

Council Meeting

Minutes

Monday 16 June 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
Cr Brett Owen
Cr Trudi Paton

Officers: Peter Benazic Interim Chief Executive Officer
James Kelly Acting General Manager Infrastructure and Environment
Debbie Tyson General Manager Community & Planning Services
Wayne Mack General Manager Corporate Services
Peter Harris Manager Governance, Safety & Property
Natasha Berry Acting 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 Pomeroy, seconded Cr Thomsen

That Council confirm the minutes of the following meetings:

1. Council Meeting 19 May 2025.
2. Town Planning Committee Meeting 2 June 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 questions from Marcus Wade, Ed Chia, Ash Chota and Tanya Dineen.

Marcus Wade and Tanya Dineen were present, so their questions and responses were read aloud.

Marcus Wade submitted a number of statements and five questions and theses will be answered by General Manager Community and Planning Services, Debbie Tyson and Acting General Manager Community Infrastructure Delivery, James Kelly.

Question 1

The questions and statements relate to the Urban Growth Boundary, in relation to the area in the vicinity of Peck Road and the powerlines.

Rural Residential development Planning practice notes No.37. Nov 2013 | Hectare block on our property is it Ld Res Zone?

And further clarification

Can you explain the logic behind the decision to exclude properties north of Peck Road and south of the powerline easements from the Growth Corridor?

Extending to Thewlis Road & surrounding one property east of that road (90 Thewlis Road owned by Carol Moore)?

Why this anomaly was not rectified, the Bi-Annual Reviews were never undertaken and why no attempt has been made to satisfy this obvious oversight?

What is being considered to rectify the anomalies along the Urban Growth Boundaries in Cardinia in lieu of the Logical Inclusions process?

Have any recent Strategic Plans been undertaken for these areas?

We feel we have been totally overlooked for many years and request immediate consideration of these matters?

Response

The urban growth boundary around metropolitan Melbourne is set by the State government. The site in Pakenham you refer to is in the Green Wedge 1 Zone and outside of the metropolitan urban growth boundary. In August 2024 the state government affirmed its position, that there will be no change to the urban growth boundary.

Question 2

Could you please advise of the long-term plan for the treatment of Peck Road between the new Electrical Sub Station and Thewlis Road?

North of the treed block one (UGZ1) at the corner of Peck Road and Thewlis Road and our boundary?

Response

At this time the section of Peck Road (from Thewlis Road to the power infrastructure) that runs along it will be closed. Council is not aware of when this will be developed, it will depend on when the owner seeks to progress the Development.

Question 3

Is the plan to maintain it as a unsurfaced (gravel or dirt) road but of a lower order than it is today?

Response

Thewlis Road (from Peck Road to Brown road) has previously been identified by Council as a priority for sealing, however funding is not yet able to be allocated to this particular project.

Question 4

Can you confirm that Kenneth Road is expected to take most of the traffic once it is opened?

Response

When the Thewlis Road/Princes Highway intersection is fully constructed, the Kenneth Road/Thewlis Road connection will be opened which is in accordance to the Prescient Structure Plan.

Question 5

What is the council experiencing here?

Response

VicRoads is a state government agency, and any inquiries regarding the location of their offices or the quality of their service delivery are best directed to the relevant State Government department.

Ed Chia submitted one question for Council, a response is provided in these Minutes.

Question 1

What is the councils position and feeling on the new emergency fire levy recently passed and how will it work?

Response

As of 1 July 2025, the Emergency Services and Volunteer Fund (ESVF) replaces the existing Fire Services Property Levy (FSPL) to help support a broader range of emergency services in addition to the State fire services.

Council has previously expressed concerns about the impact the new Emergency Services and Volunteers Fund will have on our community, especially local farmers.

Council is required by legislation to collect the ESVF on behalf of the Victorian Government through the annual rates notice and must provide collected funds to the State Revenue Office. Council has no input or influence in the setting of the rates for the ESVF, as this is determined by the Victorian Government.

For absolute clarity, Council is legally required to collect the ESVF through its rates notice and Council cannot choose whether or not to collect it.

Even though Victorian Government charges and Council charges are listed separately on our rates notices, payments made to Council are allocated equally across all charges, regardless of whether they are State or Council charges. Council reminds ratepayers that they do not have the option to select which charges on their rates notice they wish to pay or withhold.

While the ESVF will be collected by Council on behalf of the State Government, we remind our community that this is not a Council charge.

Council encourages ratepayers who are experiencing financial hardship to contact Council to discuss options.

Ash Chota submitted two questions, responses are provided in these Minutes.

Question 1

How much Council spend on South East Council's Climate Alliance (SECCCA) including membership and project fees?

Response

As outlined in the Memorandum of Understanding between Council and SECCCA, the 2024/25 membership fee is set at \$40,682 and the Project Funding Agreement outlines a contribution of \$75,000 annually.

These projects include providing support for business, community, Council assets and services to strengthen climate resilience.

Question 2

Like Dandenong does Cardinia plan to withdraw and direct funding to local projects instead?

Response

Cardinia Shire Council is proud to be a part of the South East Councils Climate Change Alliance (SECCCA) and is committed to remaining a part of this alliance which provides value to Council and its community.

Tanya Dineen submitted one question for Council which will be answered by General Manager, Debbie Tyson

Question 1

Can you please provide us the date when both feasibility studies for the Pakenham golf course will be completed:

- One the recreational land study
- Two the golf viability study

As we the community would like to ensure we can contribute to the decision-making process. We would also like to thank the council for the ongoing maintenance of the golf course.

Response

Community members will have an opportunity to provide feedback prior to any decisions being made on the future of the site.

The feasibility study is expected to be completed within the next three months, following this a report will be presented to Council for consideration, and it will help to inform the community engagement activities that follow.

Council has confirmed its commitment to keep the community informed with any updates regarding the golf course site as more information comes to hand.

7 Ordinary Business

7.1 Town Planning Reports

7.1.1 PLANNING SCHEME AMENDMENT C282 - OFFICER KILN - JAMES HICKS POTTERY

Responsible GM:	Debbie Tyson
Author:	Mir Faruque
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 1.1.2 Enrich local identity and opportunities for the community to connect through art, history and cultural expression.</p> <p>4.1 We support our productive land and employment land to grow local industries 4.1.5 Strengthen and promote our shire's unique identity and visitor attractions.</p>

Resolution

Moved Cr Potter, seconded Cr Owen.

That Council:

1. Requests authorisation from the Minister for Planning to prepare and exhibit proposed Planning Scheme Amendment C282card under *section 8A of the Planning and Environment Act 1987*.
2. Considers planning permit application T230528, concurrently with proposed Planning Scheme Amendment C282card pursuant to *Section 96A and 96B of the Planning and Environment Act 1987* (Attachment 7).
3. Exhibits proposed *Planning Scheme Amendment C282card* concurrently with planning permit T230528, in accordance with *sections 17, 18 and 19 of the Planning and Environment Act 1987*, if authorisation to prepare the Amendment is received from the Minister for Planning; and
4. Authorises the Manager of Planning and Design to make any minor adjustments required to the proposed Amendment C282card documentation to meet the intent of the resolution.

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 General Reports

7.2.1 RESPONSE TO NOTICE OF MOTION 1109 – GENDER EQUALITY ACTION PLAN

Responsible GM:	Wayne Mack
Author:	Fiona Sewell
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</p> <p>1.1.1 Plan for, and support the delivery of, accessible health and social services that address critical gaps in provision.</p> <p>1.1.3 Lead by example in creating an inclusive and welcoming community for all by facilitating community education, capacity building, connection and celebration of our diversity.</p> <p>2.1 We support the creation of liveable spaces and places</p> <p>2.1.1 Advocate, plan for and deliver accessible community infrastructure and services that address community need.</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>5.1.1 Build trust through meaningful community engagement and transparent decision-making.</p> <p>5.1.5 Champion the collective values of the community through the Councillors' governance of the shire.</p>

Resolution

Moved Cr Ross, seconded Cr Potter.

That Council confirms its support for Gender Impact Assessment reporting improvements as outlined in 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

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

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 5.1.5 Champion the collective values of the community through the Councillors' governance of the shire.

Resolution

Moved Cr Owen, seconded Cr Pomeroy.

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

1. The member of Council staff referred to in the attached Instrument be appointed and authorised as set out in the instrument:
 - a) Catriona Little
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

7.2.3 ARTS AND CULTURE REFERENCE GROUP APPOINTMENTS

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

Resolution

Moved Cr Potter, seconded Cr Roberts.

That Council:

1. Appoints the following six persons to the Cardinia Arts and Culture Reference Group:
 - a. Jillian Ronald
 - b. Kaiser Tsango
 - c. Patricia Buoncristiani
 - d. Phil Byers
 - e. Peter Biran
 - f. Andrew Russell
2. Thanks community members for submitting applications.

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

Nil

7.4 Financial Reports

7.4.1 REVENUE AND RATING PLAN 2025-2029

Responsible GM:	Wayne Mack
Author:	Tess Dowthwaite
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 Ross, seconded Cr Thomsen.

That Council adopts the Revenue and Rating Plan 2025-2029 which is attached to this report.

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

Against: Cr Nickell and Cr Paton

Carried

7.4.2 ADOPTION OF 2025-26 BUDGET, INCLUDING THE CAPITAL WORKS PROGRAM

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.

Alternate Resolution - Cr Paton

Moved Cr Paton, seconded Cr Ross.

That Council:

1. Adopts the 2025-26 Budget along with the supporting Capital Works Program for the purposes of section 94 of the *Local Government Act 2020*.
2. Provides funding support towards the Koo Wee Rup netball courts refurbishment and lighting replacement, subject to the successful confirmation of external funding commitments and confirmation of landowner permission.
3. Adopts the declaration and levy of rates and charges for the 2025-26 financial year contained within the 2025-26 Budget for the purposes of section 94 of the *Local Government Act 2020*.
4. Freezes rates at the 2024/2025 level, representing the required minimum payment.
5. Amends the format of rates notices, to offer an optional second payment equal to a 3% increase in line with the State Government's cap.
6. Includes a letter with all rates notices explaining the changed payment options with a chart showing how rates revenue is allocated across expenditure categories.

Cr Pomeroy foreshadowed that she will move an Alternate Resolution should this Alternate Resolution be Lost.

General Manager Corporate Services, Wayne Mack responded to a question asked by Cr Owen on the financial impact of the proposal.

For: Cr Paton and Cr Nickell.

Against: Cr Kowarzik, Cr Owen, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen.

Alternate Resolution was Lost.

Alternate Resolution - Cr Pomeroy

Moved Cr Pomeroy, seconded Cr Ross.

That Council:

1. Adopts the 2025-26 Budget along with the supporting Capital Works Program for the purposes of section 94 of the Local Government Act 2020.
2. Provides funding support towards the Koo Wee Rup netball courts refurbishment and lighting replacement, subject to the successful confirmation of external funding commitments and confirmation of landowner permission.
3. Adopts the declaration and levy of rates and charges for the 2025-26 financial year contained within the 2025-26 Budget for the purposes of section 94 of the Local Government Act 2020.
4. Waives the fee relating to 'Application for a farm shed - exempt from Building permit' for the 2025-26 financial year.

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

Against: Cr Paton

Carried

7.4.3 CAPITAL WORKS REPORT AND CONTRACT VARIATION REQUEST - MAY 2025

Responsible GM:	James Kelly
Author:	Maria Fletcher
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>2.1.1 Advocate, plan for and deliver accessible community infrastructure and services that address community need.</p> <p>2.1.2 Plan and maintain safe, inclusive and connected open spaces, places and active travel routes.</p> <p>2.1.5 Upgrade Council's road network to improve safety and connectivity while considering traffic demand and freight transport needs.</p> <p>5.1 We practise responsible leadership</p> <p>5.1.2 Manage our finances responsibly and leave a positive legacy for future generations.</p> <p>5.1.4 Maximise value for our community through efficient service delivery, innovation, strategic partnerships and advocacy.</p>

Resolution

Moved Cr Thomsen, seconded Cr Pomeroy.

That Council:

1. Receives and notes the May 2025 Capital Works Report.
2. Approves a contract variation amount of \$153,809.74 relating to Bayview Road (CT000029), bringing the approved contract limit to 8,913,421.23

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

Against: Nil

Carried

7.4.4 CONTRACT VARIATION OPEN SPACE MAINTENANCE

Responsible GM:	Peter Benazic
Author:	Yasmin Daud
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 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 5.1.2 Manage our finances responsibly and leave a positive legacy for future generations.</p>

Resolution

Moved Cr Ross, seconded Cr Owen.

That Council:

1. Amends contracts:
 - a. CT000515 with Green by Nature Landscape Services (VIC) Pty Ltd, to include new assets and amendments to existing sites in Zone 1 (North)
 - b. CT000516 with UDLM, to include new assets and amendments to existing sites in Zone 2 (South) and Zone 4 (Central)
 - c. CT000514 with Antler Environmental, to include new assets and amendments to existing sites in Zone 3 (Eastern Central) and Zone 5 (Western Central)
2. Notes that officers project costs for mowing and horticultural services to be close to \$8.5M for the 2026/2027 Financial Year, and that a review of service standards and frequency of service will occur in 2026, in preparation for negotiations of a possible extension of contracts at the start of 2027.

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 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 Nickell, seconded Cr Pomeroy.

That Council notes the Community Engagement Update for June 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 Ross addressed Council by reporting on Carol Jeffs' farewell and mentioned that it was a well-attended event. Cr Ross thanked her very much for her time on Council and the dedication and passion that she had. He wished her well in her future endeavours.

- Stan Henwood Awards night, Geoff Young was a well-deserved winner of the award. Encouraging to see the band of volunteers that attended on the evening.
- Reconciliation Week event held at Emerald, acknowledged it was a great event.
- InterFaith Annual General Meeting (AGM), was a great even and well attended.

Cr Owen addressed Council by reporting on:

- Attended the 80th anniversary of the Toomuc Fire Brigade. He acknowledged the Op Shops and the Pakenham op shops contribution to the Fire Brigade and the Berwick op shop contributing over \$440,000.
- Kings Birthday honors and noted that Pakenham Servicemen, Colin Tibble received a Medal of Order of Australia. He also acknowledged Graham and Anne Taylor, receiving an OAM.
- Neighbourhood Policing Forum, he encourages the community to complete a survey which aims to let the Police know about our perception of safety in the community.

Cr Pomeroy addressed Council by reporting on:

- Thank you to Windana for the invitation to attend a football event.
- National Volunteer Week, it is great to see young adults getting back into the community.
- Thank you to every community group that did a big freeze event, hopes the community is feeling supported.
- Cardinia Cultural Centre Winter Spring season launch, bookings are open.

Cr Thomsen addressed Council by reporting on:

- Stan Henwood Awards night and commented that all were worthy winners, it was a great evening to recognise volunteers.
- Battle of the Bands event is coming up in the next few months and it is great that new arts initiatives are coming through.
- The dual citizenship ceremony is this week and he is looking forward to it.
- The Fountain, and that he hopes it is working again by the end of the week.

Cr Paton addressed Council by reporting on:

- Koo Wee Rup and Lang Lang Lions club Changeover meeting. The Lions Club rewarded 10 local Clubs who work at the op shop with a cheque. Lions Club is in need for more community members.
- Riding School for the Disabled in Pakenham and that the club is seeking alternate funding for their all-weather arena project.
- Attendance at the Art Show Pakenham at the Pink Hill Hotel and commented that this venue attracted an audience that may not have normally sought out art works.
- Attendance at meetings of Lang Lang Rotary Club and the Lang Lang Business Community group and discussed Council related items. The Business Group is hosting a presentation from owners of local sand quarries.

Cr Potter addressed Council by reporting on:

- Access and Inclusion Advisory Committee meeting is seeking new members.
- Attendance at the Lifestyle Officer Resort along with the Mayor and Councils Infrastructure Team with residents. It was an opportunity to hear their feedback on local projects.

Cr Nickell addressed Council by reporting on:

- Thank you Officers for making the time to come along to meetings with him with community, it is greatly appreciated.
- Acknowledged the Mayor's attendance at a Debutante Ball and commented the Mayors commitment to community.

Cr Roberts address Council by reporting on:

- Pakenham library winter evening program and commented that there was a presentation on interesting women from the Cardinia area from the 1800s. It was a really insightful session. There is an entire program of Friday night events coming up and all are free.

9 Presentation Of Petitions

Nil

10 Notices Of Motion

Nil

11 Urgent Business

Nil

12 Councillor Questions

Councillor questions for Council Meeting 16 June 2025 have been submitted by Cr Roberts and will be answered by Acting General Manager Community Infrastructure Delivery, James Kelly.

Question 1

What effort is currently being made to improve the amenity and safety in the Pakenham Town Centre, particularly around the Main St, Pakenham Place, Pakenham Community Hospital Construction site and Pakenham Marketplace?

Response

Council Officers have undertaken extensive advocacy efforts over the past 5-6 years to partner with all levels of Government which has culminated in a comprehensive program of infrastructure upgrade projects across the Pakenham Precinct.

Transformative projects such as the new Pakenham Train Station, Barring buluk park and major road upgrades at Racecourse, McGregor and Bald Hill roads have provided strong foundations in reshaping the network in and around the Pakenham Activity centre.

Council meets with the relevant state government agencies on a regular basis raising matters of community safety (such as lighting, workforce parking, signage), along with trader support concerns providing a coordinated response for the upcoming significant traffic impacts as part of the Big Build Roads Stage 3 program, ensuring traders are being supported and appropriate mitigation measures are in place.

Additionally, Council continues to support and work closely with major stakeholders and private landowners within the Activity centre.

Council has been working closely with Victoria Police on community safety initiatives including provision of CCTV trailers in targeted areas and assistance with private demolition applications following ongoing reports of criminal activity and antisocial behaviour. Council continues to work in partnership with the Victoria Police using their crime prevention through design (CPTED) specialised qualifications to inform the design of the Activity Centre to achieve a safer Pakenham.

Question 2

What is the estimated timeline for presentation of the revised schedule of works, including design for the Pakenham Revitalisation project to a Council meeting?

Response

The Pakenham Revitalisation project is a long-term priority project for Cardinia Shire Council with the program divided into 12 separate stages (as funding is achieved). Given the breadth and scale of projects occurring within Pakenham, Council is re-sequencing the phasing to concentrate on delivering the upgrades to Drake Place and John Street, alongside the Main Street Central and Main Street Gateway components

The first phase of the project to be delivered is Main Street- Gateway.

The construction Tender expected in the next couple of months with an announcement of the successful contractor award once tender assessment is undertaken and presented to Council.

Other stages of the Pakenham Revitalisation Project will be delivered as funding is secured.

Councillor questions for Council Meeting 16 June 2025 have been submitted by Cr Paton and will be answered by General Manager Community & Planning Services, Debbie Tyson.

There are lighting policy and requirements that govern the lighting of recreation reserves and play surfaces. I'm concerned that there are some reserves do not meet these standards and risk the safety of players.

Question 1

What regular audits does Council undertake to assess the lighting at the Shire's rec reserves?

Response

Council conducted a detailed recreation asset audit in 2021/2022 which included sports field lighting, and is due to undertake another audit in 2026.

Question 2

What is the standard for lighting a rec reserve (ie. lux rating, glare rating etc) for the purpose of night time play.

Response

Council's sport facility standards policy outlines the different hierarchy of recreation reserves within the shire. Different infrastructure is provided at different levels of the hierarchy, and changes dependent on the sport.

Flood lighting levels generally comply with the applicable Australian Standard unless a sport governing body has set a higher level.

For example:

A local reserve won't have permanent lighting at all.

A district reserve which is used for Australian Rules Football will have lighting to a standard of 100 lux. A regional reserve which is used for Athletics will have lighting to a standard of 500 lux.

Question 3

Who is responsible for the audit and maintenance of these lighting standards? Who is responsible to fund the maintenance and/or renewal of lights as needed?

Response

It is the responsibility of the asset owner to undertake maintenance and auditing; for Crown Land reserves, it is the responsibility of the State Government or appointed Crown Land Committee of Management.

For Council owned and managed reserves, Council is responsible for the renewal and installation of lighting in accordance with Council's Sport Facility Standards Policy. The costs associated with maintaining sports field lighting including poles, fitting, wiring and globes are the responsibility of the user group.

Question 4

What provision is in the Council budget to ensure compliance with these lighting policies and requirements is deliverable? What can be done by this Council to address the gaps in funding and delivery of safe lighting for our sports players?

Response

Council has a sports field lighting capital renewal program for the completion of renewal and upgrade works. The 25/26 draft budget has an allocation of \$50,000, it is important to note that the budget changes from year to year depending on the stage of projects. Sites are identified and prioritised based on Council's asset condition audit process.

Council continues to advocate and apply for any grants available for sports field lighting.

Question 5

Can officers provide a list of Shire recreation reserves that don't meet the safety standards are in need of urgent upgrade? Also what communications between Council and clubs have been undertaken for each of the grounds listed?

Response

Condition audits are generally conducted every 3 – 4 years in accordance with asset management principles. This allows Council to mitigate its risk associated with the structure and lux with sports field lighting. Clubs are notified when funding is confirmed in Council's Capital Works Program.

Question 6

Report on 2024 Agricultural Audit

From April to August last year an agricultural audit was conducted across the Shire. Our farmers are still waiting on the results of this audit and so is our Council. I expect results of this audit are important for this Council's consideration of adoption of the Council Plan and the Budget. We've missed the budget deadline. Please can officers advise a deadline for reporting on the Agricultural Audit. The farmers and I don't understand why the report is being withheld.

Response

While progress has been made with Agricultural Audit, the draft requires additional refinement to ensure it meets the standard expected for community presentation and Council endorsement.

Approval for an Agribusiness Officer position through the restructure was provided, however, the recruitment process has not yet identified a candidate for this role. This has resulted in the Agricultural Audit being delayed.

The Draft Council Plan recognises to Develop a Food and Agribusiness Strategy that builds on the findings of the 2025 Agribusiness Audit and implement the actions of the strategy. This action can be accommodated within the operational budget.

Question 7

At the April meeting of this Council I requested a transaction listing of income and expenditure for the Catani Soldiers Hall and the Cardinia Civic Band Hall in Pakenham Upper. Please can I have this report? I'm aware that officers are working on a broader review of the Shire's halls to

bring into Council. However, as this is a lengthy process, I'd request that some priority is given to these two halls in particular as there are community groups whose operations are being impaired whilst these halls are unusable.

Response

Officers are preparing Council Briefing reports to speak to both of these halls. Officers are currently obtaining building condition assessments, structural assessments and quantity surveyor reports that will inform the costs required to bring these buildings to a standard that allows for utilisation. These reports will speak to Councils previous year's financial expenditure, heritage requirements (if applicable), Town Planning constraints, capital investment requirements and potential property sale opportunities.

13 Mayoral Minute

The Mayor addressed Council by commenting on the Emergency Services and Volunteer Fund.

I'd like to take this opportunity to set the record straight about Council's position regarding the Emergency Services and Volunteer Fund following recent media coverage.

On behalf of Council, I have consistently expressed concerns about the impact that the new levy will have on our community, especially local farmers.

We understand the ongoing cost of living pressures facing our community, and are committed to keeping rates and charges as affordable as possible while continuing to deliver essential services and projects.

The reality is that Council is legislated under the *Fire Services Property Amendment (Emergency Services and Volunteers Fund) Act 2025* to collect these fees on behalf of the State Government. If Council doesn't include this charge on rates notices or pay the fees to the State Government, we would be in breach of the law.

Under the legislation, councils are obliged to collect the levy on behalf of the State. We are not permitted to issue a separate invoice for the levy, and we're required to proportionately allocate any amount paid by ratepayers across all rates and charges, including the ESVF.

Council is committed to continuing to work with our local government colleagues to advocate on this matter and highlight the sector's concerns.

At the MAV State Council in May, Council submitted a motion calling for the MAV to note the significant impact on local government and the community, particularly on primary production properties such as farms.

We also remain committed to working effectively with other levels of government and continuing to seek clarity from State Government to help us respond to increased community questions, concerns and enquiries.

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 Roberts, seconded Cr Pomeroy.

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 – Property - Legal Matter is designated confidential on the grounds that it relates to s.3(1)(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released and s.3(1)(e) Legal privileged information, being information to which legal professional privilege or client legal privilege applies.

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

Against: Nil

Carried

At 9:27pm the meeting was adjourned for 10 minutes and closed to the public.

15 Meeting Closure

At the conclusion of the Confidential Business the meeting was reopened and closed at 9:42pm.

Minutes confirmed
Mayor