

Annual Statutory Council Meeting

Agenda

Monday 24 November 2025

Commencing 7:00 PM

Council Chambers
20 Siding Avenue, Officer
Victoria

Annual Statutory Council Meeting

Monday 24 November 2025 at 7:00 PM.

Members: Cr Jack Kowarzik
Cr Alanna Pomeroy
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
	Debbie Tyson	General Manager Community & Planning Services
	Peter Benazic	General Manager Infrastructure and Environment
	Wayne Mack	General Manager Corporate Services
	Peter Harris	Manager Governance, Safety & Property
	Sharyn Tilley	Coordinator Governance and Councillor Services

Dear Councillor,

You are advised that a meeting will be held in the **Council Chambers, Cardinia Shire Council Civic Centre, 20 Siding Avenue, Officer** on **Monday 24 November 2025** commencing at **7:00 PM**.

James Collins
CHIEF EXECUTIVE OFFICER

Order of Business

1 Opening And Reflection.....	5
2 Acknowledgements	5
3 Apologies.....	5
4 Declaration Of Interests	5
5 Ordinary Business.....	6
5.1 Determination Of The Period Of Office For Mayor And Deputy Mayor	6
5.2 Election Of Mayor.....	8
5.3 Election Of The Deputy Mayor	11
5.4 Meeting Dates 2026	13

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 Acknowledgements

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

4 Declaration Of Interests

5 Ordinary Business

5.1 DETERMINATION OF THE PERIOD OF OFFICE FOR MAYOR AND DEPUTY MAYOR

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. Responsible Leaders 5.2 Engagement - We build trust and encourage participation in Council decision-making by providing ongoing opportunities for people to have their say, ensuring the diverse voices of the Cardinia community are heard and considered. 5.7 Governance - We maintain a high level of transparent, accountable, unbiased and representative governance.

Recommendation

That Council determines the term of office for the Mayor and Deputy Mayor as being for one year.

Executive Summary

This report recommends that the Council elect a Mayor for a one year term from 24 November 2025.

The next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the one year term as is reasonably practicable.

Background

Section 25 of the Local Government Act 2020 requires Councillors to elect a Mayor of the Council.

Before a Mayor is elected, section 26(3) states that Council must determine by resolution whether the Mayor is to be elected for a one year or a two year term.

Section 27 refers to any reference to the Mayor in sections 25 and 26 of the Act other than section 25(3)(a) is also a reference to the Deputy Mayor.

Therefore, if the Mayor is elected for a one year term, it is taken that the Deputy Mayor is also elected for that period.

Policy Implications

The Determination of the Period of Office for Mayor and Deputy Mayor is undertaken in accordance with the *Local Government Act 2020*.

Financial and Resource Implications

The Mayor, Deputy Mayor and Councillors are entitled to an allowance, training and education opportunities, as well as reimbursement of expenses incurred in completing their role. These costs are included in Council's operating budget.

Climate Emergency Consideration

There is no Climate Emergency consideration as part of this process.

Consultation/Communication

No consultation is required as this a statutory process.

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the *Gender Equality Act 2020*. It was determined that a Gender Impact Assessment (GIA) was not required as the subject matter of this report does not relate to a policy, program or service that has a direct or significant impact on the community.

Attachments

Nil

5.2 ELECTION OF MAYOR

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. Responsible Leaders 5.2 Engagement - We build trust and encourage participation in Council decision-making by providing ongoing opportunities for people to have their say, ensuring the diverse voices of the Cardinia community are heard and considered. 5.7 Governance - We maintain a high level of transparent, accountable, unbiased and representative governance.

Recommendation

That Council:

1. Calls for nominations for the election of the Mayor and, if required undertakes the election process.
2. Confirms Cr _____ to the position of Mayor effective immediately until the next election of the Mayor which must be held on a day to be determined by the Council that is as close to the end of the one year term as is reasonably practicable.

Executive Summary

The purpose of this report is to call for nominations for the election of the Mayor, undertake the election process (if more than one nominee) and appoint a Councillor to the position of Mayor.

Background

Section 25 of the *Local Government Act 2020* (the Act) requires Councillors to elect a Mayor of the Council. Section 26 determines the timing for the election. Subject to section 167, any Councillor is eligible for election or re-election to the office of Mayor.

The election of the Mayor must be chaired by the Chief Executive Officer and subject to section 25, be conducted in accordance with the Governance Rules. Once the Mayor has been elected, they will assume the position of Chair.

Section 18 of the Act sets out the role of the Mayor:

(1) The role of the Mayor is to -

- (a) chair Council meetings; and
- (b) be the principal spokesperson for the Council; and
- (c) lead engagement with the municipal community on the development of the Council Plan; and
- (d) report to the municipal community, at least once each year, on the implementation of the Council Plan; and
- (e) promote behaviour among Councillors that is consistent with the Model Councillor Code of Conduct; and.

- (f) assist Councillors to understand their role; and
- (g) take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer; and
- (h) provide advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings; and
- (i) perform civic and ceremonial duties on behalf of the Council.

(2) The Mayor is not eligible to be elected to the office of Deputy Mayor.

Section 19 of the Act sets out the specific powers of the Mayor:

(1) The Mayor has the following specific powers -

- (a) to appoint a Councillor to be the chair of a delegated committee;
- (b) to direct a Councillor, subject to any procedures or limitations specified in the Governance Rules, to leave a Council meeting if the behaviour of the Councillor is preventing the Council from conducting its business;
- (c) to require the Chief Executive Officer to report to the Council on the implementation of a Council decision.

(2) An appointment under subsection (1)(a) prevails over any appointment of a chair of a delegated committee by the Council.

Section 27 of the Act prescribes mandatory training for all Mayors.

(1) A Mayor and any Deputy Mayor or Acting Mayor must complete Mayoral training—
 (a) in the case of the Mayor or a Deputy Mayor, within one month after their election as Mayor or Deputy Mayor;

For the purposes of section 27 of the Act, the prescribed matters are the following—

- (a) roles and responsibilities;
- (b) chairing meetings;
- (c) engagement and advocacy;
- (d) leadership;
- (e) any other matter relating to the role of the Mayor which the Chief Executive Officer has determined should be addressed.

Policy Implications

The election of the Mayor is undertaken in accordance with the Governance Rules.

Financial and Resource Implications

The Mayoral allowance is set by the Victorian Independent Remuneration Tribunal. Cardinia Shire Council is a category 3 Council. The Mayoral allowance is currently set at \$142,661 as at 1 July 2025.

The Mayor is provided with resources and support as outlined in the Council Expenses Policy. These costs are contained within Council's operating budget.

Climate Emergency Consideration

There is no Climate Emergency consideration as part of this process.

Consultation/Communication

No consultation is required as this is a statutory process.

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the *Gender Equality Act 2020*. It was determined that a Gender Impact Assessment (GIA) was not required as the subject matter of this report does not relate to a policy, program or service that has a direct or significant impact on the community.

Attachments

Nil

5.3 ELECTION OF THE DEPUTY MAYOR

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. Responsible Leaders 5.2 Engagement - We build trust and encourage participation in Council decision-making by providing ongoing opportunities for people to have their say, ensuring the diverse voices of the Cardinia community are heard and considered. 5.7 Governance - We maintain a high level of transparent, accountable, unbiased and representative governance.

Recommendation

That Council:

1. Calls for nominations for the election of Deputy Mayor and, if required, undertakes the election process.
2. Confirms Cr _____ to the position of Deputy Mayor effective immediately until the next election of the Deputy Mayor which must be held on a day to be determined by the Council that is as close to the end of the one year term as is reasonably practicable.

Executive Summary

The purpose of this report is to call for Deputy Mayor nominations, undertake the election process (where required) and appoint a Councillor as Deputy Mayor.

Background

Section 20A of the *Local Government Act 2020* (the Act) allows for Council to establish an office of Deputy Mayor.

Section 25, other than subsection (3)(a), applies to the election of a Deputy Mayor by the Councillors as if any reference in that section to the Mayor was a reference to the Deputy Mayor.

Section 26 applies to the election of a Deputy Mayor as if any reference in that section to the Mayor was a reference to the Deputy Mayor.

Section 21 of the Act sets out the role of the Deputy Mayor:

The Deputy Mayor must perform the role of the Mayor and may exercise any of the powers of the Mayor if -

- (a) the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or
- (b) the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or
- (c) the office of Mayor is vacant.

Section 27 of the Act prescribes mandatory training for all Deputy Mayor.

(1) A Mayor and any Deputy Mayor or Acting Mayor must complete Mayoral training—

(a) in the case of the Mayor or a Deputy Mayor, within one month after their election as Mayor or Deputy Mayor;

For the purposes of section 27 of the Act, the prescribed matters are the following—

(a) roles and responsibilities;

(b) chairing meetings;

(c) engagement and advocacy;

(d) leadership;

(e) any other matter relating to the role of the Mayor which the Chief Executive Officer has determined should be addressed.

Policy Implications

The process to elect a Deputy Mayor is set out in the Governance Rules.

Financial and Resource Implications

The Deputy Mayor allowance is set by the Victorian Independent Remuneration Tribunal. Cardinia Shire Council is a category 3 Council. The Deputy Mayor Allowance is currently set at \$71,329 as at 1 July 2025.

The Deputy Mayor is provided with resources and support as outlined in the Council Support and Resources Policy. These costs are contained within Council's operating budget.

Climate Emergency Consideration

There are no Climate Emergency considerations as part of this process.

Consultation/Communication

No consultation is required as this is a statutory process.

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the *Gender Equality Act 2020*. It was determined that a Gender Impact Assessment (GIA) was not required as the subject matter of this report does not relate to a policy, program or service that has a direct or significant impact on the community.

Attachments

Nil

5.4 MEETING DATES 2026

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. Responsible Leaders 5.2 Engagement - We build trust and encourage participation in Council decision-making by providing ongoing opportunities for people to have their say, ensuring the diverse voices of the Cardinia community are heard and considered. 5.7 Governance - We maintain a high level of transparent, accountable, unbiased and representative governance.

Recommendation

That Council:

- Adopts the following Council meeting timetable for 2026, with all meetings to commence at 6pm and held in the Council Chamber, Civic Centre, Siding Avenue, Officer, unless otherwise notified:

Date	Time	Location
Monday, 16 February 2026	6.00pm	Council Chamber, Civic Centre, Siding Avenue, Officer
Monday 16 March 2026	6.00pm	Council Chamber, Civic Centre, Siding Avenue, Officer
Monday 20 April 2026	6.00pm	Council Chamber, Civic Centre, Siding Avenue, Officer
Monday 18 May 2026	6.00pm	Council Chamber, Civic Centre, Siding Avenue, Officer
Monday 15 June 2026	6.00pm	Council Chamber, Civic Centre, Siding Avenue, Officer
Monday 20 July 2026	6.00pm	Council Chamber, Civic Centre, Siding Avenue, Officer
Monday 17 August 2026	6.00pm	Council Chamber, Civic Centre, Siding Avenue, Officer
Monday 21 September 2026	6.00pm	Council Chamber, Civic Centre, Siding Avenue, Officer
Monday 19 October 2026	6.00pm	Council Chamber, Civic Centre, Siding Avenue, Officer
Monday 16 November 2026	6.00pm	Council Chamber, Civic Centre, Siding Avenue, Officer
Monday 23 November 2026 (Annual Statutory Meeting)	6.00pm	Council Chamber, Civic Centre, Siding Avenue, Officer
Monday 14 December 2026	6.00pm	Council Chamber, Civic Centre, Siding Avenue, Officer

2. Disbands Town Planning Committee and revokes the Instrument of Delegation (Attachment 1) to take effect from 31 December 2025.

Executive Summary

This report sets out the schedule of meetings for the 2026 calendar year, and requests Councillors consider and adopt the timetable of dates proposed.

Background

Under the requirements of the *Local Government Act 2020*, Council must adopt an annual schedule for its meetings. Historically, Council meetings have commenced at 7pm in the evening, which often results in late finishes. This practice can impact decision-making quality and staff and Councillors wellbeing. Model Governance Rules are expected to limit meeting duration, and an earlier start time will assist Council's compliance. This report proposes an earlier start time of 6pm.

Most Victorian councils have phased out separate Town Planning Committees in favour of considering planning matters at ordinary Council meetings. This aligns with governance best practice and efficiency reforms under the *Local Government Act 2020*.

Discussion

A review of meeting structures across comparable Councils shows that evening start times are common for councils prioritising accessibility for working community members. It is recommended in the 2026 schedule to move the start time of Council meetings to 6:00 pm. This adjustment aligns with common practice across comparable Councils and supports accessibility for community members who work during the day. Meetings are also available by livestream and recordings on the website.

Council is committed to efficient governance and responsible financial management. Most Victorian councils have phased out separate Town Planning Committees, opting instead to consider planning matters at ordinary Council meetings. Councils that previously had Town Planning Committees (e.g., Cardinia, Casey, Greater Dandenong) have moved to integrated meeting structures in recent years.

By adopting this model, Cardinia will ensure consistency with sector standards, improve operational efficiency, and maintain transparency in decision-making. Planning reports will continue to be presented at Council meetings, preserving community input and accountability.

Policy Implications

The recommended change to move Council meeting start times to 6:00 pm and disband the Town Planning Committee aligns with existing governance frameworks and statutory requirements.

To disband the Town Planning Committee, Council will need to revoke the current Instrument of Delegation. Planning powers will remain with Council and be exercised at Council meetings. There is no change to the delegated powers provided to Council Officers which were adopted at the Council Meeting on 19 May 2025.

Climate Emergency Consideration

There are no Climate Emergency considerations as part of this report.

Consultation/Communication

No external consultation is required as this is a statutory process under the *Local Government Act 2020*. The recommended changes relate to meeting scheduling and governance arrangements. Engagement will align with the Inform level within the IAP2 spectrum of public

participation. Internal review and benchmarking with comparable councils have informed the recommendations to ensure alignment with sector best practice and governance requirements.

Financial and Resource Implications

The proposed changes deliver operational efficiencies and streamline governance processes.

Gender Impact Assessment

In the preparation of this report, Council has considered its obligations under the *Gender Equality Act 2020*. It was determined that a Gender Impact Assessment (GIA) was not required as the subject matter of this report does not relate to a policy, program or service that has a direct or significant impact on the community.

Attachments

1. Instrument of Delegation - Town Planning Committee - 19 May 2025 [5.4.1 - 2 pages]



**Cardinia Shire Council
Instrument of Delegation
Town Planning Committee**

Cardinia Shire Council Council (**Council**) delegates to each person who is from time to time appointed as a member of the committee established by resolution of Council passed on 19 May 2025 and known as the "Town Planning Committee" (**the Committee**), the powers, discretions and authorities set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 19 May 2025;
2. the delegation:
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 remains in force until Council resolves to vary or revoke it; and
 - 2.3 is to be exercised in accordance with the exceptions, conditions and limitations set out in the Schedule and with the guidelines or policies which Council from time to time adopts; and
3. all members of the Committee have voting rights.

The Common Seal of the
Cardinia Shire Council was
hereto affixed in the presence of:

Councillor



Chief Executive Officer

SCHEDULE

Purpose

To exercise Council's powers, discretions and authorities to perform Council's functions under the *Planning and Environment Act 1987* in accordance with relevant policies and guidelines of the Council and to do all things necessary or convenient to be done for or in connection with the performance those functions, duties and powers.

Exceptions, conditions and limitations

The Committee is not authorised by this Instrument to exercise the powers which, under s 11(2) of the *Local Government Act 2020* or s 188 of the *Planning and Environment Act 1987*, cannot be delegated to the Committee.