery, tailor programming to target audiences and maximise opportunities through regional partnerships.

In July 2018, Council officers commissioned a review of the Bunjil Place Operating Model with Deloitte appointed to undertake this work.
There are 11 key recommendations, grouped into the following themes:

Accountability and Governance;
Commercial;
Capability and Resources;
Communication and Structure.

A summary of these recommendations includes:

Appoint a dedicated Bunjil Place Manager, and consider centralised roles responsible for the Precinct Facility Management and Business Development to address current gaps in position spans of control, extent of authority and capability;
Develop a Bunjil Place corporate plan / business plan, decision making framework and clear articulation of the target audience to ensure a shared understanding of Bunjil Place goals and objectives;
Develop formal Service Level Agreements (SLA’s) with each of the shared services;
Restructure the current communications and meeting structure to enhance effectiveness;
Review current IT systems to ensure integration and alignment.

In response, Colette McMahon-Hoskinson’s title has changed from Manager Arts and Cultural Development to Manager Bunjil Place to give greater autonomy and decision-making ability for the entire Bunjil Place precinct. This commenced from 10 December 2018.

A comprehensive review of the liquor licence will take place in 2019, with the intention to reduce the service areas which to date have been underutilised. Responsible Service of Alcohol (RSA) service methods will also be adapted to suit operational needs. Akin to other operational decisions across the precinct, the service method and liquor activation will be managed by the Manager Bunjil Place.

And learning from the winter operations, modifications to the glass entry doors will be investigated with the view to enabling greater climate control and enhancing visitor experience when dining in the café.

Notices of Motion 3246 and 3247

Following a briefing of Councillors in October 2018, Officers are continuing work in response to Notices of Motion 3246 and 3247 regarding branding and displays at Bunjil Place. A further report will be presented to Council to advise of progress.

Conclusion

This report notes key operational highlights for Bunjil Place including first birthday and Christmas celebrations, awards and recognition, community partnerships, the outcomes of the operating model review and focus areas for 2019 including review of the liquor licence, and work in response to Notices of Motion 3246 and 3247.

To date, there has been a diverse range of free and ticketed arts and cultural performances and opportunities for our community and the broader region to engage in, whilst developing a sense of place within the Plaza.

The future development of the program at Bunjil Place will further grow and develop the arts audience in Casey and beyond. Council is fortunate to have a highly skilled and networked arts and cultural development team who will continue to deliver a variety of regional, national and international arts and entertainment opportunities for our community.
Officer Direct or Indirect Interest

No Council officers involved in the preparation of this report have a direct or indirect interest in matters for consideration.

Attachments

Nil

Recommendation

That Council note the report.
### 11. REPORTS BY COUNCIL DELEGATES

<table>
<thead>
<tr>
<th>Name of Organisation</th>
<th>Next meeting</th>
<th>Delegate/s</th>
<th>Alternate Delegate/s</th>
</tr>
</thead>
</table>
| Access and Inclusion Advisory Committee               | Monday 11 February  
Monday 13 May  
Monday 12 August  
Monday 11 November | Crestani  
Gilic  
Smith  
Stapledon |                      |
| Arts and Cultural Advisory Committee                  | Monday 18 March  
Monday 17 June  
Monday 9 September  
Monday 9 December | Cr Smith  
Cr Stapledon |                      |
| Audit & Ethics Committee                              | Thursday 14 February  
Thursday 11 April  
Thursday 13 June  
Tuesday 27 August  
Thursday 10 October  
Thursday 12 December | Cr Jackson  
Cr Flannery |                      |
| Bunjil Place Precinct Advisory Committee              | TBA                                               | Cr Smith  
Cr Stapledon |                      |
| Casey Australia Day Awards Community Selection Panel | Friday 15 November                                | Cr Stapledon |                      |
| Casey Cardinia Foundation                             | TBA                                               |                        |                      |
| Casey Cardinia Library Corporation                    | Wednesday 27 February  
Wednesday 17 April  
Wednesday 26 June  
Wednesday 28 August  
Wednesday 23 October  
Wednesday 27 November | Cr Smith  
Cr Rosario |                      |
| Casey Cardinia Local History Reference Group          | Thursday 7 February  
Thursday 2 May  
Thursday 1 August | Cr Flannery |                      |
| Casey Cardinia Region Tourism Organisation            | TBA                                               | Cr Stapledon |                      |
| Casey Football (Soccer) Reference Advisory Committee | Monday 25 March  
Monday 27 May  
Monday 29 July  
Monday 23 September | Cr Crestani  
Cr Gilic  
Cr Rowe  
Cr Stapledon |                      |
<p>| Casey Fields Steering Committee                       | Monday 18 February                                | Cr Ablett |                      |</p>
<table>
<thead>
<tr>
<th>Committee</th>
<th>Dates</th>
<th>Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Casey Multifaith Network</td>
<td>Monday 20 May&lt;br&gt;Monday 19 August&lt;br&gt;Monday 18 November</td>
<td>Cr Crestani&lt;br&gt;Cr Rowe&lt;br&gt;Cr Stapledon</td>
</tr>
<tr>
<td>Casey Scorpions Board Meeting</td>
<td>Thursday 21 February&lt;br&gt;Thursday 21 March&lt;br&gt;Thursday 18 April&lt;br&gt;Thursday 16 May&lt;br&gt;Thursday 20 June&lt;br&gt;Thursday 18 July&lt;br&gt;Thursday 15 August&lt;br&gt;Thursday 19 September&lt;br&gt;Thursday 17 October&lt;br&gt;Thursday 21 November</td>
<td>Cr Rosario&lt;br&gt;Cr Stapledon</td>
</tr>
<tr>
<td>Casey Volunteer Awards Community Selection Panel</td>
<td>TBA</td>
<td>Cr Stapledon&lt;br&gt;Cr Crestani&lt;br&gt;Cr Jackson</td>
</tr>
<tr>
<td>Community Safety Advisory Committee</td>
<td>TBA</td>
<td>Cr Crestani&lt;br&gt;Cr Gilic&lt;br&gt;Cr Rosario&lt;br&gt;Cr Serey</td>
</tr>
<tr>
<td>Conservation Advisory Committee</td>
<td>Wednesday 6 February&lt;br&gt;Wednesday 6 March&lt;br&gt;Wednesday 3 April&lt;br&gt;Wednesday 1 May&lt;br&gt;Wednesday 5 June&lt;br&gt;Wednesday 3 July&lt;br&gt;Wednesday 7 August&lt;br&gt;Wednesday 4 September&lt;br&gt;Wednesday 2 October&lt;br&gt;Wednesday 6 November&lt;br&gt;Wednesday 4 December</td>
<td>Cr Ablett&lt;br&gt;Cr Rosario</td>
</tr>
<tr>
<td>Cranbourne Community Theatre Management Committee</td>
<td>TBA</td>
<td>Cr Smith&lt;br&gt;Cr Stapledon</td>
</tr>
<tr>
<td>Doveton Show Committee</td>
<td>TBA</td>
<td>Cr Rosario&lt;br&gt;Cr Smith</td>
</tr>
<tr>
<td>Inter Council Aboriginal Consultative Committee</td>
<td>TBA</td>
<td>Cr Crestani&lt;br&gt;Cr Flannery</td>
</tr>
<tr>
<td>Committee Name</td>
<td>Date/Event</td>
<td>Chairperson(s)</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>------------------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>John Pandazopoulos Hall Committee of Management</td>
<td>TBA</td>
<td>Cr Rosario, Cr Smith</td>
</tr>
<tr>
<td>Lynbrook Hotel Community Contributions Fund Assessment Panel</td>
<td>TBA</td>
<td>Cr Rosario, Cr Smith</td>
</tr>
<tr>
<td>Metropolitan Waste and Resource Recovery Local Government Forum</td>
<td>Thursday 8 August</td>
<td>Cr Stapledon</td>
</tr>
<tr>
<td>Metropolitan Transport Forum</td>
<td>Wednesday 6 February</td>
<td>Cr Stapledon</td>
</tr>
<tr>
<td></td>
<td>Wednesday 6 March</td>
<td>Cr Rowe</td>
</tr>
<tr>
<td></td>
<td>Wednesday 3 April</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wednesday 1 May</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wednesday 5 June</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wednesday 3 July</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wednesday 7 August</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wednesday 4 September</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wednesday 2 October</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wednesday 6 November</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wednesday 4 December</td>
<td></td>
</tr>
<tr>
<td>Municipal Association of Victoria</td>
<td>Friday 17 May</td>
<td>Cr Stapledon</td>
</tr>
<tr>
<td></td>
<td>Friday 18 October</td>
<td>Cr Jackson</td>
</tr>
<tr>
<td>Neighbourhood Watch</td>
<td>TBA</td>
<td>Cr Rosario</td>
</tr>
<tr>
<td>Powerplant Strategy Forum</td>
<td>TBA</td>
<td>Cr Aziz</td>
</tr>
<tr>
<td>Smart Cities Advisory Committee</td>
<td>Monday 25 February</td>
<td>Cr Aziz, Cr Jackson</td>
</tr>
<tr>
<td></td>
<td>Monday 27 May</td>
<td>Cr Rowe</td>
</tr>
<tr>
<td></td>
<td>Monday 26 August</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Monday 25 November</td>
<td></td>
</tr>
<tr>
<td>Westernport Biosphere Committee</td>
<td>TBA</td>
<td>Cr Rosario</td>
</tr>
<tr>
<td>Victorian Local Government Association</td>
<td>TBA</td>
<td>Cr Stapledon</td>
</tr>
</tbody>
</table>

Any Councillors authorised by Council to attend conferences or meetings.