

Council Meeting

Minutes

Monday 19 May 2025

Commenced at 7:00 PM

Council Chambers
20 Siding Avenue, Officer
Victoria

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

Officers: Carol Jeffs Chief Executive Officer
Peter Benazic General Manager Infrastructure and Environment
Debbie Tyson General Manager Community & Planning Services
Wayne Mack General Manager Corporate Services
Peter Harris Manager Governance, Safety & Property
Sharyn Tilley Coordinator Governance and Councillor Services

Meeting opened at 7.00pm.

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1 Opening And Reflection

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

2 Traditional Owners Acknowledgement

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

3 Apologies

Nil

4 Adoption And Confirmation Of Minutes

Resolution

Moved Cr Roberts, seconded Cr Thomsen

That Council confirm the minutes of the following meetings:

1. Council Meeting 14 April 2025.
2. Town Planning Committee Meeting 5 May 2025.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

5 Declaration Of Interests

Nil

6 Community Questions

The Mayor advised that Council had received two sets of questions from Daniel Arfi and Paul McMurray.

Neither was present and so the questions and responses were not read aloud.

Daniel Arfi submitted a number of statements and one question, responses are provided in these Minutes.

Statements from Daniel Arfi

The Special Use Zone (SUZ) designation in the Cardinia area is increasingly outdated and counterproductive, particularly given the evolving land use, lack of water allocation for irrigation, and the influx of developers purchasing land. This zoning imposes unnecessary restrictions that hinder the potential of land close to urban zones.

Lack of Water Allocation for Irrigation: The absence of water allocation renders the land unsuitable for agricultural or horticultural purposes, which are often the primary objectives of such zoning. Without irrigation, the land cannot sustain productive farming, making the SUZ designation ineffective and irrelevant in achieving its intended purpose.

Changing Land Use Patterns: The proximity of these zones to urban areas means that the land is increasingly influenced by urban expansion and development pressures. The rigid zoning restrictions fail to adapt to these changes, leaving the land underutilized and economically unviable.

Influx of Developers and Rising Land Prices: Developers are actively purchasing land in the region, driving up property values and signaling a shift in the area's economic dynamics. This trend highlights the growing demand for urban development and infrastructure, which the current zoning fails to accommodate.

Outdated Notion of "Special Farming Land: The idea that this land holds significant agricultural value is no longer relevant to its current use or urban setting. The SUZ designation ignores the reality of the area's transformation and the diminishing viability of farming activities.

Smart Urban Development Benefits: Allowing smart urban development in the region would not only accommodate the needs of a growing community but also inject essential funds into the local council. These funds could be reinvested into infrastructure, public services, and amenities, thereby enriching the community and supporting sustainable growth.

Economic and Social Impacts: The restrictions imposed by the SUZ prevent landowners from exploring alternative, more viable uses for their property. This not only limits economic opportunities but also stifles the potential for community growth and infrastructure development in areas close to urban centers.

Need for Flexible and Contextual Zoning: Modern zoning practices emphasize flexibility and responsiveness to local conditions. The SUZ in Cardinia should be reassessed to align with current land use realities, removing unnecessary restrictions and enabling landowners to utilize their property in ways that are economically and socially beneficial.

Urban Growth and Planning: As urban areas expand, it is crucial to integrate surrounding land into cohesive planning strategies. Revising the SUZ to reflect the land's actual utility and potential would support sustainable urban growth while addressing the needs of the community.

In conclusion, the Special Use Zone in the Cardinia area no longer serves its intended purpose due to the lack of water allocation for irrigation, changing land use patterns, and the influx of developers driving up land prices. The notion of "special farming land" is outdated and irrelevant in the current urban setting. Smart urban development would not only create opportunities for a growing community but also provide the local council with vital funding to support public services and infrastructure. A reassessment of zoning regulations is essential to unlock the land's potential, remove unnecessary restrictions, and enable the region to thrive.

Question from Daniel Afri

When will the council acknowledge these realities and remove outdated zoning restrictions, allowing the area to be developed to meet the needs of a growing and vibrant community?

Response

Cardinia Shire Council acknowledges that agriculture is a significant economic contributor to the Shire in terms of employment and Gross Regional Product. The Cardinia Shire's Council Plan (2021-24), Cardinia Shire Food Strategy (2018) and the Westernport Green Wedge Management Plan (2017) all recognise the important role of the productive agricultural areas and strategies to support agribusiness sector.

More recently Council has undertaken a Cardinia Agriculture Audit aimed to assess the current state and diversity of agriculture in the Shire of Cardinia. This has involved engaging and collaborating with local farmers, agribusinesses and stakeholders to gather their insights and perspectives and to improve Council understanding of need, challenges, and the key opportunities for the future of farming in this region. The audit will be reported to Council for consideration in the coming months and will inform strategies to support the sector.

In reference to your planning scheme commentary, Council will be undertaking a Planning Scheme Review in 2025/26, which will provide an opportunity to review the performance of planning scheme policies and controls.

Paul McMurray submitted seven questions and responses are provided in these Minutes.

Question 1

Since the last council meeting what actual and tangible steps have occurred to progress the Huxtable Road Project?

Response

Further to the March 2025 Council meeting response, detailed design plans are being finalised in readiness for tendering and construction, subject to the adoption of the Capital Works program in 25/26 FY.

Question 2

It was noted in the March minutes that in relation to Environment Impact Assessment that investigations were now complete, the challenges faced and our way forward determined. Has the council obtained relevant permits for any tree removal?

- a. If so what trees along Huxtable Road are identified for removal?
- b. If not what steps have been taken since Mar to progress this?

Response

- a). The final tree losses can only be calculated once the final design has been approved and reviewed by Council.
- b). There will need to be a few trees removed along the length of Huxtable Rd, but these can be removed under Council's Road Safety Exemption, which negates the requirement to seek permits for native vegetation removal.

Question 3

In a further response in the March minutes, it was stated that the release outlines the presence of federal and state protected flora was found, need for vegetation removal, engineer work due to topography. Delivery options are not outlined in the media release; however the proposed scope of work and a way forward is outlined.

- a. What are the delivery options that were proposed?

Response

The updated design will reflect Council's decision to seal the existing widths for the majority of the project instead of trying to achieve a 6.2m wide road with kerb and channel. Keeping to the existing road widths will avoid negatively impacting on those threatened species.

Question 4

On page 413 of the agenda for the current meeting the only reference to Huxtable Road is that "design is being finalised".

If the media release statement in March that investigations were now complete, the challenges faced identified and our way forward determined is the truth –

- a. Why has the plan still not yet been finalised.
- b. When will it be finalised?
- c. When will it be release to the community?

Response

- a). While the majority of the road will be sealed to the existing widths, Council is also looking to make improvements to the existing intersections and address some of the drainage issues. These are the final areas that are being investigated and appropriately designed.
- b). The design will be completed the end of the 24/25FY.
- c). Once the design has been finalised and approved by Council, it will be released to the community.

Question 5

What can council and the community expect to be achieved between this meeting and the next council meeting.

- a. Is the start date that has been stated in previous minutes as “November 2025” and “late 2025” still on track?
- b. What are the next project steps and milestone target date required to be met for the project to commence on target?
- c. When will plan be finalised?
- d. When will the project go out to tender?
- e. How long is the tender period?
- f. How long after tender closure will a contract be awarded

Response

- a). Yes, Council is on track to construct Huxtable Rd beginning in late 2025, subject to final design approval and favourable weather.
- b). Design completed by end June 2025
Tender released in August 2025.
Award in September 2025
Anticipated construction in late 2025 depending on contractor availability.
Any native vegetation that needs to be removed will be done so under Council’s Road Safety Exemption, which negates the need for permits.
- c). The plans will be finalised prior to the end of the 24/25FY
- d). Council will be looking to go to tender in August 2025
- e). Tender periods can vary depending on the complexity of the project, but it is anticipated that the tender will be open for 3-4 weeks.
- f). Council would aim to have the contract awarded within 4-6 weeks of the tender close, pending evaluation of the submitted tenders.

Question 6

On page 411 of the agenda for the current meeting the Better Local Roads – Connect Cardinia has a status of “should have been reforecast as individual roads, not c/f - funded through FY24/25, FY25/26 and FY26/27”

- a. Why wasn’t it reforecast as individual roads?
- b. What is the forecast and status of each individual road?

Response

- a). We have been implementing improvements to the way that we identify the individual projects within programs and how we treat them in terms of forecasting future works.
- b). The status of the roads within the current program are:
 1. Dore Road. Completed
 2. Mt Lyall Road. Completed
 3. Bessie Creek Road - Stage 1 construction is underway
 4. Huxtable Road – Refer to updates above

Question 7

The legend for status’ used shows “In progress” (blue) means - In progress within time and budget / not started.

- c. How can a project be both in progress and not started at the same time?
- d. If the Huxtable Road aspect of better roads is “within time” does that mean the target start of November is still on track

Response

- c. Our status label "In Progress" might seem confusing because it suggests work is happening when construction hasn’t started yet. What it really means is that we have already begun all

the essential pre-construction work such as finalising designs, securing permits, and planning the project. This behind the scenes work is well underway and on track with both our schedule and budget, ensuring that we're fully prepared when construction begins.

d. Yes. Huxtable Road is on track with anticipated start of this project in November 2025, weather permitting.

7 Ordinary Business

7.1 Town Planning Reports

Nil

7.2 General Reports

7.2.1 LANG LANG PUBLIC ARTWORK UPDATE

Responsible GM:	Debbie Tyson
Author:	Dana Harding
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	1.1 We empower our communities to be healthy, connected and resilient 1.1.2 Enrich local identity and opportunities for the community to connect through art, history and cultural expression.

Resolution

Moved Cr Paton, seconded Cr Thomsen.

That Council:

1. Notes the progress of the Lang Lang Public Art Sculpture project.
2. Approves the identified contingency sites for the sculpture's placement, as recommended by the Arts and Culture Reference Group, specifically:
 - a. 1st Preference: 190 Westernport Road, Lang Lang (Dick Jones Reserve) subject to VicTrack approvals.
 - b. 2nd Preference: McDonalds Track, Lang Lang (Council-owned Road reserve between Westernport Road and Clarke Road).
3. Authorises responsible Officers to commence the delivery of the public artwork at the 2nd Preference contingency site on McDonalds Track if approvals from DTP or VicTrack are not received by June 30, 2025.
4. Supports the review and update of councils Public Art Policy (2012-2017) to reflect current best practices and contemporary standards, with a revised policy to be presented at a future council meeting, and prior to further public artworks being delivered.

Extension of Speaking Time

Moved Cr Paton, Seconded Cr Roberts

Be granted an extension of one minute.

Carried

Extension of Speaking Time

Moved Cr Potter, Seconded Cr Roberts

Be granted an extension of one minute.

Carried

Extension of Speaking Time

Moved Cr Roberts, Seconded Cr Thomsen

Be granted an extension of one minute.

Carried

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

The Motion before the Chair was Carried.

7.2.2 ADVOCACY GUIDELINES AND FRAMEWORK

Responsible GM:	Debbie Tyson
Author:	Pieta Bucello
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.4 Maximise value for our community through efficient service delivery, innovation, strategic partnerships and advocacy.

Resolution

Moved Cr Nickell, seconded Cr Roberts.

That Council:

1. Endorses the Advocacy Guidelines and Framework.
2. Endorses the Community Advocacy Toolkit.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

7.2.3 COUNCIL OWNED LAND - 1 HALFORD STREET BEACONSFIELD UPPER

Responsible GM:	Wayne Mack
Author:	Paige Kennett
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Alternate Resolution

Moved Cr Owen, seconded Cr Potter.

That Council:

1. Notes an initial assessment indicates that 1 Halford Rd, Beaconsfield Upper known as Lot 21 LP2461 V3287 F381, is surplus to Council needs and not required to be retained and consequently resolve to:
 - a. Commence the statutory process, as required under section 114 of the *Local Government Act 2020*, to advise of Council's intention to sell the subject land through a public process, for no less than market value (plus GST) as determined by an independent valuer;
 - b. Pursuant to section 114 of the *Local Government Act 2020*, to give public notice of the proposed sale of the subject land on the Council website;
 - c. Undertake Community Consultation in accordance with section 114 (2)(b) of the *Local Government Act 2020*.
2. Include *within the Community Consultation the ability for residents and community groups to put forward alternate uses of the site and express interest in leasing the site from Council.*
3. Notes a further report will be presented to a future Council meeting to enable consideration of any submissions and determination of the matter.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

7.2.4 INSTRUMENT OF DELEGATION - TOWN PLANNING COMMITTEE

Responsible GM:	Wayne Mack
Author:	Sharyn Tilley
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Resolution

Moved Cr Pomeroy, seconded Cr Nickell.

That Council, in exercise of the powers conferred by s 63 of the *Local Government Act 2020* (the Act) and s 188 of the *Planning and Environment Act 1987*:

1. Delegate to the Town Planning Committee the powers, discretions and authorities set out in the attached Instrument of Delegation (the Instrument).
2. The Instrument:
 - i. comes into force immediately upon this resolution being made and is to be signed by the Mayor, and
 - ii. remains in force until Council determines to vary or revoke it.
3. The powers, discretions and authorities conferred on the Town Planning Committee by the Instrument must be exercised in accordance with the delegations and limitations set out in the Instrument and with any guidelines or policies Council may from time to time adopt.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

7.2.5 INSTRUMENT OF DELEGATION - COUNCIL TO CEO

Responsible GM:	Wayne Mack
Author:	Sharyn Tilley
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Resolution

Moved Cr Pomeroy, seconded Cr Potter.

That Council, In the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020* resolves that:

1. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor.
3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

For: Cr Kowarzik, Cr Nickell, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Cr Owen

Carried

7.2.6 INSTRUMENT OF DELEGATION - COUNCIL TO MEMBERS OF STAFF

Responsible GM:	Wayne Mack
Author:	Sharyn Tilley
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Resolution

Moved Cr Thomsen, seconded Cr Ross.

That Council in exercising its powers conferred by the legislation referred to in the attached instrument of delegation (Attachment 1), Council resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff (S6)*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor.
3. On the coming into force of the instrument all previous delegations to members of Council staff (S6) are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
5. Adopt the Decision Guidelines for Council Planning Staff set out in Attachment 2.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

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

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

Resolution

Moved Cr Pomeroy, seconded Cr Thomsen.

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

1. The members of Council staff referred to in the attached Instrument be appointed and authorised as set out in the instrument:
 - a. Georgia DAVIES-JACKSON
 - b. Rhys ANSELL
2. That the instrument comes into force immediately it is signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

7.2.8 DISBANDING THE YARRABUBBA RESERVE & YANNATHAN RECREATION RESERVE COMMUNITY ASSET COMMITTEES

Responsible GM:	Debbie Tyson
Author:	Cameron Miller
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	<p>2.1 We support the creation of liveable spaces and places</p> <p>2.1.2 Plan and maintain safe, inclusive and connected open spaces, places and active travel routes.</p> <p>5.1 We practise responsible leadership</p> <p>5.1.4 Maximise value for our community through efficient service delivery, innovation, strategic partnerships and advocacy.</p> <p>5.1.5 Champion the collective values of the community through the Councillors' governance of the shire.</p>

Resolution

Moved Cr Pomeroy, seconded Cr Paton.

That Council disbands the Yarrabubba Reserve Community Asset Committee and Yannathan Recreation Reserve Community Asset Committee.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

7.3 Policy Reports

7.3.1 BIODIVERSITY CONSERVATION STRATEGY - MID TERM REVIEW

Responsible GM:	Peter Benazic
Author:	Jason McCracken
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	3.1 We value our natural assets and support our biodiversity to thrive 3.1.3 Work with community to improve and manage our natural assets, biodiversity and cultural heritage. 3.1.5 Facilitate community stewardship to build preparedness for natural threats.

Resolution

Moved Cr Owen, seconded Cr Thomsen.

That Council notes the report and the progress made in the delivery of the Biodiversity Conservation Strategy action plan (Attachment 2).

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

7.3.2 INVESTMENT ATTRACTION PLAN

Responsible GM:	Debbie Tyson
Author:	Pieta Bucello
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	4.1 We support our productive land and employment land to grow local industries 4.1.1 Facilitate better planning for our agricultural land to support industry, innovation, local food economy and local job growth. 4.1.2 Plan for sustainable employment precincts to entice new industries to the region and support new business. 4.1.5 Strengthen and promote our shire's unique identity and visitor attractions.

Resolution

Moved Cr Nickell, seconded Cr Pomeroy.

That Council:

1. Endorses the Investment Attraction Plan (Attachment 1) and
2. Reviews this plan within four months of the adoption of the Council Plan 2025-2029.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

7.3.3 WEED MANAGEMENT STRATEGY - MID-TERM REVIEW

Responsible GM:	Peter Benazic
Author:	Daniel Dujic
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	3.1 We value our natural assets and support our biodiversity to thrive 3.1.3 Work with community to improve and manage our natural assets, biodiversity and cultural heritage. 3.1.5 Facilitate community stewardship to build preparedness for natural threats.

Resolution

Moved Cr Nickell, seconded Cr Ross.

That Council notes the report and progress made in the delivery of the Weed Management Strategy action plan (Attachment 1).

Cr Potter left the meeting at 9.09pm.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

7.3.4 SUBMISSION - INFRASTRUCTURE VICTORIA 30-YEAR STRATEGY

Responsible GM:	Debbie Tyson
Author:	Pieta Bucello
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.4 Maximise value for our community through efficient service delivery, innovation, strategic partnerships and advocacy.

Resolution

Cr Potter returned at 9.10pm.

Moved Cr Pomeroy, seconded Cr Roberts.

That Council notes the Officer submission to Victoria's Draft 30-year Infrastructure Strategy (Attachment 1).

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

7.4 Financial Reports

7.4.1 QUARTERLY FINANCIAL REPORT 2024/25 – Q3 MARCH 2025

Responsible GM:	Wayne Mack
Author:	Allison Southwell
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.2 Manage our finances responsibly and leave a positive legacy for future generations.

Resolution

Cr Pomeroy left the meeting at 9:19 pm and returned at 9:21 pm.

Moved Cr Ross, seconded Cr Nickell.

That Council:

1. Receives and notes the quarterly financial report for the nine months to 31 March 2025, for the purpose of section 97 of the *Local Government Act 2020*.
2. Notes that the Chief Executive Officer, as required under section 97(3) of the *Local Government Act 2020*, is of the opinion that a revised budget is not required.
3. Approves a contract variation amount of \$14,286 relating to the Alma Treloar Amphitheatre (CT000477).

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

The Mayor adjourned the meeting at 9.35pm.

7.4.2 CONTRACT AWARD RFT000064 - BUILDING CLEANING & INTERNAL WASTE

Responsible GM:	Peter Benazic
Author:	Melissa Nichols
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	<p>1.1 We empower our communities to be healthy, connected and resilient 1.1.4 Facilitate a partnership approach to create safer communities.</p> <p>2.1 We support the creation of liveable spaces and places 2.1.1 Advocate, plan for and deliver accessible community infrastructure and services that address community need. 2.1.2 Plan and maintain safe, inclusive and connected open spaces, places and active travel routes.</p> <p>3.1 We value our natural assets and support our biodiversity to thrive 3.1.2 Actively move towards zero waste through increasing waste recovery and reuse.</p> <p>5.1 We practise responsible leadership 5.1.4 Maximise value for our community through efficient service delivery, innovation, strategic partnerships and advocacy.</p>

The meeting resumed at 9.38pm.

The Mayor advised that an explanatory statement was added to this report after the agenda was published. The statement is located after the table of tenderers and seeks to clarify that scores in the table are qualitative scores from the tender evaluation and do not include the pricing components of the tender evaluation. As such they are not the final tender scores.

Resolution

Moved Cr Thomsen, seconded Cr Pomeroy.

That Council awards Contract RFT000064 – Cleaning and Internal Waste Services to Broadscope Facility Services Pty Ltd for an initial three (3) year term contract expiring 30 June 2028, with three (3) optional one (1) year extensions, subject to available yearly budget and satisfactory contractor review.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen
Against: Nil

Carried

7.4.3 CONTRACT EXTENSION CT000102 - MICROSOFT LICENCING

Responsible GM:	Wayne Mack
Author:	Casey Baker
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.2 Manage our finances responsibly and leave a positive legacy for future generations.

Resolution

Moved Cr Pomeroy, seconded Cr Roberts.

That Council extends contract CT000102 to Data#3 for the provision of Microsoft Licensing, until 30 September 2028.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

7.5 Activity Reports

7.5.1 ENVIRONMENT COUNCIL PLAN INITIATIVES QUARTERLY REPORT

Responsible GM:	Peter Benazic
Author:	Desiree Lovell
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	3.1 We value our natural assets and support our biodiversity to thrive 3.1.1 Partner with community, business and industry to take action on, and adapt to, climate change. 3.1.2 Actively move towards zero waste through increasing waste recovery and reuse. 3.1.3 Work with community to improve and manage our natural assets, biodiversity and cultural heritage. 3.1.4 Plan and advocate for better water cycle planning and management to reduce environmental impacts. 3.1.5 Facilitate community stewardship to build preparedness for natural threats.

Resolution

Moved Cr Owen, seconded Cr Thomsen.

That Council notes this report.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

7.5.2 COMMUNITY ENGAGEMENT UPDATE

Responsible GM:	Wayne Mack
Author:	Emma Wilkinson
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making.

Resolution

Moved Cr Roberts, seconded Cr Pomeroy.

That Council notes the community engagement activities being undertaken in May 2025.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

7.5.3 Q3 PERFORMANCE & GROWTH REPORT 2024-25

Responsible GM:	Wayne Mack
Author:	Owen Hardidge, Porshia Sidhu
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making. 5.1.4 Maximise value for our community through efficient service delivery, innovation, strategic partnerships and advocacy.

Resolution

Moved Cr Pomeroy, seconded Cr Ross.

That Council receive and note the contents of the Performance and Growth Reports for Quarter 3 2024-2025.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

8 Reports By Councillors

Cr Owen addressed Council by reporting on attendance at a special event with the CEO and Mayor regarding the release and reintroduction of the helmeted honey eater which is an endangered species in Cardinia Shire. He also thanked Zoos Victoria and local environmental groups.

Cr Thomsen addressed Council by thanking the community for attending all the ANZAC day services throughout the Shire.

Cr Roberts addressed Council by paying respects to David Bull, Funeral Director in the Pakenham community who passed away at the start of last month.

Cr Ross addressed Council by reporting on:

- Attendance at Westernport Biosphere Committee meeting.
- ANZAC day services throughout the Shire.
- Yakerboo Festival and commented how well it was run by the volunteers.

Cr Potter addressed Council by reporting on:

- Officer SES recycling program and that they are seeking volunteers.
- Attended Candelight vigil on domestic violence awareness.
- Officer Community Market pre mothers day event.
- Attended launch of Cardinia community leadership program.

Cr Paton addressed Council by reporting on:

- Attended Koo Wee Rup RSL meeting on finding a new location.
- Attended Catani Recreation Reserve Committee Club night and commented on its on going vibrancy in the community.

9 Presentation Of Petitions

Nil

10 Notices Of Motion

10.1 NOTICE OF MOTION 1114 - CR PATON

Resolution

Moved Cr Paton, seconded Cr Ross.

That in response to the request from the Western Port Biosphere Councillor Liaison Committee, Council appoints Councillor Ross to act as substitute when required and adds the requirement of a substitute Councillor for this Committee in its list of committee nominations.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

11 Urgent Business

Nil

12 Councillor Questions

There were no Councillor Questions.

14. Confidential Business

The *Local Government Act 2020* (the Act), section 66 provides that if a council or delegated committee determines that a meeting is to be closed to the public to consider confidential information, the Council or delegated committee must record in the minutes of the meeting that are available for public inspection:

- a) the ground or grounds for determining to close the meeting to the public by reference to the grounds specified in the definition of ***confidential information*** in section 3(1); and
- b) an explanation of why the specified ground or grounds applied.

The Act defines ***confidential information*** in s.3(1)(a)-(l), and includes information that may prejudice or impact; commercial negotiations, the security of Council, land use planning, law enforcement, legal privilege, personal information, private commercial information, confidential meeting information, internal arbitration, Councillor conduct panel information and information specified under s.77 of the previous *Local Government Act 1989*.

Once confidential information has been considered and decided in a closed session of a Council Meeting, a further resolution to resume open Council is required.

Resolution

Moved Cr Pomeroy, seconded Cr Paton.

That Council pursuant to section 66(5)(a) and (b) of the *Local Government Act 2020* close the Council Meeting to the public to consider the following confidential information:

1. Agenda Item 14.1 – Cardinia Youth Hub is designated confidential on the grounds that it relates to s.3(1)(e) Legal privileged information, being information to which legal professional privilege or client legal privilege applies.
2. Agenda Item 14.2 – Contract Variation CT000511 - Management & Operation of Deep Creek Reserve & Golf Course is designated confidential on the grounds that it relates to s.3(1)(g) Private commercial information, being information provided by a business, commercial or financial undertaking that—(i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.
3. Agenda Item 14.3 – Appointment of Interim Chief Executive Officer is designated confidential on the grounds that it relates to s.3(1)(f) Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

For: Cr Kowarzik, Cr Nickell, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

At 10.33pm the meeting was adjourned and closed to the public.

13 Mayoral Minute

Meeting opened to the public at 10.53pm.

The Mayor announced the appointment of Peter Benazic as interim Chief Executive Officer to lead Council over the next six months.

Peter Benazic will step into the role from 5 June 2025, bringing 27 years of experience in senior roles across a number of Council service areas, along with 39 years in the local government sector.

Peter brings a wealth of experience to the role, including six years as Cardinia's General Manager Infrastructure and Environment, exceptional relationship building and critical thinking skills, and a proven track record in leading people and delivering against adopted budgets, plans and policies.

Peter was appointed through a formal recruitment process, in recognition of the strong leadership capability that exists within the organisation.

The Mayor also thanked outgoing CEO Carol Jeffs for her leadership, strategic foresight and commitment to community while leading the Shire of Cardinia over the past six and a half years.

Carol has been an outstanding CEO, who has displayed exemplary leadership and commitment to this organisation and the Cardinia Shire community.

Thanks to Carol and her passion for developing people, we are lucky to have a great depth of leadership across our organisation, and I am confident in our ability to continue to deliver great outcomes for this Shire.

On behalf of Council, I would like to take this opportunity to thank Carol for leading us, through both good times and bad, and wish her every success in her new role as CEO of Uniting Vic Tas.

15 Meeting Closure

Meeting closed at 10.55pm.

Minutes confirmed
Mayor