

Council Meeting

Minutes

Monday 16 March 2026

Commenced at 6:00 PM

**Council Chambers
20 Siding Avenue, Officer
Victoria**

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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 Roberts

That Council confirms the minutes of Council Meeting Monday 16 February 2026.

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

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

Paul Keen submitted 1 question. The question and response was not answered at this part of the meeting as they were not present. Mr Keen attended later in the meeting, his question and response was provided by Peter Benazic, General Manager Infrastructure and Environment at the conclusion of Section 9 - Petitions.

Question 1

Can I confirm how much of this \$88.7m is allocated to Cardinia shire and whether this enables Sealing the Hills program to continue?

Response

Cardinia Shire received \$41M from the Australia Government to support the Sealing the Hills program. There is currently no further funding to support this program.

Stephanie Davies submitted 4 questions, with parts that total 8 questions. These were not answered in the meeting as they were not present.

Question 1 – FOI Processing Times

What is the current average processing time for requests made under the Freedom of Information Act 1982 (Vic) to Cardinia Shire Council?

Response

Under the *Freedom of Information (FOI) Act*, agencies generally have **30 days** to process a request. However, this timeframe is extended or paused in situations such as:

- If we seek clarification because a request is not sufficiently clear or specific, the clock pauses until the applicant provides the required clarification and the request becomes a valid request.
- If a deposit is required (for example, when access charges are likely), the clock pauses from the date the deposit request is issued until it is paid.
- If consultation is required with individuals, businesses, or government agencies whose information may be affected by the request, the processing period is extended by 15 days, and in some cases the clock pauses while consultation occurs.
- The timeframe can also be extended if mutually agreed between the applicant and Council.

Because these pauses and extensions depend on the specifics of each request, total processing times can vary, and providing a representative “average” would not accurately reflect how the Act operates in practice.

Question 2

Please also advise a) the number of FOI requests received in the 2023–24 and 2024–25 financial years, and b) the average number of days taken to finalise those requests?

Response

Thank you for your question.

a) Number of FOI requests received

2023–24: 38 requests

2024–25: 54 requests

b) Average number of days taken to finalise those requests

Cardinia Shire Council does not report a local “average number of days” to finalise FOI requests. This is because the statutory processing timeframe under the *Freedom of Information Act 1982* (Vic) can pause or be extended at various points, depending on the circumstances of each request. These pauses mean that calculating a simple average would not provide a meaningful or accurate measure of performance.

Question 3 – Media Enquiries

What is the average response time for media enquiries received by Cardinia Shire Council from a) local media organisations, b) state or national media organisations, and c) independent media organisations such as Council Watch?

Response

The average response time for media enquiries from media outlets, whether local, state or national media organisations, or registered independent media organisations, is around one to three days, dependant on the nature of the enquiry and the journalist’s deadlines.

Question 4

Please also advise whether Council has internal service standards or protocols regarding response times to journalists.

Response

Given the reactive nature of media enquiries, our service level agreement does not specify blanket time frames for media responses. As mentioned above, we aim to respond to media enquiries within a journalist's deadlines.

Question 5 – Legal Expenditure (Maddocks Lawyers)

How much has Cardinia Shire Council spent on legal services provided by Maddocks Lawyers in: a) 2024, b) 2025 and c) 2026 to date.

We can provide the total legal spend (for all legal providers) for each of these periods, not the spend for an individual firm.

2024 – 940,517

2025 – 917,550

2026 – 93,792

Please note the above figures do not include where Council has been awarded costs by the court.

Question 6

Please provide a breakdown of this expenditure, including: a) litigation or dispute-related legal services, b) governance advice, c) prosecutions and d) governance training or professional development delivered by Maddocks.

Response

Council cannot provide a breakdown of expenditure in the categories requested.

Question 7 and Question 8 will be answered with a single response.

Question 7 – Governance Complaints

What is the average time taken by Cardinia Shire Council to assess and respond to governance complaints, including complaints relating to: a) conflicts of interest, b) procedural irregularities, c) alleged misuse of position by councillors or council officers?

Question 8

Please also advise: a) the number of such complaints received in the past three years, and b) the number that were formally investigated.

Response

Council record customer complaints by the nature of the service or process involved, and does not use governance terms in thematic analysis. As a result, Council is unable to extract data that directly corresponds to these categories or calculate average response times against them.

To the extent any complaint raises conduct or integrity concerns, these are managed in accordance with Council's obligations under the *Local Government Act 2020* and relevant codes of conduct, and are referred to the appropriate body where required.

7 Ordinary Business

7.1 General Reports

7.1.1 APPOINTMENT OF COMMUNITY ASSET COMMITTEES FOR RECREATION RESERVES AND HALLS

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:	<p>1. Thriving Communities</p> <p>1.2 Partnerships and volunteers - We recognise the work of volunteers in supporting our community, and we partner with community groups and providers to support and encourage volunteerism in the municipality.</p> <p>2. Vibrant Places</p> <p>2.5 Community and open space infrastructure - We plan, deliver and maintain recreation facilities, open spaces and places that support community connection and promote the health and wellbeing of the community.</p> <p>5. Responsible Leaders</p> <p>5.1 Customer focus - We deliver customer-centered service that is clear, accessible, and responsive.</p>

Resolution

Moved Cr Paton, seconded Cr Potter.

That Council:

- Endorses the appointment of the following persons to the respective recreation reserve and halls Community Asset Committees appointed by Cardinia Shire Council in accordance with the *Community Asset Committee Governance Manual*.

Lang Lang Community Recreation Reserve

President	Sam Loughridge
Vice-President	Glenn Barwick
Secretary	Georgia Sharp
Treasurer	Tracy Keily
Community Member	Joanne Beadel
Community Member	Keith Halden
Community Member	Ray Patulio

Yannathan Public Hall

President	Mathew Coleman
Secretary	Noel Campbell
Treasurer	Evan Campbell
Vice President	Kevin Kitchen
Community Member	Graham Woolstencroft
Community Member	Clayton Cuauvin
Community Member	Val Williams
Community Member	Stephen Kent
Community Member	Russel Kruizinga

Community Member
Community Member

David Kelly
Ann Campbell

2. Thanks Community Asset Committee members for their valuable contribution to the management of community recreation reserves.

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

Against: Nil

Carried

7.1.2 FOOD AND AGRIBUSINESS ADVISORY COMMITTEE - COMMUNITY & INDUSTRY APPOINTMENTS

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:	<p>4. Prosperous Economies</p> <p>4.5 Business and industry development - We enhance and develop local economy through industry development, programs and initiatives.</p> <p>5. Responsible Leaders</p> <p>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.</p>

Resolution

Moved Cr Paton, seconded Cr Nickell.

That Council:

1. Endorses the appointment of the following persons to the Cardinia Shire Food and Agriculture Advisory Committee:
 - a. Emma Todaro
 - b. Bronwyn Koll
 - c. Tony Morgan
 - d. Dr Mary Cole
 - e. Robert Green
 - f. Frank Rovers
 - g. Lisa Magee
 - h. Greg Templeton
 - i. Simon Beard
 - j. Lauren Horwood
2. Thanks all the applicants for their time and interest in preparing and submitting an expression of interest.

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

Against: Nil

Carried

7.1.3 RESPONSE TO TWO PETITIONS - REQUEST TO SEAL LENNE STREET AND SUTHERLAND ROAD, BEACONSFIELD UPPER

Responsible GM:	Peter Benazic
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. Vibrant Places</p> <p>2.1 Strategic planning - We ensure the Cardinia Shire Planning Scheme delivers high quality outcomes that preserve the liveability and identity of the municipality and protecting our natural environment, while also accommodating for population growth and economic development, while preserving the liveability and identity of the municipality and protecting our natural environment.</p> <p>2.3 Road network - We partner with agencies to plan, deliver and maintain an integrated transport network that supports connected communities into the future.</p> <p>5. Responsible Leaders</p> <p>5.1 Customer focus - We deliver customer-centered service that is clear, accessible, and responsive.</p> <p>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.</p>

Resolution

Moved Cr Paton, seconded Cr Thomsen.

That Council:

1. Approves the commencement of the initial consultation process for a proposed Special Charge Scheme (SCS) for the sealing of Lenne Street, Beaconsfield Upper.
2. Approves the commencement of the initial consultation process for a proposed Special Charge Scheme (SCS) for the sealing of Sutherland Road, Beaconsfield Upper.
3. Requests officers to notify the lead petitioners for Lenne Street Beaconsfield and Sutherland Road, Beaconsfield Upper of Council's decisions.

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

Against: Nil

Carried

7.1.4 AUDIT & RISK COMMITTEE REPORT

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 5.7 Governance - We maintain a high level of transparent, accountable, unbiased and representative governance.

Resolution

Moved Cr Nickell, seconded Cr Kowarzik.

That Council:

1. Notes the contents of this report and acknowledge the information provided; and,
2. Appoints Leanna La Combre for a further 4-year term ending 20 February 2030.

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 Town Planning Reports

7.2.1 T250469 PA - DEVELOPMENT OF THIRTY-THREE (33) DWELLINGS AT 13-15 MAHON AVENUE, BEACONSFIELD

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:	<p>5. Responsible Leaders</p> <p>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.</p> <p>5.7 Governance - We maintain a high level of transparent, accountable, unbiased and representative governance.</p>

The Mayor, Cr Owen, announced that the officer's recommendation had been amended since publishing the agenda to fix administrative errors.

Resolution

Moved Cr Roberts, seconded Cr Pomeroy.

Part A

That Council notes the gazettal of Amendment C271 to the Cardinia Planning Scheme on 13 March 2026 and that clause references in the Council officer assessment may have been changed by the amendment however there is no change to the policy considerations that would alter the assessment or recommendation before the Council.

Part B

That Council resolves to grant Planning Permit application T250469 for the development of two or more dwellings (33 dwellings) at 13-15 Mahon Avenue, subject to conditions:

Compliance with documents approved under this permit

- At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Approved and endorsed plans – changes required

- Before the development starts, plans must be approved and endorsed by the responsible authority. The plans must:
 - Be prepared to the satisfaction of the responsible authority;
 - Be drawn to scale with dimensions;
 - Be submitted to the responsible authority in electronic form; and
 - Be generally in accordance with the plans prepared by Colab Architecture forming part of the application and identified as revision 3, dated 24 February 2026, but amended to show the following details:
 - A combined streetscape elevation view of units 1/2 and 32/33.
 - Windows added on the south-west elevation of unit 2 (bedroom and stairwell entry).

- iii. Garden Area plan (TP07) updated to omit footpaths from the Garden Area calculation.

Amended landscape plan

3. Before the development starts, plans must be approved and endorsed by the responsible authority. The plans must:
 - a. Be prepared to the satisfaction of the responsible authority;
 - b. Be drawn to scale with dimensions;
 - c. Be submitted to the responsible authority in electronic form; and
 - d. Be generally in accordance with the plans prepared by MEMLA forming part of the application and identified as revision B, dated 21 January 2026, but amended to show the following details:
 - i. Landscaping updated to reflect revision 3 of the architectural plans.

Drainage plans

4. Before the development starts, drainage plans must be submitted to and approved by the responsible authority. The plans must:
 - a. Provide a stormwater detention system to the satisfaction of the Responsible Authority.
 - b. Show connection to a suitable piped stormwater system to the satisfaction of the relevant authority.

The stormwater detention system will become the responsibility of the property owner or body corporate to maintain to the satisfaction of the responsible authority.

Layout not altered

5. The layout of the development must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.

Parking and access

6. Before the development is occupied:
 - a. All proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the responsible authority. Once constructed, these areas must be maintained to the satisfaction of the responsible authority.
 - b. A heavy duty vehicle crossing as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
 - c. Each parking space must be allocated and marked for each dwelling. Visitor spaces must be line marked with wording 'Visitor' and signed accordingly, to the satisfaction of the Responsible Authority.
7. All car parking spaces must be designed to allow all vehicles to drive forwards when entering and leaving the site.

Waste Management Plan

8. Waste management and collection must be carried out by a private contractor engaged by the owners and occur in accordance with the requirements of the approved waste management plan (prepared by Waste Space Solutions, dated 20 January 2026) to the satisfaction of the responsible authority.

9. Before the development commences, the owner of the land must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987*.

The agreement must provide for the following:

- a. The owners acknowledge that all refuse and recycling collection must be carried out by way of a private contractor engaged by the owners and occur in accordance with the Waste Management Plan approved and endorsed under Planning Permit T250469.
- b. The owner of the land must pay all the responsible authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

Landscaping completion and maintenance

10. Within three (3) months of a Certificate of Occupancy being issued under the *Building Act 1993*, the landscaping works shown on the endorsed plan/s must be carried out and completed to the satisfaction of the responsible authority.
11. The landscaping shown on the endorsed plan/s must be maintained to the satisfaction of the responsible authority including replacing any dead, diseased or damaged plants.

Tree protection

12. Before the development commences (including demolition and earthworks), a tree protection fence must be erected around the existing street trees to be retained outside the canopy zone of the tree to define a "Tree Protection Area". The fence must be constructed of star pickets and chain mesh or similar to the satisfaction of the responsible authority. The tree protection fence must remain in place until construction is completed. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area without the written consent of the responsible authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Area. Any pruning that is required to be done to the canopy or roots of any tree to be retained is to be done with permission by Council's Arborist by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-2007.

CEMP (Engineering)

13. At least 14 days before any works start, a site specific Construction Environmental Management Plan (CEMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CEMP will be endorsed and will then form part of the permit. All works must be undertaken in accordance with the approved CEMP. The CEMP must address all environmental risks and include:
 - a. Temporary stormwater management including sedimentation control,
 - b. Provision of pollution and contamination controls including noise and dust,
 - c. Location of stockpiles and stockpile management,
 - d. Location of site office and facilities
 - e. Equipment, materials and goods management.
 - f. Tree protection zones, trees to be retained and trees to be removed.

Stormwater management

14. Before the development is occupied, the stormwater management/detention system must be constructed and commissioned to the satisfaction of the responsible authority.

15. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the responsible authority.
16. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.

Earthworks and site management

17. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the responsible authority.
18. Sediment control measures must be undertaken during construction to the satisfaction of the responsible authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
19. The slope of batters, both cut and fill, must not exceed 2:1 (horizontal: vertical) or, where this is not practicable, batters must be stabilised by other means to the satisfaction of the responsible authority.

Amenity, Design & Services

20. All waste bins and residential waste must be stored within the specified bin storage area for each dwelling (or similar screened location) on an ongoing basis to the satisfaction of the responsible authority.
21. All waste must be stored effectively to prevent odours from affecting neighbouring properties.
22. All pipes, fixtures, fittings vents, plant and equipment servicing any building on the site (excluding storm water down pipes, guttering and rain heads) must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.
23. Any external lighting must be designed, baffled and located so as to not detrimentally affect the adjoining land to the satisfaction of the responsible authority.
24. All utility services including water, electricity, sewerage, telephone and other telecommunication facilities for the proposed dwellings must be installed underground. All above ground meters must be located in a screened location to the satisfaction of the responsible authority.
25. Before the development is occupied:
 - a. Lighting must be provided near the front entrance and garage of each dwelling to the satisfaction of the responsible authority.
 - b. All screening and other measures to prevent overlooking as shown on the approved plans must be installed to the satisfaction of the responsible authority. Once installed the screening and other measures must be maintained to the satisfaction of the responsible authority. The use of obscure film or spray fixed to transparent glass is not acceptable as 'obscure glazing'.
 - c. The dwellings must be connected to a reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
 - d. Power and telephone lines to all new dwellings must be placed underground from the main point of service supplied by the relevant authority outside the boundaries of the subject land.

- e. Mailboxes must be provided to the satisfaction of the responsible authority and Australia Post.
- f. A clothesline must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood.

Residential Reticulated Gas Service Connection

26. Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

Commencement of permit

27. This permit will operate from the issued date of this permit.

Expiry – Development

28. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:
 - a. The development is not started within 3 years of the issued date of this permit.
 - b. The development is not completed within 5 years of the issued date of this permit.

In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

Notes

- A Building Permit may be required before the development commences. For more information, contact Council's Building Department or a Registered Building Surveyor.

Part C

That a copy of the Council decision be sent to objectors received to the planning application.

Part D

If the matter is subject to VCAT proceedings, the Manager Planning & Design/Coordinators Statutory Planning are delegated to instruct, negotiate and agree to mediated planning outcomes on the decision if it is in alignment with the general intent of the Council decision and the agreed position of all parties to the VCAT proceeding.

Cr Nickell foreshadowed an alternate motion should this motion be lost.

For: Cr Kowarzik, Cr Pomeroy and Cr Roberts

Against: Cr Nickell, Cr Owen, Cr Paton, Cr Potter, Cr Ross and Cr Thomsen

Lost

Alternate Resolution

Moved Cr Nickell, seconded Cr Paton.

Part A

That Council notes the gazettal of Amendment C271 to the Cardinia Planning Scheme on 13 March 2026 and that clause references in the Council officer assessment may have been changed by the amendment however there is no change to the policy considerations that would alter the assessment or recommendation before the Council.

Part B

That Council resolves to issue a Refusal to Grant Planning Permit T250469 for Buildings and works associated with the construction of two or more dwellings (33 dwellings) at 13-15 Mahon Avenue, Beaconsfield on the following grounds:

1. The proposal fails to adequately respond to the site context and topography of the site.
2. The proposal will generate an unacceptable impact to the function and safety of the local road network.
3. The proposal fails to provide sufficient detail to demonstrate with certainty that the development can practically manage stormwater and overland flows without adversely affecting neighbouring properties.
4. The development denies future residents access to Council's waste collection services.

Part C

That a copy of the Council decision be sent to objectors received to the planning application.

Part D

If the matter is subject to VCAT proceedings, the Manager Planning & Design/Coordinators Statutory Planning are delegated to instruct, negotiate and agree to mediated planning outcomes on the decision if it is in alignment with the general intent of the Council decision and the agreed position of all parties to the VCAT proceeding.

For: Cr Nickell, Cr Owen, Cr Paton, Cr Potter, Cr Ross and Cr Thomsen

Against: Cr Kowarzik, Cr Pomeroy and Cr Roberts

Carried

7.3 Policy Reports

7.3.1 RECONCILIATION ACTION PLAN 2026-28	
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:	1. Thriving Communities 1.1. Community culture and identity - We enrich local identity and foster opportunities for the community to make meaningful connections through creative arts, events, and cultural expression.

Resolution

Moved Cr Potter, seconded Cr Kowarzik.

Cr Roberts left the meeting at 7:24 pm and returned at 7.33pm.

That Council endorses the Innovate Reconciliation Action Plan 2026-28.

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 CONTRACT AWARD RFT000077 - PROVISION OF ENTERPRISE SYSTEMS

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:	<p>5. Responsible Leaders</p> <p>5.5 Continuous improvement - We take advantage of emerging technologies to continuously improve our customer experience, ensure our services are efficient, scalable and secure.</p> <p>5.6 Service quality and review - Our services are designed and reviewed to ensure that they address changing community needs, are efficient, effective, respond to risks and fulfill Council's legal obligations.</p>

Resolution

Moved Cr Kowarzik, seconded Cr Ross.

That Council:

1. Awards the contract for Provision of Enterprise Systems to TechnologyOne Ltd for the amount as specified in the confidential attachments 1 and 3, for the duration of five years plus extension options of three plus two years.
2. Approves the use of any contingency items as outlined in the confidential attachments 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 Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Cr Paton and Cr Pomeroy

Carried

7.4.2 CONTRACT AWARD CT000630 - MICROSOFT LICENSING AGREEMENT

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 5.3 Long term financial sustainability - We manage Council's resources prudently and efficiently to ensure long-term financial sustainability.

Resolution

Cr Roberts left the meeting at 8:00 pm.

Moved Cr Pomeroy, seconded Cr Kowarzik.

That Council:

1. Awards the contract for CT000630 Microsoft Licensing to Logicalis Pty Ltd for 3 years, from 1 April 2026 to 31 March 2029.
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.

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

Against: Nil

Carried

7.5 Activity Reports

Nil

8 Reports By Councillors

Cr Kowarzik addressed Council by reporting on:

- 115th Pakenham Show and congratulated the Committee on a fantastic job. He also recognised the Youth Action Committee's involvement.
- Congratulation to everyone who participated in Clean Up Australia Day.
- Cardinia Foundation Fun Run and thanked the Aligned Leisure team for their involvement.

Cr Roberts returned to the meeting at 8:05 pm.

Cr Potter addressed Council by reporting on:

- Coffee with the community in Officer.
- Cardinia Inter faith network.
- First Officer Business Network lunch for the year.
- First Art & Cultural Reference Group for the year.
- International Women's Day at the Cardinia Cultural Centre.
- Australia Tamil Sangam Women's Day event in Officer.
- Officer's Affra Oz Illiac presentation at a gender equality forum.
- Western Support Biosphere meeting and commented that the Biosphere is located in Cardinia Shire and encouraged everyone to learn about this environmental treasure.
- 115th Pakenham Show, participated in the annual gumboot competition.

Cr Pomeroy addressed Council by reporting on:

- Cardinia Foundation Fun Run
- Bunyip Rodeo
- Bunyip Show is this Saturday.

Cr Kowarzik left the meeting at 8:08 pm.

Cr Roberts addressed Council by reporting on:

- Clean Up Australia Day
- Cardinia Foundation Fun Run
- Pakenham Show, enjoyed the arts and craft competitions.

Cr Kowarzik returned to the meeting at 8:10 pm.

Cr Ross addressed Council by reporting on:

- Pakenham Show, enjoyed the cakes, artworks, animals, whistling competition, the day was enjoyed by many.
- Rating Review Sessions over two Sundays. Thanked volunteers for dedicating their time on a Sunday.
- Citizenship Ceremony, one his favorite activities at Council.

Cr Thomsen addressed Council by reporting on:

- Pakenham Show
- Lakeside Group, promoted the Easter hunt
- Citizenship Ceremony and noted that the ceremonies are moving from a Saturday to Friday in future.

Cr Paton addressed Council by reporting on:

- Lang Lang Rodeo, encouraged attendance at this event.
- Cardinia Civic Concert Band, encouraged attendance at a Mother's Day luncheon being put on by the band.

9 Presentation Of Petitions

9.1 SEAL VIEW HILL ROAD, COCKATOO

Cr Nickell tabled a petition titled 'Seal View Hill Road, Cockatoo'.

Resolution

Moved Cr Nickell, seconded Cr Kowarzik.

That Council:

1. Receives petition titled, 'Seal View Hill Road, Cockatoo'.
2. Considers a report be submitted to a future Council meeting of no more than 3 meetings for consideration;
3. Notifies the lead petitioner, Paul Keen of the progress of the petition.

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

Carried

Section 6 - Community Questions

As Mr Keen attended later in the meeting, after the Community Questions section, his question and response was provided at the conclusion of Section 9 – Petitions. Refer to Section 6 Community Questions for the response.

10 Notices Of Motion

10.1 NOTICE OF MOTION 1126 - CR POTTER

Resolution

Moved Cr Potter, seconded Cr Ross.

1. That Council submits the following motion to MAV State Council and ALGA National General Assembly:

That the Municipal Association Victoria (MAV) and the Australian Local Government Association (ALGA) write to and meet with the Victorian Minister for Planning to advocate for the following:

1. *Appropriately fund infrastructure in recognised growth area Council's. Funding should be based on actual population growth and funding models should be amended to enable Growth Area Councils to remain financially viable while providing increased road and community facilities as their communities grow, and*
 2. *Urgently reinstate a fully funded Growing Suburbs Fund (or similar fund) to provide essential project funding for the delivery of much needed infrastructure in Melbourne's growing suburbs.*
2. That Council authorises the Chief Executive Officer to make any necessary minor changes in submitting this motion.

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

Against: Nil

Carried

10.2 NOTICE OF MOTION 1127 - CR POTTER

Cr Pomeroy left the meeting at 8:36 pm.

Resolution

Moved Cr Potter, seconded Cr Kowarzik.

1. That Council submits the following motion to Municipal Association Victoria (MAV) State Council:

That the Municipal Association Victoria (MAV) write to and meet with the Victorian Minister for Disability to advocate for the following:

- 1. Acknowledge and support the role of Council's in meeting Federal and State disability legislative requirements along with delivering and advancing the Victorian State Disability Action Plan through local planning, accessible infrastructure, and community inclusion initiatives.*
 - 2. Re-instate the "Metro Access" funded positions (subsumed by the NDIS).*
 - 3. Redirect State Government Universal Design, and accessible elements of the Local Government and community Infrastructure Funds to provide dedicated and ongoing funding to councils to deliver accessible and inclusive community infrastructure meets the local community's identified access needs—such as safer pathways, inclusive play spaces, accessible public toilets, and other infrastructure that supports full participation and independence.*
 - 4. Ensure that local government assets meet contemporary accessibility requirements and deliver consistent, equitable access for people with disability.*
 - 5. Advocate for a comprehensive review of the Disability Discrimination Act (DDA) strengthening accessibility requirements, clarify compliance obligations for councils, and improves outcomes for people with disability.*
2. That Council authorises the Chief Executive Officer to make any necessary minor changes in submitting this motion.

Cr Pomeroy returned to the meeting at 8:44 pm.

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

Against: Nil

Carried

10.3 NOTICE OF MOTION 1128 - CR POTTER

Cr Potter withdrew Notice of Motion 1128.

10.4 NOTICE OF MOTION 1129 - CR NICKELL

Resolution

Moved Cr Nickell, seconded Cr Kowarzik.

That Council:

1. Notes that the inconsistent use of Fire Danger Ratings and associated data being used to inform decisions across State government departments and agencies servicing Cardinia is creating community confusion and inconsistent service delivery, particularly impacting schools and early year's service providers.
2. Writes to the Minister for Education and Minister for Emergency Services seeking a commitment and anticipated timeline to improve and align relevant policies to provide consistent and clear information to the community.
3. Requests that the Cardinia Municipal Emergency Management Planning Committee consider this matter at a future committee meeting with a view of making a recommendation on how best to improve alignment and consistency to the Regional Emergency Management Planning Committee and escalation to other agencies as considered appropriate.

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

There was no urgent business.

12 Councillor Questions

There was no Councillor questions.

13 Mayoral Minute

The Mayor acknowledged the following:

- Greater South East Melbourne (GSEM) meeting in Canberra
- School Tour at Council for Beaconhills College and Pakenham Consolidated School students.
- Pakenham Show
- International Women's Day
- Acknowledged and thanked Peter Benazic, General Manager Infrastructure and Environment for his significant contribution and leadership at Cardinia Shire Council.

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, Councilor 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 Thomsen.

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 – Confidential - Contract Award 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.

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

Against: Nil

Carried

The meeting was adjourned for 10 minutes to allow the gallery to leave the meeting.

15 Meeting Closure

Meeting closed at 9.25pm.

Minutes confirmed
Mayor