

Council Meeting

Minutes

Monday 20 October 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: James Collins 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
Natasha Berry Senior Governance Officer

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. Special Council Meeting 8 September 2025.
2. Council Meeting 15 September 2025.
3. Town Planning Committee Meeting 6 October 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

Cr Nickell declared a conflict of interest in *Agenda Item 7.2.9 Road Discontinuance and Sale at Trythall Street Beaconsfield*, as it relates to his employment.

6 Community Questions

In accordance with clause 3.52.2 of the *Governance Rules*, any commentary or preamble submitted with community questions was removed and not read aloud.

Stephanie Davies submitted questions which were ruled out in accordance with clause 3.51.2 of the *Governance Rules*.

Mark Teague submitted 4 questions, these will be read and answered by General Manager Community and Planning Services.

In accordance with the *Privacy and Data Protection Act 2014*, personal information has been redacted from questions and not read aloud.

Question 1

Can Cardinia Shire Council please provide proof of this alleged resident complaint against the basketball hoop in front of [address]?

Response

Thank you for the question and I note that the information has been forwarded to yourself earlier today.

Question 2

After [an Officer] assessed the basketball hoop at [address], was there an official assessment completed? If so, can Cardinia Shire Council please provide this report?

Response

Council does not permit the permanent storage of personal items on public land, and therefore a full assessment report was not required.

Question 3

Can the council explain why they feel it more important to remove a safe, well-loved and used piece of sporting equipment, for my son and other kids to use that has been in this location for over 8 years, and not focus on far more pressing matters in the local community?

Response

Council acknowledges that there are many pressing matters within the community and works diligently to address a wide range of issues. However, we also have a duty to respond to all matters brought to our attention, including those involving the use of public land and community safety. To meet Local Law requirements and public safety obligations, the basketball hoop needs to be relocated onto private property.

Question 4

What is the council prepared to do in the spirit of fairness and common sense, to make an allowance to keep the basketball hoop in its original location?

Response

Council must apply Local Laws consistently across the municipality to ensure safety, fairness and uphold community standards. Once a breach is identified, we are required to respond, regardless of how long the item has been in place.

Kurt Petersen submitted 1 question, and was not present at the Meeting the question was not read aloud.

Re: Pakenham Revitalisation Project

Question 1

Has council considered advocating to DTP for Princes Hwy access upgrades in the name of safety and accessibility to the area (be it by new traffic signal installation or otherwise)? Has council considered difficulty in mobility being a roadblock to improving and increasing use of the main street area?

Response

Access will be further improved with the completion of stage 3 of the Pakenham Roads Upgrade project delivered by the State Government in mid-2026. This project includes the duplication of Racecourse Road and Healesville Koo Wee Rup Road from Henry Street to Princes Freeway and the construction of new traffic signals at the intersection with Bald Hill Road.

In addition, Council successfully applied for funding from the Victorian Government's Growth Areas Infrastructure Contribution fund for the duplication of McGregor Road between Duncan Drive and Heritage Boulevard and the construction of new traffic signals at Henty Street and Rogers Street. These works are expected to commence in 2025.

Trevor James submitted 4 questions, these will be read and answered by General Manager Infrastructure and Environment.

Re: Heritage Springs Estate lighting

Question 1

At the September 2025 meeting Council advised it has undertaken (A process review) in relation to the works and public lighting replacement; what was that process and has a result been achieved and if not when can that result be expected?

Response

Council has since this time engaged and worked with AusNet Services, undertaken community information sessions to discuss the replacement project.

A process review has been completed with some key outcomes including contractor documentation updates and officer education.

Council has worked with AusNet to have retrofit LED globes approved by the end of April 2026.

Question 2

In regards to the removal of the much loved Heritage Springs street lights and subsequent crushing/recycling of the lights, Council advises that Ausnet are investigating a retrofit led globe; what progress is being made?

Response

AusNet are involved in the electricity distribution price review (EDPR) process, which is led by the Australian Energy Regulator. Council expects that AusNet will advise the outcome of this review by the end of April 2026.

Question 3

Why is it that the Heritage Springs residents group is receiving information from Ausnet which is entirely different to Council's advice?

Response

Council is not aware of the information being provided by AusNet regarding Heritage Springs lighting which differ to that provided by Council. We welcome information from the community on this matter.

**Bill Ronald submitted 3 questions, these will be read and answered by General Manager Infrastructure and Environment.
Re: Heritage Springs Estate lighting**

Question 1

4th June 2024, Ausnet contactors removing Heritage Springs street lights was reported to the Mayor Jack Kowarzik, what action did the Mayor take, then and now 28 months later?

Response

Following this report, Notice of Motion 1096 was passed at the Council meeting on 17 June 2024. This notice of motion placed the removal of heritage style street light fittings in Heritage Springs on hold.

Council has since this time engaged and worked with AusNet Services, undertaken a community information session to discuss the replacement project and seek solutions.

Question 2

At the Council meeting 17th June 2024 notice of motion 1096 was carried unanimously, when exactly (date required) did the Cardinia Council advise Ausnet of this Council resolution?

Response

Council passed a Notice of Motion 1096 related to halting replacement works coordinated by Council with AusNet approval. AusNet was contacted following this decision the following day. Council has continued to liaison with AusNet on this issue.

Question 3

In August 2025 Ausnet installed new street lights at the Heritage Livingstone Blvd, there was no requirement under AS1158 to remove adjacent heritage street lights which reduced the safety of the location, why did Ausnet remove the original lights?

Response

The intersection of Livingstone Boulevard and Heritage Boulevard was identified as a 'Blackspot' under Federal Government program as a high-risk area. The area required safety upgrades including lighting.

**Henk Heeremans submitted 4 questions, these will be read and answered by General Manager Infrastructure and Environment.
Re: Heritage Springs Estate lighting**

Question 1

Can Council provide documentation evidence that Ausnet is actively seeking a retrofit globe for the Heritage Springs street lamps?

Response

The Australian Energy Regulators publicly available "Draft decision AusNet electricity distribution determination 1 July 2026 – 30 June 2031" confirms the use of these globes is being sought by AusNet.

Question 2

Is Cardinia Council fully aware that Melbourne Aluminium and Iron Lace Work Company have available to councils and Estate Developers Australia wide, a range of Heritage Springs period Victorian style street lamps, complete with LED globes. All approved of course for sale in Australia?

Response

Council is required to utilise AusNet approved lighting hardware when replacing or installing lights on the AusNet street light network.

We are not aware that these lights have been approved by AusNet Services.

Question 3

Will Cardinia Council make themselves fully aware of the true facts on lamps and globes well in advance of the lead up to the April 2026 Council report?

Response

Council will consider the information available via AusNet as the network authority.

Question 4

Why is it that Melbourne City Council and all the up-market surrounding suburbs have retained all their Heritage street lamps?

Response

Streetlights in the City of Melbourne are not all owned and managed by the distribution network service provider, therefore not governed by the same restrictions as the streetlights in Cardinia Shire.

The Mayor called a member of the gallery to order. The meeting was adjourned under clause 3.47 of the *Governance Rules* at 7.14pm for 3 minutes and resumed at 7.17pm.

7 Ordinary Business

7.1 Town Planning Reports

Nil

7.2 General Reports

7.2.1 COUNCIL PLAN 2025-2029

Responsible GM:	Wayne Mack
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making. 5.1.5 Champion the collective values of the community through the Councillors' governance of the shire.

Resolution

Moved Cr Pomeroy, seconded Cr Potter.

That Council:

1. Adopts the Council Plan 2025-2029 in accordance with the requirements of section 90 of the *Local Government Act 2020*, and
2. Acknowledges and thanks the 2025 Future Cardinia Community Panel and all other submitters throughout 2025 for their contributions and comments that have helped to shape the Council Plan and other key strategic documents.

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

Against: Cr Paton

Carried

7.2.2 LIVEABILITY PLAN REVIEW 2025

Responsible GM:	Debbie Tyson
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 Potter, seconded Cr Ross.

That Council:

1. Notes the changes recommended to the Liveability Plan 2017-2029 as described in Table 1 of the report.
2. Endorses the 2025 Review of the Liveability Plan 2017-2029.
3. Publishes the 2025 Review of the Liveability Plan 2017-2029 on Council's website.
4. Writes to the Secretary of the Department of Health providing a copy of the endorsed Liveability Plan 2017-2029.

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

Against: Cr Nickell and Cr Paton

Carried

7.2.3 2025-2035 FINANCIAL PLAN

Responsible GM:	Wayne Mack
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 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 Ross.

That Council adopts the 2025-2035 Financial Plan in accordance with the requirements of section 91 of the *Local Government Act 2020*.

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

Against: Cr Paton

Carried

7.2.4 ASSET PLAN 2025-35

Responsible GM:	James Kelly
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. 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.

Resolution

Moved Cr Pomeroy, seconded Cr Nickell.

That Council:

1. Adopts the Asset Plan 2025-2035 in accordance with the requirements of section 92(4) of the *Local Government Act 2020*.
2. Publishes the new Asset Plan 2025-2035 to Cardinia's website.

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

Against: Cr Paton

Carried

7.2.5 ROAD MANAGEMENT PLAN 2025-2029

Responsible GM:	James Kelly
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	2.1 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. 5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making. 5.1.2 Manage our finances responsibly and leave a positive legacy for future generations.

Alternate Resolution

Moved Cr Potter, seconded Cr Owen.

That Council:

1. Modifies Figure 3 (Maintenance Management Process), of the Draft Road Management Plan 2025-2029, as adopted for community consultation at its meeting on 21 July 2025, to include the words “and monitored”, to the action to be taken if no defects are identified beyond intervention level, so it reads “No works required. Inspection details recorded and monitored”.
2. Adopts the Road Management Plan 2025-2029 in accordance with the requirements of section 105 of the *Road Management Act 2004*.
3. Publishes the new Road Management Plan 2025-2029 to Cardinia’s website.

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

Against: Cr Nickell and Cr Pomeroy

Carried

7.2.6 INSTRUMENT OF DELEGATION - COUNCIL TO CEO

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

Resolution

Moved Cr Pomeroy, seconded Cr Thomsen.

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 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
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 Paton, seconded Cr Roberts.

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.
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

S7.2.8 RESPONSE TO NOM 1112 - EMERALD LAKE PRECINCT (ELP) MASTER PLAN REVIEW

Responsible GM:	Debbie Tyson
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. 1.1.2 Enrich local identity and opportunities for the community to connect through art, history and cultural expression. 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.

Resolution

Moved Cr Nickell, seconded Cr Ross.

That Council:

1. Supports the continuation of scoping activities for the Emerald Lake Precinct (ELP) master plan review and associated projects, based on the considerations outlined in this report.
2. Acknowledges that the scoping process will require additional time and resources beyond the initial six-month timeframe, as outlined in the activity schedule. This extended effort is necessary to ensure a comprehensive and informed approach to planning and implementation of these works
3. Notes that the scope of the original ELP master plan remains unchanged at this stage. Once the recommended actions have been implemented, this—along with insights from community engagement—will inform the prioritisation of initiatives and any necessary changes to the scope.

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

Against: Nil

Carried

7.2.9 ROAD DISCONTINUANCE AND SALE AT TRYTHALL STREET BEACONSFIELD

Responsible GM:	Wayne Mack
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	2.1 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. 5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making.

At 8.50pm Cr Nickell left the Meeting, having earlier declared a conflict of interest in the item.

Resolution

Moved Cr Owen, seconded Cr Roberts.

That Council having given public notice of a proposal to discontinue a 375m² section of Trythall Street in Beaconsfield (Road) and transfer this to the Department of Energy, Environment and Climate Action (DEECA) by private treaty pursuant to s223 of the *Local Government Act 1989* and s114 of the *Local Government Act 2020*, having considered submissions made in respect of the proposal, hereby:

1. Discontinues the Road in accordance with section 206, schedule 10, clause 3 of the *Local Government Act 1989*;
2. Directs that, in accordance with section 114 of the *Local Government Act 2020*, the land from the Road be sold by private treaty to DEECA for \$1 in lieu of Council recovering costs estimated at \$17,000 - \$18,000 plus GST;
3. Directs that a notice of discontinuance be published in the Victorian Government Gazette;
4. Authorises the Chief Executive Officer to finalise the terms of the sale of land and sign all documents relating to the sale of the land from the discontinued road to DEECA; and
5. Directs that the discontinuance and sale will not affect any right, power or interest held by South East Water in the Road.

For: Cr Kowarzik, 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 PROCUREMENT POLICY 2025-29

Responsible GM:	Wayne Mack
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making. 5.1.2 Manage our finances responsibly and leave a positive legacy for future generations. 5.1.4 Maximise value for our community through efficient service delivery, innovation, strategic partnerships and advocacy.

At 8.57pm Cr Nickell returned to the Meeting.

Resolution

Moved Cr Pomeroy, seconded Cr Ross.

That Council adopts the Procurement Policy 2025-2029 in accordance with the *Local Government Act 2020*.

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 ANNUAL REPORT 2024-25

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

Resolution

Moved Cr Paton, seconded Cr Roberts.

That Council endorses the Cardinia Shire Council Annual Report 2024-25 and notes its completion within 4 months of the end of the financial year, to meet the requirements of the *Local Government Act 2020*.

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

Against: Nil

Carried

At 9.09pm the Mayor adjourned the meeting for ten minutes.

7.4.2 CONTRACT RFT000085 - ROAD PAVEMENT RENEWAL WORKS 2025-26

Responsible GM:	James Kelly
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	2.1 We support the creation of liveable spaces and places 2.1.5 Upgrade Council's Road network to improve safety and connectivity while considering traffic demand and freight transport needs.

At 9.27pm the meeting resumed.

Resolution

Moved Cr Pomeroy, seconded Cr Ross.

That Council:

1. Awards Contract - RFT000085 Pavement Renewal Works 2025-26 to Downer EDI Works Pty Ltd for Pitt Road Iona and the Intersection of Seven Mile Road and Bunyip River Road, Nar Nar Goon for the lump sum of \$1,076,135.72 (excl. GST).
2. Awards Contract - RFT000085 Pavement Renewal Works 2025-26 to Sure Constructions (Vic) Pty Ltd for Manks Road in Dalmore for the lump sum of \$412,058.21 (excl. GST).
3. Approves the contingency sum as outlined in the confidential attachment.
4. Delegates authority to the CEO to approve variations up to 10% of the awarded contract values.

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 RFT000076 - ANNUAL TREE PLANTING PROGRAM CARDINIA SHIRE

Responsible GM:	James Kelly
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	2.1 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.

Resolution

Moved Cr Thomsen, seconded Cr Roberts.

That Council:

1. Awards the contract for RFT000076 Tree Planting Program to Melbourne Treeworks for \$693,000 for the initial 2-year contract, and subject to performance, up to two additional 2-year extensions.
2. Approves the use of any contingency items as outlined in the confidential attachment for the delivery of this contract should they arise throughout the course of the contract.
3. Delegates CEO to have the authority to approve up to 10% variation on the total contract value as declared in Recommendation 1.

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

Against: Cr Paton

Carried

7.5 Activity Reports

7.5.1 COMMUNITY ENGAGEMENT UPDATE - OCTOBER 2025

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

Resolution

Moved Cr Owen, seconded Cr Pomeroy.

That Council notes the community engagement update for October 2025.

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

Against: Nil

Carried

7.5.2 COUNCIL RESOLUTIONS REPORT - JULY TO SEPTEMBER 2025

Responsible GM:	Wayne Mack
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5.1 We practise responsible leadership 5.1.1 Build trust through meaningful community engagement and transparent decision-making. 5.1.5 Champion the collective values of the community through the Councillors' governance of the shire.

Resolution

Moved Cr Thomsen, seconded Cr Pomeroy.

That Council note the report detailing implementation of Council resolutions for the period from 1 July 2025 to 30 September 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 CAPITAL WORKS REPORT - OCTOBER 2025

Responsible GM:	James Kelly
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	2.1 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. 2.1.5 Upgrade Council's road network to improve safety and connectivity while considering traffic demand and freight transport needs. 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:

1. Receives and notes the performance report for the FY25/26 Capital Plan to end of Period 3 (September 2025).
2. Notes that a final payment against CT000030 with Negri Contractors (VIC) Pty Ltd for the construction of Tivendale Road/Station Street intersection was approved under delegation by CEO.

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 Roberts addressed Council by reporting on:

- 100th birthday celebrations for the Pakenham Scouts, great day, fantastic displays, ceremony opening a time capsule from 1987.
- Tour of the Pakenham Grassland Reserve, Webster Way with the Grassy Plains network and Cardinia Environmental Coalition and learnt that there is 0.1% of original coverage of damp sands grass lands remain in Australia, it includes many rare species of plants and wildflowers.

Cr Pomeroy addressed Council by reporting on:

- Recent funeral of local identity Elva Hamill, who was a notable contributor to the community, she even played tennis well into her 90s!
- Maryknoll 75th Anniversary, hosted many events.
- Nar Nar Goon heritage festival showed much history of this area.
- Good Choice Awards and commented on the incredible work of our leaders in the community.
- Nar Nar Goon newly built Netball Change rooms opened, super impressive project.
- Tynong Fire Brigade Annual Dinner

Cr Thomsen addressed Council by reporting on:

- National Citizenship Day held on Wednesday 17 September, welcomed 100 new citizens.
- Congratulate young people nominated to the Good Choice Awards.
- Inaugural Battle of the Bands for schools in Cardinia, congratulations to kids and teachers from Koo Wee Rup Secondary, Pakenham Secondary and Officer Secondary schools who put up 12 awesome performances.
- Australia Day Awards, please consider and put forward anyone you think should be recognised for supporting the community.

Cr Potter addressed Council by reporting on:

- Shared a personal story about a local, Levi who was 16 year old and passed away from meningococcal disease. Cr Potter is seeking petition support to get the meningococcal B strain B free, please refer to her website.
- The Mayor, Cr Kowarzik shared that he has reached out to the Health Minister for a formal response on this.

Cr Owen addressed Council by reporting on:

- Acknowledged the passing of Bob Taylor, active community member in Upper Beaconsfield.
- Acknowledged the passing of Robby McGregor, he was Australia's longest serving paper boy, he was a great service to our community, everyone had a story about Robby.
- Casey Cardinia Heritage Festival at Nar Nar Goon.
- Access Inclusion Committee, recent release of 'Good access is good business' guide.
- Book launch called '*When the Army Came to Pakenham: Salvation Army Home Pakenham 1892-1919*' by Penny Harris Jennings.

Cr Ross addressed Council by reporting on:

- Inaugural Battle of the Bands, congratulations to the winners, Koo Wee Rup Secondary school.
- Koo Wee Rup mini festival School Holiday Program, an item included a skate boarding demonstration event, it was a wonderful day.
- Safer Communities Partnership with different agencies including VicPol and many other agencies that deal with community well being.

9 Presentation Of Petitions

Nil

10 Notices Of Motion

10.1 NOTICE OF MOTION 1119 - CR ROBERTS

Resolution

Moved Cr Roberts, seconded Cr Owen.

That Council:

1. Writes to Hon. Ros Spence, Minister for Carers and Volunteers, to express Council's support for Neighbourhood Houses Victoria's advocacy appeal to the State Government for more support for staff and the sector overall through the following, requesting:
 - a. funding for Neighbourhood Houses (Neighbourhood House Coordination Program) increases by 25% ensure our community is provided with essential support and connection,
 - b. an additional 25 houses receive ongoing funding who currently do not,
 - c. in principle support regarding the development of a fund for the establishment of 5 neighbourhood houses per year over 4 years in Growth Areas subject to Council's review of its Neighbourhood House Policy.
2. Notes the importance of the eight Neighbourhood houses operating in Cardinia Shire to the social and community fabric of the Shire and thank the staff and volunteers who run them.

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

Resolution

Moved Cr Kowarzik, seconded Cr Potter.

That Council:

1. Notes that Mr Bill Ronald was observed to breach clauses 3.43 and 3.44 of the *Governance Rules* regarding behaviour of visitors at the Council meeting on 20 October 2025.
2. As it was a first offence, resolves to ban Mr Bill Ronald from Council meetings for a period of 3 months in accordance with clause 3.46.2 of the *Governance Rules*.

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

Against: Nil

Carried

12 Councillor Questions

Nil

13 Mayoral Minute

The Mayor, Cr Kowarzik addressed Council by reporting on:

- Attended the funeral of Robby McGregor and commented that the Pakenham Gazette did a beautiful story.
- No Town Planning Committee meeting in November.
- The Mayoral and Deputy Mayor Election at a Statutory meeting on the 24 November 2025.
- Welcomed the new CEO, James Collins to his first Council Meeting.

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.

Nil

15 Meeting Closure

Meeting closed at 10.17pm.

Minutes confirmed
Mayor