Mornington Peninsula Shire

AGENDA

COUNCIL MEETING

TUESDAY, 1 SEPTEMBER 2026

6:30 PM

FLINDERS CIVIC HALL
56 COOK STREET, FLINDERS

MORNINGTON PENINSULA SHIRE COUNCIL

WARDS AND COUNCILLORS

Beek Beek	**Cr Kate Roper**
Benbenjie	**Cr Max Patton**
Briars	**Vacant**
Brokil	**Cr Patrick Binyon**
Coolart	**Cr David Gill**
Kackeraboite	**Cr Stephen Batty**
Moorooduc	**Cr Bruce Ranken**
Nepean	**Cr Andrea Allen**
Tanti	**Cr Paul Pingiaro**
Tootgarook	**Cr Cam Williams**
Warringine	**Cr Michael Stephens**

EXECUTIVE TEAM

Mr Mark Stoermer	**Chief Executive Officer**
Ms Cheryl Casey	**Director – Communities**
Mr Andrew Pomeroy	**Director – Planning and Liveability**
Mr Davey Smith	**Director – Assets and Infrastructure**
Ms Kelly Gillies	**Chief of Staff**

OBSERVERS

Prue Digby	**Municipal Monitor**
Rebecca McKenzie	**Municipal Monitor**

RECORDING

Please note that this Council Meeting will be livestreamed to the Mornington Peninsula Shire's YouTube channel and a recording of the meeting will be available on the Shire's website.

Recording of persons in the public gallery is not intended but may occur incidentally. By attending this meeting, you consent to being filmed at the meeting and the possible use of subsequent recordings in a live streaming or published video of the meeting.

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1 OPENING AND WELCOME

Chairperson – Mayor, Cr Stephen Batty

1.1 Acknowledgement of Country

To be read by Cr Binyon

Mornington Peninsula Shire acknowledges the Bunurong people, who have been the custodians of this land for many thousands of years; and pays respect to their elders past and present. We acknowledge that the land on which we meet is the place of age-old ceremonies, celebrations, initiation and renewal; and that the Bunurong peoples' living culture continues to have a unique role in the life of this region..

2 PROCEDURAL MATTERS

2.1 Apologies

2.2 Disclosure of Conflicts of Interest Pursuant to Sections 126 – 131 of the *Local Government Act 2020*

2.3 Confirmation of Minutes

RECOMMENDATION

That the Minutes of the previous Council Meeting held on the 11 August and the unscheduled Council Meeting held on the 18 August 2026, be confirmed.

2.4 Councillor Briefing Sessions

Councillor Workshop Sessions – 28 July 2026
Councillor Briefing Sessions – 18 August 2026

RECOMMENDATION

That Council receives and notes the records from the Councillor Workshop Session on 28 July 2026 and the Councillor Briefing Session on 18 August 2026.

2.5 Petitions and Joint Letters

A petition with 180 signatories has been received. The petition is requesting Land Acquisition at 35-39 Armstrong Road McCrae for a Passive Recreation Park.

Immediate Comment

Council acknowledges the community's interest in securing 35-39 Armstrong Road, McCrae, for public open space. Council recognises the importance residents place on access to open space, biodiversity, urban cooling, recreation opportunities and connection with nature.

Council's Draft Sale and Acquisition of Land Policy requires any proposed land acquisition to be supported by a demonstrated community or service need, align with Council's long-term strategic objectives, and represent value for money. For land proposed for public open space, this requires evidence of a strategic need for additional open space in the area.

The Draft Open Space Strategy provides Council's evidence base for assessing that need. Developed through extensive community engagement, a Shire-wide open space audit and gap analysis, the Strategy has not identified an open space gap in this part of McCrae. Several parks and reserves are located within the Strategy's 800-metre accessibility benchmark, including Woodvale Grove Reserve, Lawson Park, Martin Street Reserve, McCrae Foreshore and Benbenjie Reserve. The Strategy also notes that McCrae has tree canopy coverage of 39 per cent, exceeding both the Shire average and the State's 30 per cent target, along with substantial conservation reserves.

Given the existing provision of open space in the area, and the significant costs associated with land acquisition and ongoing management, Council's current focus is on protecting, enhancing and connecting existing public open spaces and investing in projects that address identified community needs.

Shire officers also note that this privately owned land has no existing or live planning permit application.

Action Officer: Manager – Community Spaces & Recreation

RECOMMENDATION

That Council receives and notes the Petition relating to Land Acquisition at 35-39 Armstrong Road McCrae for a Passive Recreation Park.

2.6 Public Question Time

Questions from the public shall be dealt with at the commencement of the meeting.

The aim of public question time is to provide an opportunity for the public to ask general questions at Council Meetings requiring routine responses. Questions with or without notice can be submitted.

Questions with notice are to be received in writing by 12.00pm the Friday prior to the relevant Council Meeting and can be lodged via the Shire's website. Questions received by this time will be provided with a considered response prepared by the relevant Shire officer and read by the Chief Executive Officer (CEO) at the Council Meeting.

Questions without notice must be lodged in person no later than 15 minutes prior to the commencement of the meeting. The question will be read by the CEO and taken on notice with a written response forwarded to the person asking the question within 7 days of the Council Meeting and published on the Shire's website.

This segment does not substitute for appeal or other formal business procedures with the Council.

3 COUNCILLORS AND DELEGATES REPORTS

At each Council Meeting, all Councillors will have the opportunity to provide an overview of any meetings attended as an appointed representative of Council.

If a Councillor chooses to provide details, the name of the conference/event and the Councillor attending will be noted in the Minutes for that meeting. If a Councillor requires additional information on the conference/event to be included in the Minutes, the Councillor must submit it in writing to Governance by 12.00 noon the day following the meeting.

Association/Committee	Representative/s	Substitute Representative/s	Shire Contact
Arts and Culture Advisory Panel	Cr Gill	Cr Patton	Tori Hayat, Team Leader – Arts and Culture
Association of Bayside Municipalities	Cr Patton	Cr Williams	Lachy Chapman - Water and Coasts Coordinator
Audit and Risk Committee	Cr Ranken Cr Batty	Cr Stephens	Mark Schubert, Financial Officer
Australian Coastal Councils	Cr Patton	Cr Roper	Lachy Chapman - Water and Coasts Coordinator
Bass Park Trust	Cr Stephens	Cr Gill	Pam Vercoe, Manager – Governance and Risk
Climate Resilience Community Reference Group	Cr Gill	Cr Stephens	Chris Yorke, Energy and Carbon Management Officer
Disability Advisory Committee	Cr Binyon	Cr Williams	Monica Seal, Community Wellbeing and Inclusion Coordinator
Mornington Peninsula Friends of Lospalos	Cr Binyon	N/A	Chris Munro, Manager – Community Partnerships and Engagement
Greater South East Melbourne (GSEM)	Mayor	Deputy Mayor	Mark Stoermer, Chief Executive Officer
Health and Wellbeing Committee	Cr Williams	Cr Batty	Kate Hills, Manager – Community Wellbeing
Metropolitan Transport Forum	Cr Patton	Cr Roper	Peter Bourlotos, Traffic & Transport Coordinator

Association/Committee	Representative/s	Substitute Representative/s	Shire Contact
Mornington, Hastings and Southern Peninsula Liquor Accords	Cr Batty	N/A	Katherine Cooper, Team Leader – Business and Industry Support
Mornington Peninsula and Western Port Biosphere Reserve Foundation – Council Liaison Group	Cr Stephens	Cr Patton	James Rose, Team Leader – Natural Systems
Mornington Peninsula Cemetery Trust	Cr Roper Cr Pingiaro Cr Batty	N/A	Jenny Brown, Senior Cemeteries Officer
Municipal Association of Victoria (MAV)	Mayor	Deputy Mayor	Pam Vercoe, Manager – Governance and Risk
Peninsula Advisory Committee for Elders (PACE)	Cr Williams	Cr Roper	Helen Ridgeway, Positive Ageing Officer
South East Councils Climate Change Alliance (SECCCA)	Cr Pingiaro	Cr Marsh	Nicci Tsernjavski, Climate Change Partnerships Officer and Daniel Kabel, Climate Resilience Coordinator
Triple A Housing Committee	Cr Gill	Cr Patton	Petrina Dodds-Buckley, Housing Projects Lead
Victorian Local Governance Association (VLGA)	Cr Roper	Cr Stephens	Pam Vercoe, Manager – Governance and Risk

4 MANAGEMENT REPORTS

CHIEF OF STAFF

4.1 Quarterly Reports April-June 2026

Issued By	Acting Head of Strategy & Performance
Authorised By	Chief of Staff
Document ID	A14049458
Briefing Note Number	BN2236 – 18 August 2026
Attachment(s)	1. Quarterly Community Report - April to June 2026 ⇨ 2. Quarterly Financial Report - April to June 2026 ⇨

EXECUTIVE SUMMARY

The purpose of this report is to present the Quarterly Community Report (Attachment 1) and the Quarterly Financial Report (Attachment 2) to a meeting of Council, which is open to the public, in accordance with section 97 of the *Local Government Act 2020* (the *Act*).

RECOMMENDATION

That Council receives and notes the Quarterly Community Report and Quarterly Financial Report for April - June 2026 (shown as Attachments 1 and 2 to this report).

COUNCIL PLAN

This aligns with the Council Plan 2025-2029 and relates to all Strategic Directions within the Council Plan 2025-2029, but specifically supports:

Strategic Direction 4: Performance

- Strategic Objective 4.1: A financially sustainable, high-performing and well-governed Council.
- Strategic Objective 4.2: Community-centred, responsive, and fit-for-purpose services.

4.1 (Cont.)

GOVERNANCE PRINCIPLES

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles. This report aligns with principles B and I, which are:

B. Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

I. The transparency of Council decisions, actions and information is to be ensured.

RELEVANT COUNCIL DECISIONS AND POLICIES

Not applicable.

DISCUSSION

Purpose

The Quarterly Community and Finance Reports provide the community with a detailed overview of Council's activities during the quarter, reporting items of achievement and progress in alignment with the Council Plan 2025 - 2029 and the financial performance and position of the Council.

Background

The Quarterly Community Report is a key component of our accountability to the community and outlines progress against each of the Annual Actions that advance the Council Plan's Strategies and includes Community Highlights for each Strategic Direction for the second quarter of 2025 - 2026.

It includes:

- Achievement and progress in alignment with the Council Plan 2025-2026 related to the four strategic directions.
- Fast facts on how the community has engaged with the Mornington Peninsula Shire (Shire), including 'Have Your Say' activities.
- Updates on major projects, including Capital Works.

The presentation of the Quarterly Financial Report ensures compliance with section 97 of *the Act* in relation to budget reporting. Financial commentary is provided in the summary Finance Report at an organisational level in a Standard Financial Statements format. The Finance Report includes a user-friendly financial highlights section for the community, financial commentary and the status of key priority projects and capital works.

4.1 (Cont.)

COUNCIL PLAN HIGHLIGHTS

- We resurfaced or rehabilitated more than 65,500 square metres of roads.
- We fast tracked maintenance works on Derril Road in Tuerong in response to traffic volumes associated with Peninsula Link detours.
- We planted more than 2,200 trees and completed our Biodiversity Conservation Plan for 2025- 2026.
- Established Green Wedge Councils Planning Alliance.
- Celebrated 20-year milestone for the Peninsula Advisory Committee for Elders (PACE).
- We received three honours at the 2026 Keep Australia Beautiful Today Towns Awards.
- The Briars' Ngawak Biik Junior Ranger Program was recognised through the LGPro Awards for Excellence.
- Made significant progress on community infrastructure projects.

FINANCE HIGHLIGHTS

- A net operating position of $36.4 million. $23.5 million above approved forecast of $12.9 million.
- A cash position of $133.2 million: $105.6 million invested in term deposits, $19.4 million held in at call accounts and $8.2 million of funds held in trust.
- Year to date spend on Capital Works $54.6 million across 200 projects and programs.
- Loan repayments of $2.7 million has reduced total borrowings to $27.2 million.

Options for consideration

Not applicable.

ENGAGEMENT

Not applicable.

COMMUNICATIONS PLAN

The Quarterly Reports will be published on our website following the Council Meeting. We will also promote the Quarterly Report via social media.

LEGAL AND REGULATORY FRAMEWORK

In accordance with section 97 of *the Act*, the Chief Executive Officer must ensure that a Quarterly Budget Report is presented to the Council at a Council Meeting that is open to the public (as soon as practicable after the end of each quarter of the financial year).

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

Not applicable.

FINANCIAL CONSIDERATIONS

Not applicable.

OFFICER DECLARATION

No person involved in the preparation of this report has a General or Material interest requiring disclosure.

PLANNING & LIVEABILITY

4.2 Planning Permit Application P25/0145 - 1905 Dandenong-Hastings Road, Pearcedale - Use of land as a contractor's depot and associated works.

Issued By	Manager – Statutory Planning
Authorised By	Director - Planning & Liveability
Document ID	A14050191
Briefing Note Number	BN2219 – 21 July 2026
Attachment(s)	1. Assessed Plans ⇨ 2. Planning submission prepared by the Applicant ⇨ 3. Arboricultural Impact Assessment ⇨ 4. Head, Transport for Victoria referral response ⇨ 5. Objections - Confidential (confidential) ⇨ 6. Officer Assessment Report ⇨

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's decision on Planning Permit Application P25/0145 for the use of land as a contractor's depot and associated works (the Application) at 1905 Dandenong-Hastings Road, Pearcedale. The application is retrospective.

The Proposal is to use part of the subject land as a contractor's depot in connection with a civil works contractor business. The use involves keeping commercial vehicles and equipment on the land whilst not in use elsewhere on civil construction/works projects.

The proposed use includes the following:

- To use approximately 5,300sqm of the site which has a total area of approximately 4.08 hectares
- Hours of operation 7am to 4pm Monday to Friday
- 10 commercial vehicles including Utes, 2 breaker trucks, 1 hydro truck and 2 tipper trucks
- During Christmas and Easter breaks an additional 5 commercial vehicles are briefly kept on the property

- Container used to store hand equipment. Container is generally found off-site when utilised by the business but otherwise stored on the site when not in use

- Associated works proposed include an upgrade of the vehicle crossing and section of driveway as required by the Head, Transport for Victoria

- No new buildings or structures are proposed.

- No vegetation is proposed to be removed.

The Application was called in by Councillor Roper for a decision by Council.

The Proposal is considered acceptable having regard to the relevant provisions of the Mornington Peninsula Planning Scheme (the Planning Scheme) and the *Planning and Environment Act 1987 (the Act)*.

The Application was advertised and received eighteen objections, which raised concerns about the appropriateness in the green wedge, impacts on amenity, ecology and Western Port biosphere, contamination of ground water, traffic noise and safety and usage of the remainder of the site.

It is recommended that Council supports the Application and resolves to issue a Notice of Decision to Grant a Planning Permit, subject to the conditions contained within this report.

RECOMMENDATION

That Council, being the Responsible Authority under the Mornington Peninsula Planning Scheme (the Planning Scheme) and the *Planning and Environment Act 1987 (the Act)*, having considered all matters required under section 60 of the *Act*, hereby resolves that Planning Permit Application P25/0145 at 1905 Dandenong-Hastings Road, Pearcedale be supported and the following Notice of Decision to Grant a Permit is issued:

PLANNING SCHEME CLAUSE	MATTER FOR WHICH THE PERMIT HAS BEEN GRANTED
35.04-1 (GWZ2)	**Use of land for a Section 2 use (Contractor's depot)**
35.04-5 (GWZ2)	**Building or works associated with a use in Section 2 of Clause 35.04-1**

4.2 (Cont.)

42.01-2 (ESO2)	Construct a building or construct or carry out works
44.01-2 (EMO7)	Construct a building or construct or carry out works
45.01-1 (PAO1)	Use land for any Section 1 or Section 2 use in the zone
45.01-1 (PAO1)	Construct a building or construct or carry out works
52.29	Create or alter access to a road in a Transport Zone 2

CONDITIONS

Amended Plans

1. **Within 3 months from the date this permit is issued, plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Plans will be endorsed and will then form part of the permit. The Plans must be drawn to scale with dimensions and three copies must be provided. The Plans must include:**

    A. **A landscaping plan prepared by a suitable landscape professional, that must show:**

        i. **The planting of a mix of screening trees and shrubs around the outside of the contractor's depot fence.**

        ii. **A planting schedule of all proposed trees, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant.**

        iii. **The plants must be of species indigenous to the Mornington Peninsula.**

        iv. **All species selection must be to the satisfaction of the Responsible Authority.**

        v. **Notes providing for site preparation, planting and ongoing maintenance of plants including that if any die or are destroyed, they are replaced with similar species as soon as practical.**

4.2 (Cont.)

Stormwater Management Plan

2. Within 3 months from the date this permit is issued, Stormwater Management Plan must be submitted to the Responsible Authority. When approved, the Plan will be endorsed and will then form part of the permit.

The Stormwater Management Plan must:

A. Be prepared by a suitably qualified professional engineer and to the satisfaction of the Responsible Authority

B. Include the following:

i. Details of existing stormwater discharge from the site, including the locations of existing stormwater collection and discharge points, and the type of drainage system.

ii. The location and type of drainage system beyond the property boundaries currently receiving flows from the property.

iii. Recommendations for the on-site management of surface water run-off and any silt and oil interceptors deemed necessary by the suitably qualified professional engineer to ensure adverse impacts are minimised prior to entry into downstream properties.

iv. Set out how the stormwater management system will be managed on an ongoing basis.

Land Restoration and Revegetation Plan / Environmental Management Plan

3. Within 3 months from the date this permit is issued, a Land Restoration and Revegetation Plan must be submitted to the Responsible Authority. When approved, the Plan will be endorsed and will then form part of the permit.

The Land Revegetation Plan must:

A. Be prepared by a suitably qualified and experienced professional and to the satisfaction of the Responsible Authority

B. Provide for the restoration and revegetation of the remainder of the subject site (outside the contractor's depot and except the driveway and immediate domestic curtilage of the existing dwelling) to be restored and vegetated.

4.2 (Cont.)

C. Include the following:

i. Details of any re-contouring of stockpiles of soil that may be necessary to blend into the landform.

ii. The establishment of areas of grass, trees and shrubs.

iii. A schedule of the plants including species, pot size, planting numbers/densities.

iv. At least 50% of the plants by type and species must be indigenous to the local Ecological Vegetation Classes of the Mornington Peninsula.

v. The provision of notes regarding site preparation, planting instructions, plant establishment procedures and any specific maintenance requirements.

vi. Details of actions that may be required to test, remediate and/or manage any contaminated material that may have been deposited on the land including full details and status of any Environmental Protection Agency (EPA) requirements and approval.

vii. Methods for the control of weeds.

viii. A staging plan that describes the steps, timing and implementation programme for site preparation and revegetation. All works are to be completed within 12 months from the date of the permit or as otherwise approved in writing by the Responsible Authority.

Use and development not altered

4. The approved use and development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority (Unless otherwise specified by a condition of this permit, consent is not required for any buildings or works which do not require a planning permit under the Mornington Peninsula Planning Scheme).

Disturbed Surfaces

5. All disturbed surfaces on the land resulting from the development must be revegetated, battered and stabilised to the satisfaction of the Responsible Authority.

Operation

6. **Without the further written consent of the Responsible Authority other than in bona fide emergency circumstances, the movement of commercial vehicles (which term does not include staff cars and SUVs), machinery and other equipment used in conjunction with the contractor's depot, to and from the site must be restricted to between the hours of:**

    A. **7am to 4pm Monday to Friday.**

7. **No more than 10 registered commercial vehicles that are used in conjunction with the contractor's depot may be kept at the site at any time, except that a maximum of 15 contractor's vehicles may be kept at the site during the Christmas and Easter breaks.**

8. **The washing down, servicing, repair or fuelling of commercial vehicles used in conjunction with the contractor's depot must not be conducted on the subject land.**

9. **All commercial vehicles and staff vehicles, machinery and other equipment used in conjunction with the contractor's business must be kept within the fenced depot area and clear of the vehicle access and crossing.**

10. **No earth, soil, fill or other material from civil projects may be transported to the site by commercial vehicles used in conjunction with the contractor's depot, or stored on the subject land.**

11. **Within 3 months of the date of this permit, the existing openings in the southern fenceline of the contractor's depot must be closed and a timber fence reinstated to match the fence adjacent to the openings.**

Amenity

12. **The use and development must be managed to the satisfaction of the Responsible Authority so that the amenity of the area is not detrimentally affected through the:**

    A. **Transport of materials, machinery and equipment to or from the land.**

    B. **Appearance of any building, works or materials.**

    C. **Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.**

    D. **Presence of vermin.**

13. **Noise levels emanating from the land must comply with the requirements of the *Environment Protection Act 2017* and Regulations 2021 *Commercial, industry and trade noise guidelines* or any subsequent revision of this publication or EPA regulations.**

Stormwater Management

14. **Within 6 months of the date this permit is issued (or other timeframe agreed in writing with the Responsible Authority), the stormwater management system approved by the responsible authority and included in the endorsed stormwater management plan must be constructed, managed and maintained to the satisfaction of the Responsible Authority.**

    The details of the stormwater management system must not be altered from the details in the endorsed stormwater management plan without the written consent of the Responsible Authority.

15. **Polluted and/or sediment laden run-off must not be discharged directly or indirectly into drains or watercourses.**

Land Restoration and Revegetation

16. **Within 12 months of the date this permit is issued (or other timeframe agreed in writing with the Responsible Authority), the Land Restoration and Revegetation Plan must be implemented and completed in accordance with the endorsed plans to the satisfaction of the Responsible Authority. Trees and shrubs planted under this plan must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced as soon as practicable.**

    The details of the land restoration and revegetation must not be altered from the details in the endorsed land restoration and revegetation plan without the written consent of the Responsible Authority.

Head, Transport for Victoria

17. **Prior to the commencement of use, the sealed access crossover and associated works, must be completed at no cost to the Head, Transport for Victoria and to the satisfaction of the Responsible Authority. The access crossover must be in accordance with the VicRoads Guideline Drawing GD4010 - Typical Access to Rural Properties, or similar, adopted for a 12.5m semi-rigid truck.**

18. **Vehicles must always enter and exit the site in a forward direction.**

19. No compensation is payable under part 5 of the *Planning and Environment Act 1987* in respect of anything done under this permit.

20. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).

Operator of the use

21. This permit allows the use of the contractor's depot by Fabcon Holdings Pty Ltd only. If Fabcon Holdings Pty Ltd ceases to operate the contractor's depot, own or occupy the land, the approved use must cease and the land must be reinstated to the satisfaction of the Responsible Authority.

Permit expiry

22. This permit will expire if either one of the following applies:

    A. The development is not started within three years of the date of this permit.

    B. The development is not completed within five years of the date of this permit.

    C. The use is not commenced within five years and 6 months of the 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

- The proposed development requires the construction of a sealed crossover. Separate approval under the *Road Management Act 2004* for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport and Planning prior to commencing any works.
- A profile and list of plant species for each local Ecological Vegetation Class can be found on the Mornington Peninsula Shire website at Plants of the Peninsula - Mornington Peninsula Shire (mornpen.vic.gov.au)

4.2 (Cont.)

Part B

That Council resolves that Attachment 5 to this report be retained as a confidential item pursuant to section 3 (1) (f) of the *Local Government Act 2020* as it contains personal information.

COUNCIL PLAN

This aligns with the Council Plan 2025-2029, in particular:

Place: Celebrate, protect and enhance our unique blend of coast, hinterland, Green Wedge and connected villages and townships.

- Strategic Objective 1.1: Protected, resilient and enhanced natural environments.

People: A safe, accessible, inclusive and engaged community that fosters our diverse culture, supporting health and wellbeing and a connected and compassionate society for all.

- Strategic Objective 2.2: An engaged and connected community.

Prosperity: Enabling balanced growth through innovation, empowering community groups and volunteers, and fostering a resilient, thriving and vibrant local economy.

- Strategic Objective 3.1: A vibrant, innovative and thriving local economy.

GOVERNANCE PRINCIPLES

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles. This report aligns with principles A, B, C, E, H and I which are:

A. Council decisions are to be made and actions taken in accordance with the relevant law.

B. Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

C. The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

E. Innovation and continuous improvement is to be pursued.

H. Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

I. The transparency of Council decisions, actions and information is to be ensured.

DISCUSSION

Purpose

The purpose of this report is to provide a summary of:

- The relevant background of the site
- The Proposal
- The key issues
- Submissions and Shire officer response
- The assessment against the relevant provisions of the *Planning and Environment Act 1987 (the Act)* and Mornington Peninsula Planning Scheme.

For a detailed assessment of all the relevant matters please see Attachment 1 Assessed Plans.

The key planning considerations are summarised in the below table:

Proposal	Use of land as a contractor's depot and associated works.
Zoning and Overlays	**Zone:** Green Wedge Zone (GWZ) – Schedule 2 (GWZ2) **Overlays:** Erosion Management Overlay – Schedules 7 (EMO7) Environmental Significance Overlay – Schedule 2 (ESO2) Public Acquisition Overlay Schedule 1 (PAO1)
Permit Triggers	Clause 35.04-1 (GWZ2): A permit is required for a use in Section 2 (Contractor's Depot). Clause 35.04-5 (GWZ1): A permit is required to construct a building or construct or carry out works for a section 2 use.

	Clause 42.01-2 (ESO2): A permit is required to construct a building or construct or carry out works. Clause 44.01-2 (EMO7): A permit is required to construct a building or construct or carry out works. Clause 45.01-1 (PAO1): A planning permit is required to use land for any Section 1 or Section 2 use in the zone - Use is a Section 2 use (contractor's depot). Clause 45.01-1 (PAO1): A planning permit is required for buildings and works. Clause 52.29 (Land adjacent to the principal road network): A permit is required to create or alter access to a road in a Transport Zone 2.
Advertising	Public notice was undertaken by sending written notice to adjoining properties and erecting a sign on site for 14 days.
Submissions	Eighteen objections have been received to date.
Consultation	No Planning Application Conference (PAC) was held.
Key Issues	• Whether the use is appropriate. • Impacts on landscape and environmental values. • Consideration of the matters raised in the objections.
Recommendation	Notice of Decision to Grant a Permit, subject to conditions.

Background

The subject property at 1905 Dandenong-Hastings Road, Pearcedale is approximately 40,818 square metres (4.08 hectares) in area and is located on the west side of Dandenong-Hastings Road.

The property contains an existing dwelling, a fenced area of approximately 5,300sqm which is used for the contractor's depot and includes an existing shed adjacent to the northern boundary.

An existing vehicle access exists directly to Dandenong-Hastings Road towards the northern end of the frontage. This is proposed to be retained but upgraded as required by the Head, Transport for Victoria.

Vegetation on the property consists of relatively dense line of vegetation along the boundary with the Dandenong-Hastings Road and more sparsely located within the southern part of the property.



Figure 1: Geographic Information System (GIS) aerial image showing the overall property (in red) and surrounding area.



Figure 2: Geographic Information System (GIS) aerial image showing area to be used for the contractor's depot (in yellow) and overall property (in red).

The property's immediate surrounds include the following

North:	25 metre wide road reserve along the west side of Dandenong-Hastings Road which is heavily vegetated. 1885 Dandenong-Hastings Road a 1.4-hectare site containing a single dwelling and several outbuildings. Mature vegetation exists principally on the site boundaries.
South:	1915 Dandenong-Hastings Road a 4 hectare vacant site and containing mature vegetation across much of the site.
East:	Dandenong-Hastings Road with some vegetation along parts of the road reserve. Beyond the road are larger rural residential properties each containing a dwelling and outbuildings. Some frontages are relatively open whilst some are more heavily vegetated.
West:	330 South Boundary Road West, a 4 hectare property containing a dwelling and outbuildings and several stands of vegetation mainly to the rear (north) of the site.

Permit History

- P20/1176 – Development of a shed – Permit issued 23 July 2020. The permit has expired and the development has not been carried out.

4.2 (Cont.)

Proposal

The Proposal seeks a permit for the use of the land as a contractor's depot and associated works. The Proposal is retrospective and includes:

- Contractor's depot associated with a civil works and earthmoving contractor – (undertaking projects such as water and gas pipeline trenching & installation, underground service installations etc).
- Involves storage of commercial vehicles and equipment whilst not in use on civil projects.
- Maximum 10 commercial vehicles (including Utes, 2 breaker trucks, 1 hydro truck and 2 tipper trucks).
- Additional 5 vehicles during Christmas and Easter breaks.
- A storage container (for hand equipment), whilst not used on construction sites.
- The applicant has not clarified the number of staff, rather the number of vehicles as above.
- The use is confined to the northwest corner of the site as shown in yellow in Figure 2 above.
- Existing vehicle access to Dandenong-Hastings Road at northern end of frontage.
- No structures/buildings are proposed.
- Upgrading the vehicle crossing to the rural property access standard as required by the Head, Transport for Victoria.
- No vegetation removal is proposed.

Please refer to the following for further details:

- Attachment 1 – Assessed Plans
- Attachment 2 – Planning submission prepared by the Applicant
- Attachment 3 – Arboricultural Impact Assessment
- Attachment 4 – Head, Transport for Victoria referral response
- Attachment 5 – Objections (confidential)

- Attachment 6 – Shire officer's Assessment Report

NOTICE AND CONSULTATION

Public Notice

Public notice was undertaken by sending written notice to adjoining properties and erecting a sign on site for 14 days.

Submissions

Please refer to Attachment 5 – Objections.

Referrals

Referral	Comments
Head, Transport for Victoria (external determining authority)	No objection subject to conditions including sealed access and crossover in accordance with the VicRoads Typical Access to Rural Properties. These conditions have been included within the recommendation.
Development Engineer (internal)	No objection subject to conditions including the requirement for a Stormwater Management Plan.

CONSIDERATION

Please refer to Attachment 6 – Shire officer Assessment Report for full details of assessment.

The following key issues are summarised below:

- Whether the use is appropriate.
- Impacts on landscape and environmental values
- Consideration of the matters raised in the objections.

Is the use appropriate?

There have been a number of Victorian Civil and Administrative Tribunal (VCAT) cases that discuss the appropriate characterisation for use such as that proposed being a Contractor's Depot, for example in Andsand Pty Ltd v Kingston CC No 2 (2009), Johnston v Cardinia SC (2010) and Indigo Shire Council v Carter (2014).

The term 'Contractor's Depot' is not a land use defined in the planning scheme. Neither is it specifically referred to in the use tables of the Green Wedge Zone.

The above cases discussed whether such a use should be characterised as a 'vehicle store' or 'store' for which definitions are provided in the planning scheme. The views held in those cases concluded that the use was neither vehicle store nor store, and that it should be appropriately characterised as a 'Contractor's Depot'. Based on the information provided in the Application and observed on the subject site, Shire officers agree with the characterisation of use advanced by the applicant in this instance, that the current proposed use is a 'Contractor's Depot', and consistent with the position taken in the VCAT cases. This is based on the site being used as a base where commercial vehicles, plant, equipment and tools are kept on the land whilst not being used elsewhere on civil construction/works projects. Generally, staff will drive to the site in the morning, take out vehicles and equipment to be used in civil projects and return them at the end of the day.

Importantly, under the zone provisions a contractor's depot it is not listed as a Section 3 'Prohibited' use. The Proposal therefore is considered as a use in Section 2 'Permit Required'. The Proposal can be considered under the Planning Scheme, and a permit can be issued for the proposed use should Council be satisfied that the Proposal is acceptable.

The purpose of the Green Wedge Zone includes:

- to provide land for agriculture and provide opportunity for a variety of productive agricultural uses
- encourage sustainable land management and farming practices
- recognise, protect and conserve land for environmental and landscape opportunities
- and protect and enhance biodiversity.

The Mornington Peninsula Planning Scheme more broadly seeks to protect agricultural land from permanent loss, and that productive agricultural land be able to continue to be used in that manner, without being adversely impacted by new uses or development.

Council's Green Wedge Management Plan 2019 (GWMP) includes similar policy and provides a vision (in terms of character and function), objectives and actions for the sustainable use and development of the Green Wedge. It also sets out the key directions as to what the Council and residents want the Green Wedge to be like in 20 years' time and includes actions to:

- encourage the provision of additional conservation and habitat areas
- encourage sustainable agricultural use
- promote good land management
- address the future demand for recreation in the Green Wedge
- recognise the limits to further commercial tourism-based development.
- ensure that future applications for dwellings are properly linked to the primary rural and conservation purposes of the Green Wedge.

Of particular relevance is the aim of protecting the Green Wedge from urban (including industrial and commercial growth) expansion, protecting values and assets such as habitat and biodiversity, landscape and agricultural capacity and recognising, protecting and supporting the critical role of sustainable agriculture.

The GWMP does not support industrial or commercial type uses although it recognises that one of the many pressures associated with increased population is a need for employment and businesses seeking opportunities for growth. However, these pressures can also bring associated risk of overdevelopment and loss of rural character. The Green Wedge zone does anticipate some forms of business use given that a contractor's depot is not a prohibited use but a use for which a permit can be granted. However, such a use must be well located and carefully balanced against likely impacts on sustainable agriculture, environmental and landscape values.

The use and development proposed is not considered to result in any detrimental impacts to existing agricultural land or the ongoing farming on the subject site. This is due to the scale of the use being relatively limited in extent to an area of approximately 5,300sq.m within the subject lot of approximately 4.08 hectares (approximately 13% of the site area). The area of land used for the proposed depot appears to have been used for a variety of non-agricultural activities in the past and not for any particular productive form of agricultural use. Furthermore, given that limited buildings and works and permanent structures are proposed, it is possible that the land could revert to some form of agriculture or land management in the future if the contractor's depot ceased to operate. Furthermore, the adjoining land uses do not appear to be accommodate any significant productive agricultural use either and therefore the Proposal is unlikely to have significant detrimental impacts on existing agricultural land.

In this instance, the proposed use is considered acceptable on the condition that the remainder of the site is restored to enable it to be used for agriculture or other sustainable form of land management (detailed elsewhere in this report). It is

considered important that the proposed use should not be the dominant activity on the land but the majority of the site should provide for agriculture or sustainable land management to ensure consistency with the purpose of the Green Wedge Zone and ensure that the wider environmental values are not permanently or significantly impacted or diminished.

To this end, conditions are recommended to require the submission of a Land Restoration and Revegetation Plan / Environmental Management Plan for the remainder of the site which will include a requirement for recontouring any piles of soil and the planting of trees and shrubs including at least 50% native species.

The site has existing vehicle access to Dandenong-Hastings Road. This road is part of the principal road network which can accommodate significant traffic volumes and has a speed limit of 100km/hr in this location. Visibility from the access is reasonable in both directions. The Application has been reviewed by the Head, Transport for Victoria (as a determining referral authority). No objections were raised to the Proposal subject to conditions requiring the access being upgraded to the VicRoads 'typical access to rural properties' standard. Refer to Attachment 4. On this basis, it is considered that the site and surrounding road network can satisfactorily accommodate the proposed contractor's depot use.

Impacts on landscape and environmental values

The proposed contractor's depot is to use an existing shed situated on the land adjacent to the northern boundary and the depot area which has a gravelled surface. The only additional works proposed are to upgrade the existing vehicle crossing on Dandenong-Hastings Road to the VicRoads rural property access standard as required by the Head, Transport for Victoria. These works are likely to extend to within the subject site and require a permit under the Public Acquisition Overlay (PAO1) and the Environmental Significance Overlay (ESO2). However, the extent of works required within the site to facilitate this is relatively minor and affects the existing driveway which has already been subject to disturbance in the past. The proposed works do not impact any vegetation or natural watercourses although the road-side gully does appear to connect to tributaries of the Watson Creek some 2.5 kilometres to the south. The applicant has submitted an arboricultural impact assessment which concludes that no significant existing vegetation will be impacted by the works to the vehicle access.

A suitable condition is recommended requiring the submission of a Stormwater Management Plan to ensure that stormwater is suitably treated and directed to prevent impacts on down-stream properties and watercourses. Conditions are also recommended to ensure that no fuelling or servicing of commercial vehicles is carried out on the land to minimise or prevent potential for stormwater or ground contamination.

It is understood that some works are likely to have taken place within the fenced depot area in the past. The exact extent of these works is unknown but appears to be limited to the laying of a gravelled surface. This does not appear to have impacted any significant vegetation or any watercourses. Aerial images suggest that this area has not contained any vegetation (that could be significant) for many years.

The depot area is located over 55m from the road frontage and is not prominently visible in the streetscape or wider landscape due to existing vegetation on the site boundaries, road reserve and adjoining sites. The siting of the depot and associated buildings and containers is considered acceptable subject to additional landscaping around the fenced depot to ensure that it is appropriately screened from possible public views and integrated into the surrounding landscape. This does not mean however, that any future proposals for expansion or intensification would be supported. Any such proposals must be considered on the merits at that time.

As mentioned above, the Application is supported by Shire Officers on condition that the remainder of the site is restored so that it can be utilised for agricultural purposes or other suitable form of sustainable land management. A suitable condition is recommended requiring the submission of a Land Restoration and Revegetation Plan / Environmental Management Plan that will include details of blending in any existing stockpiles of soil, together with details of vegetation (including native vegetation) to be planted on the land.

Consideration of the objections

Eighteen objections to the Application have been received.

A summary of the matters raised and Council's response is detailed in the following table:

Issue	**Response**
Incompatible with/ undermines purpose of / Green Wedge zone.	This is addressed in more detail elsewhere in this report.
Impacts on amenity, disruption	Whilst the Proposal does involve heavy vehicles and machinery, it is understood that the operation of the Contractor's Depot will generally mean that vehicles leave the site in the morning, work elsewhere during the day and return in the

	afternoon. Consequently, noise and disturbance is likely to be limited to pick-up and drop-off times. The proposed hours of operation of 7am to 4pm Monday to Friday are considered acceptable to avoid significant impacts. The site is well screened by existing vegetation on boundaries and adjoining land and therefore visual impacts from the proposed use are limited.
Ecology – use inappropriate for sensitive area. Must be preserved to protect wildlife and natural habitats.	The part of the site to be used for the Contractor's Depot has been significantly modified over preceding years. Consequently, it is considered there is little ecological value on this part of the site. No vegetation is proposed for removal from within the depot area and there are no significant watercourses on the subject land.
Lead to further expansion exacerbating negative impacts on environment and community	Issuing a planning permit does not give implied rights to expand in the future. Any future expansion or intensification would require a permit (or amendment to a permit) which must be considered on its merits at that time.
Inaccuracies in applicants planning report	The objection relates to the way certain things are described or presented in the applicants planning report. Whilst descriptions and opinions may vary, Shire officers form their own views when assessing a planning application and do not rely solely on information provided by the applicant.
Previous use as a truckyard was illegal	Any previous use within the part of the site identified for the proposed contactor's depot has now ceased. The current use as a Contractor's Depot has already commenced and the Application is retrospective. However, the current Application for a contractor's depot is now before Council and must be considered on its merits.
Usage or remainder of property – land clearing and works	It is apparent that works (movement and/or depositing of soil) has occurred on other parts of the site. This is outside the area that is proposed for the Contractor's depot albeit on the same

	property. The matter has been subject to separate ongoing Planning Compliance and Environmental Protection Agency (EPA) investigations. However, as discussed above, Shire officers consider that the Proposal is acceptable on the condition that the remainder of the land is restored so that it can be used for agriculture or other form of sustainable land management.
Will set a worrying precedent	Whilst there can be a perception that decisions can set a precedent, each planning application and proposal must be considered on its own merits. If a permit were to be issued it does not necessarily mean that others will follow or would automatically be approved.
Impact on Western Port Biosphere	Impacts on environmental values are addressed in more detail elsewhere in this report. Conditions are recommended to prevent washing, servicing and fuelling of commercial vehicles on the land. A stormwater management plan will also be required in the conditions. The depot is not located immediately adjacent to watercourses. Consequently, it is considered that the Proposal is unlikely to result in significant down-stream impacts on the Western Port biosphere subject to the recommended conditions.
Contamination of ground and natural watercourses	This is addressed in more detail elsewhere in this report. Conditions are recommended to prevent washing, servicing and fuelling of commercial vehicles on the land. The depot is not located immediately adjacent to watercourses. Conditions are recommended to address the management of stormwater on the site.
Traffic noise and safety	Whilst the Proposal does involve commercial vehicles coming to and going from the site, they are intended for use in association with civil works business elsewhere and are only kept at the site when not used. Conditions are recommended relating to operating hours and adherence to EPA noise levels. It is noted that the

	Green Wedge is a working zone and not a residential zone where higher levels of amenity are normally expected.

Options for Consideration

- **Option 1** (recommended) – approve the Application as per the Shire officer recommendation. If Council takes this option, a Notice of Decision to Grant a Permit will be issued and the objectors will have 28 days to appeal Council's decision to VCAT. If no appeal is made, the permit will be granted.
- **Option 2** (not recommended) – Council could refuse the Application. This option has the potential to result in an appeal of Council's decision to VCAT by the Planning Permit Applicant.

ENGAGEMENT

Not applicable.

COMMUNICATIONS PLAN

Not applicable.

LEGAL AND REGULATORY FRAMEWORK

If Council decides to issue a Notice of Decision to grant a permit, the Objectors will have section 82 (objectors) review rights to the VCAT.

If Council refuses to grant the permit, the Applicant will have section 77 (refusals) review rights to the VCAT.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

Not applicable.

FINANCIAL CONSIDERATIONS

Should the Application be appealed to the VCAT by the Applicant or objectors, Council would be required to defend its decision, and this would have financial and resource implications.

OFFICER DECLARATION

No person involved in the preparation of this report has a General or Material interest requiring disclosure.

CONCLUSION

The proposed use of a contractor's depot and associated works are considered acceptable having regard to all the relevant provisions of the Mornington Peninsula Planning Scheme and the *Planning and Environment Act 1987*. It is therefore recommended that a notice of decision to grant a permit be issued subject to the stated conditions.

4.3 Response to NOM 492 - Dogs in Public Places Community Consultation

Issued By	Manager, Regulatory Services
Authorised By	Director - Planning & Liveability
Document ID	A14048126
Briefing Note Number	BN2220 – 21 July 2026
Attachment(s)	Nil

EXECUTIVE SUMMARY

The purpose of this report is to seek a formal Council resolution to undertake a six-week period of community engagement to address the actions of Notice of Motion (NOM) 492.

The feedback received will inform how the community use these spaces for a future report to Council on any proposed changes to dog controls at these sites.

RECOMMENDATION

That Council:

1. **Undertakes community engagement for a period of six weeks from 14 September 2026 to 25 October 2026 on the current dog prohibited sites to determine whether they are to remain dog prohibited, and to inform the community.**

2. **Publishes at the commencement of the community engagement period, the findings and reasons supporting the recommendation to retain the current dog prohibited control at the remaining 15 sites.**

3. **Publishes at the commencement of the community engagement period, the site assessments for all 19 sites to support transparent and informed community participation.**

COUNCIL PLAN

This aligns with the Council Plan 2025-2029, in particular:

Place: Celebrate, protect and enhance our unique blend of coast, hinterland, Green Wedge and connected villages and townships.

- Strategic Objective 1.1: Protected, resilient and enhanced natural environments.

People: A safe, accessible, inclusive and engaged community that fosters our diverse culture, supporting health and wellbeing and a connected and compassionate society for all.

- Strategic Objective 2.2: An engaged and connected community.

GOVERNANCE PRINCIPLES

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles. This report aligns with principles A, B, C, D and I which are:

A. Council decisions are to be made and actions taken in accordance with the relevant law.

B. Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

C. The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

D. The municipal community is to be engaged in strategic planning and strategic decision making.

I. The transparency of Council decisions, actions and information is to be ensured.

RELEVANT COUNCIL DECISIONS AND POLICIES

At the Council Meeting on 22 July 2025, NOM 492 was moved in relation to the dog controls at several sites across the municipality.

DISCUSSION

Purpose

To seek a formal Council resolution to undertake a six-week period of community engagement to address the actions of NOM 492.

Background

At the Council Meeting on 22 July 2025, NOM 492 was moved in relation to the dog controls at several sites across the municipality after dog prohibited signage was installed as part of implementing Council's Dogs in Public Places Policy (the Policy). The signage was installed to reflect the existing gazetted controls, replacing signage that had been removed over the years by parties unknown.

NOM 492 required a site assessment be undertaken for each area where signage was installed detailing the known flora and fauna at the site, and the likely impact of allowing dogs on lead within the sites.

A suite of site assessments was subsequently completed and presented to Councillors at a briefing on 31 March 2026. The proposed community engagement approach was also presented and endorsed as the basis for seeking community feedback.

Options for consideration

Option 1: Proceed with community engagement (recommended)

Undertake a six-week community engagement process to seek feedback and provide information on the assessment outcomes for all 19 sites. This option enables Council to gather community feedback before considering any future changes to dog controls and fulfils the intent of NOM 492.

Option 2: Do not proceed with community engagement

Council may choose not to undertake community engagement at this time and retain the existing dog prohibited controls across all 19 sites. However, this option would not provide the community with an opportunity to comment on the assessment findings or potential changes to dog controls and would not progress the actions identified in NOM 492.

ENGAGEMENT

A six-week period of community engagement is scheduled to commence on 14 September 2026, should the recommended resolution be adopted.

COMMUNICATIONS PLAN

The community engagement will be advertised on corflute signs at each of the 19 sites that formed part of NOM 492. These signs will display the consultation dates and provide the website and QR code to the online survey where the community will be able to provide their feedback. The community engagement will also be advertised on Council's Dogs on the Peninsula webpage and social media pages.

LEGAL AND REGULATORY FRAMEWORK

There are two key pieces of legislation which protect biodiversity and manage environmental conservation, the Victorian *Flora and Fauna Guarantee Act 1988* (FFG Act) and the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

***Flora and Fauna Guarantee Act 1988* (Vic)**

The *FFG Act* is the primary Victorian legislation which provides for the conservation of biodiversity and the management of any actions or processes that pose, or have the potential to pose, a threat to the survival or evolutionary development of a range of flora or fauna.

The objective of the *FFG Act* is to protect, conserve, restore and enhance biodiversity, including flora and fauna and their habitats, and the ecological communities. The *FFG Act* seeks to carry out this objective by providing principles to guide decision-makers to ensure that proper consideration is given to, amongst other principles, the precautionary principle. The precautionary principle states that if there are threats of serious or irreversible environmental damage, a lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

In performing any of their functions that may reasonably be expected to impact on biodiversity in Victoria, Council must give proper consideration to section 4B(1) of the *FFG Act* which details its objectives. Consideration must also be given to the potential impact on biodiversity including long and short-term impacts, beneficial and detrimental impacts, direct and indirect impacts, cumulative impacts, and the impacts of potentially threatening processes.

***Environment Protection and Biodiversity Conservation Act 1999* (Cth)**

Similarly to the *FFG Act*, the *EPBC Act* provides for the protection of the environment and the promotion of conservation of biodiversity. To achieve these objectives, the *EPBC Act* includes provisions to protect native species of flora and fauna, in particular to prevent the extinction, and promote the recovery, of threatened species, the protection of ecosystems by establishing and managing reserves, and the recognition and protection of ecological communities (ss2(e)(i)-(ii)).

Any actions that are likely to have a significant impact on a matter of national environmental significance, including threats to listed threatened species and ecological communities, and migratory species, require referral to, and assessment by the Federal Minister for the Environment and Water (ss68(1-2)).

The *EPBC Act* Significant Impact Guidelines state that an action is likely significant if it leads to long-term decrease in population, reduces the area of occupancy, fragments an existing population or adversely affects habitat critical to survival.

Local Government Act 2020

Council must also have regard to the overarching governance principles prescribed by section 9 of the *Local Government Act 2020* (LG Act) by ensuring decision-making is in accordance with the relevant law and that it promotes environmental sustainability in the municipality. Council must ensure that all decisions made regarding dog controls are made in accordance with the *FFG Act* and the *EPBC Act* to ensure compliance with the principles.

Council must also ensure that any community engagement is undertaken in accordance with the community engagement principles as prescribed by section 56 of the *LG Act*. Council must also ensure compliance with its adopted Community Engagement Policy as required by section 55 of the *LG Act.*

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

The assessment of the 19 dog prohibited sites considered the potential impacts that introducing dogs may have on biodiversity values, including native vegetation, habitat corridors, and the presence of significant flora and fauna species. Many sites contain environmental attributes that support vulnerable, endangered, or critically endangered species and ecological communities.

The assessment process therefore incorporated environmental considerations to ensure that any future changes to dog controls appropriately balance community access with the protection and enhancement of biodiversity values. Community feedback will assist Council in considering these factors alongside legislative obligations, ethical obligation to responsibly manage, protect and restore the natural environment through sustainable actions and the long-term conservation of the municipality's natural assets.

FINANCIAL CONSIDERATIONS

Not Applicable

OFFICER DECLARATION

No person involved in the preparation of this report has a General or Material interest requiring disclosure.

4.4 Dromana Shared Path

Issued By	Manager - Strategic Planning Transport & Environment
Authorised By	Director - Planning & Liveability
Document ID	A14047466
Briefing Note Number	BN2225 – 21 July 2026
Attachment(s)	1. Plan Showing the Three Route Alignments ⇨ 2. Route Options Assessment Matrix & Discussion ⇨ 3. School Cycling Catchment and Infrastructure Requirement ⇨ 4. Ecology Report ⇨ 5. Biodiversity implications ⇨ 6. Plan Showing Proposed Pedestrian Operated Signals ⇨ 7. Plan Showing Potential Passive Surveillance ⇨ 8. Verbatim Community Feedback ⇨ 9. Community Consultation Key Themes ⇨ 10. Dromana Association Submission and Officer Response ⇨ 11. Future Cost Estimates ⇨

EXECUTIVE SUMMARY

This report seeks Council endorsement of a preferred alignment for the proposed Dromana Shared User Path, which will provide an active transport connection between Dromana and Safety Beach and the education precinct on White Hill Road. Endorsement of a preferred alignment will enable the project to progress to detailed ecological investigations, detailed design and future funding opportunities.

Council previously endorsed community consultation on two alignment options (Option 1 - Boundary Road and Option 2A - Rainier Avenue). Following community engagement and further technical investigations, a third alignment (Option 2B - Collins Road) was identified and assessed against the same criteria as the previously considered options.

Key findings of the assessment are:

- **Option 1 (Boundary Road)** provides the most direct connection to Dromana Secondary College, Hillview Reserve and the Council managed land at Crown Allotment 2030, 191 Boundary Road, Dromana (known colloquially as Pats Paddock); however, it is associated with the highest biodiversity impacts,

constructability challenges, reduced passive surveillance and greater exposure to higher-speed traffic environments.

- **Option 2A (Rainier Avenue**) presents the lowest biodiversity risk and strong road safety outcomes, while improving connectivity between residential and industrial areas and supporting future integration with the Principal Pedestrian Network.

- **Option 2B (Collins Road)** provides similar environmental and safety benefits to Option 2A while offering enhanced long-term strategic connectivity, including future access to the Council managed land at Crown Allotment 2030, 191 Boundary Road, Dromana (known colloquially as Pats Paddock), integration with the Principal Pedestrian Network and opportunities to align with future development outcomes along the Collins Road corridor.

Community consultation undertaken in 2025 received 854 responses and indicated a preference for Option 2A. It should be noted that Option 2B was identified following the completion of community engagement and was therefore not included in the consultation process.

Having regard to biodiversity, connectivity, road safety, constructability, passive surveillance, strategic planning considerations and project costs, Shire officers consider Option 2B to provide the best overall balance of transport, environmental and strategic planning outcomes. While Option 2A presents the lowest biodiversity risk, Option 2B achieves substantially lower environmental impacts than Option 1 while providing stronger long-term network integration and future connectivity opportunities.

Accordingly, it is recommended that Council endorse Option 2B (Collins Road) as the preferred alignment for the Dromana Shared User Path. Council endorsement will enable the project to progress to detailed ecological investigations and finalisation of concept design. Future detail design or construction funding will be subject to funding through the annual Capital Works Program and/or external funding opportunities.

RECOMMENDATION

That Council:

1. **Endorses the Collins Road alignment for the Dromana Shared User Path as the preferred route to provide a shared user path connection between Dromana, Safety Beach and the White Hill Road education precinct.**

2. Notes that any future detail design or construction funding will be subject to funding through the annual Capital Works Program and/or external funding opportunities.

COUNCIL PLAN

This aligns with the Council Plan 2025-2029, in particular:

Place: Celebrate, protect and enhance our unique blend of coast, hinterland, Green Wedge and connected villages and townships.

- Strategic Objective 1.2: Connected townships with integrated and accessible transport and well-maintained infrastructure.

People: A safe, accessible, inclusive and engaged community that fosters our diverse culture, supporting health and wellbeing and a connected and compassionate society for all.

- Strategic Objective 2.1: A safe, accessible, inclusive and healthy community.

GOVERNANCE PRINCIPLES

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles. This report aligns with principles B, D and I which are:

B. Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

D. The municipal community is to be engaged in strategic planning and strategic decision making.

I. The transparency of Council decisions, actions and information is to be ensured.

RELEVANT COUNCIL DECISIONS AND POLICIES

At the Council Meeting held on 9 May 2023, Council resolved to adopt the 2023/2024 annual budget which included $65,000 for the planning of *Dromana - Shared Path along Boundary Road (Connection to Secondary College).*

At the Council Meeting held on 26 August 2024, Council resolved to undertake community consultation on the two proposed shared path alignment options, to be conducted following the Council election caretaker period.

4.4 (Cont.)

DISCUSSION

Purpose

The purpose of this report is to seek Council's endorsement of the preferred alignment for the Dromana Shared User Path connecting Dromana, Safety Beach with the education precinct on White Hill Road. Council's endorsement will enable the project to progress to detailed ecological investigations and finalisation of concept design. Future detail design or construction funding will be subject to funding through the annual Capital Works Program and/or external funding opportunities

Background

In the 2023/2024 Council annual budget, $65,000 was provided for the planning of Dromana -Shared Path along Boundary Road (Connection to Secondary College).

This shared user path would provide a connection between Dromana and Safety Beach to the education precinct, improving active transport access for students and the broader community.

However, preliminary ecological assessments of the Boundary Road alignment identified significant environmental constraints, including impacts on native vegetation and potential habitat for threatened species. As a result, alternative alignments were developed and assessed to identify a route that balances connectivity, safety, environmental outcomes and long-term strategic network benefits.

Two alignment options were subsequently considered:

- **Option 1 - Boundary Road:** Direct route via Boundary Road, White Hill Road and Old White Hill Road.
- **Option 2A - Rainier Avenue:** Route through the Dromana Industrial Estate, utilising Rainier Avenue, Brasser Avenue and Maryfield Lane.

Options for Consideration

Council previously endorsed community consultation on two alignment options (Option 1 - Boundary Road and Option 2A - Rainier Avenue). Following community engagement and further technical investigations, a third alignment (Option 2B - Collins Road) was identified and assessed against the same criteria as the previously considered options.

To provide clarity, the three alignment options considered in this report are referred to as Option 1 (Boundary Road), Option 2A (Rainier Avenue) and Option 2B

(Collins Road). The route alignments for Options 1, 2A and 2B are illustrated in Attachment 1.

The assessment identified that Option 2A presents the lowest biodiversity risk, while Option 2B offers additional strategic planning and network connectivity opportunities associated with the Collins Road corridor. Option 2B would also integrate with proposed Planning Scheme Amendment C249morn – 170 Boundary Road & 62 Collins Road, Dromana should this amendment proceed. Both Options 2A and 2B are expected to result in substantially lower environmental impacts and delivery risks than Option 1.

While Option 1 provides the most direct connection to the education precinct and supports future access to key recreational destinations, it is associated with the greatest environmental impacts and presents significant passive surveillance and user safety challenges. Options 2A and 2B perform more strongly across biodiversity, safety and long-term strategic network outcomes.

Table 1 summarises the key advantages and constraints associated with each alignment option.

Table 1: Option Analysis and Summary

Option	Key Advantages	Key Constraints
Option 1 – Boundary Road	Most direct connection to Dromana Secondary College, Hillview Reserve and future access to Pats Paddock. Requires only one signalised crossing.	Significant biodiversity impacts, constructability constraints, steep terrain and a constrained corridor environment near White Hill Road, reduced passive surveillance, and extended exposure to an 80 km/h road environment.
Option 2A – Rainier Avenue	Strong road safety outcomes, lowest biodiversity impacts and enhanced connectivity between residential and industrial areas. Supports future integration with	Requires additional infrastructure, including two signalised crossings, reduced passive surveillance and includes potential conflicts with

	the Principal Pedestrian Network.	industrial traffic movements.
Option 2B – Collins Road **(Preferred option)**	Strong strategic connectivity outcomes, future access to Pats Paddock, integration with the Principal Pedestrian Network and potential opportunities to leverage future development outcomes.	Biodiversity impacts are likely to be slightly greater than Option 2A and requires additional infrastructure similar to Option 2A.

Of the alternatives assessed, Option 2B offers the greatest opportunity to support future network expansion and may enable delivery efficiencies through integration with planned development, making it the preferred option. Detailed assessment results including the qualitative assessment matrix and discussion around each criterion are provided in Attachment 2.

There are a range of supporting attachments for the assessment and discussion including Attachment 3 - School Cycling Catchment and Infrastructure Requirement, Attachment 4 - Ecology Report, Attachment 5 - Biodiversity implications, Attachment 6 - Plan Showing Proposed Pedestrian Operated Signals and Attachment 7 - Plan Showing Potential Passive Surveillance which have all been considered.

ENGAGEMENT

Community engagement of the two options (Option 1 and 2A) was undertaken from 13 October 2025 to 25 November 2025 and included an online survey, community information session and targeted engagement with Dromana Secondary College student representatives.

A total of 854 responses were received. Feedback indicated broad support for the project and a preference for routes that improved safety, connectivity and access to key community destinations. Feedback indicated a slight preference for Option 2A – Nepean Highway route, supported by 51.3% of respondents (54.6% when excluding those with no preference). A small proportion of respondents (6%) did not support either option, citing concerns primarily related to biodiversity impacts,

competing project priorities, safety and cost. Verbatim community responses have been included in attachment 8 with key themes and Shire officer responses in attachment 9.

In addition, Council received a submission from Dromana Association, supporting Option 1 (Boundary Road). The submission and Shire officer responses to the matters raised have been included as Attachment 10.

The feedback received, together with further technical investigations undertaken following the consultation process, has informed the Shire officer assessment and recommendation presented in this report.

COMMUNICATIONS PLAN

Following Council's decision, an update will be provided to those who provided feedback through the community consultation period outlining the decision and next steps. Should the project receive future funding for detail design, project updates, key milestones and consultation opportunities will be communicated via Council's project webpage, direct notifications to interested stakeholders, community groups and nearby residents, and other Council communication channels where appropriate.

LEGAL AND REGULATORY FRAMEWORK

Not applicable.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

The proposed shared user path will be developed in accordance with Council's adopted Pedestrian Access Strategy, which identifies concrete as the preferred material for new footpath construction across the municipality. The use of concrete provides a durable, low-maintenance and accessible asset with a long service life, reducing the frequency of maintenance and replacement over time.

Detailed ecological investigations will be undertaken to minimise impacts on native vegetation and biodiversity wherever practicable, consistent with Council's environmental obligations.

The project will also enhance the community's capacity to choose walking and cycling for everyday trips, supporting more sustainable transport choices and contributing to reduced reliance on private vehicle travel.

FINANCIAL CONSIDERATIONS

A budget of $65,000 was allocated to undertake the preliminary investigations for this project. Subject to Council endorsing the preferred alignment, the remaining

budget of $49,530 will be used during the current financial year to undertake detailed ecological investigations and complete the concept design.

High-level cost estimates indicate that Option 2A & 2B are likely to have a higher construction cost than Option 1 due to its longer alignment and the inclusion of two proposed pedestrian-operated signals (POS), each estimated to cost approximately $500,000. However, while Option 1 has a shorter overall length, the challenging site conditions associated with undulating terrain, extensive vegetation and low-lying flood-prone areas are expected to increase construction complexity, project risk and ongoing maintenance requirements.

Detailed cost estimates for the preferred alignment will be further refined should funding be secured in FY2027/2028 for the detailed design phase, with any future construction funding to be considered through Council's Capital Works Program and/or external grant funding opportunities. Refer to Attachment 11 for a breakdown of the preliminary cost estimates prepared for Options 1 and 2.

OFFICER DECLARATION

No person involved in the preparation of this report has a General or Material interest requiring disclosure.

4.5 Coastal Advisory Group - Review

Issued By	Manager – Strategic Planning, Traffic and Environment
Authorised By	Director - Planning & Liveability
Document ID	A14050492
Briefing Note Number	Not Applicable
Attachment(s)	1. 2023 Coastal Advisory Group Terms of Reference ⇨ 2. 2026 Coastal Strategy Advisory Committee Terms of Reference ⇨ 3. Coastal Advisory Group Membership (confidential) ⇨ 4. 2025 Coastal Adviosry Group member Survey ⇨ 5. 2026 Coastal Adviosry Group member Survey ⇨ 6. SPCAG Response to Coastal Advisory Group Review Final – 24 August 2026 7. Wester Port South Coastal Advisory Group – consolidated feedback

EXECUTIVE SUMMARY

The purpose of this report is to determine the future governance and structure of the Coastal Advisory Groups (CAGs) following a recent review.

The review found that the current five-group model has experienced declining participation, difficulties achieving quorum and varying levels of effectiveness across groups. Since commencement of the current term in November 2024, the original 45 members have been reduced by 38% and in a survey undertaken in November 2025, 42% of surveyed members indicated they did not feel the groups' core purpose of providing strategic advice was being valued.

Engagement undertaken with current CAG members confirmed strong support for retaining local coastal knowledge and community input into Council decision-making. Members also expressed a desire for clearer purpose, more meaningful engagement opportunities and greater alignment with strategic coastal planning projects.

Shire officer assessment concludes that a revised model would provide greater clarity for members and better align with Council's advisory committee governance framework.

It is recommended that Council replace the existing CAGs with a single Coastal Strategy Advisory Committee and invite all current members to participate. The

purpose of the Committee would be to provide advice on the development of the Coastal Strategy.

The functions of the Committee would be to:

- to engage in the development of Council's Coastal Strategy
- to provide advice on Coastal Strategy actions
- to advise on coastal issues being experienced by the Mornington Peninsula community.
- to advise on the best way for Council to continue to involve community throughout implementation of the Coastal Strategy.

At completion of the Coastal Strategy, the Coastal Strategy Advisory Committee would provide advice to Council on the most appropriate model for ongoing community participation in the implementation of Coastal Strategy actions.

This approach is considered to retain valuable local knowledge and community input while providing a clearer focus and improved governance arrangements leading to a more consistent and effective model for engaging the community.

RECOMMENDATION

That Council:

1. **Revokes the existing CAGs Terms of Reference, 2023 (Attachment 1).**
2. **Changes the name of the committee from CAG to Coastal Strategy Advisory Committee.**
3. **Adopts the Coastal Strategy Advisory Committee Terms of Reference, 2026 (Attachment 2).**
4. **Appoints the remaining CAG members (Attachment 3) to the Coastal Strategy Advisory Committee.**
5. **Appoints a Council Representative to the Coastal Strategy Advisory Committee.**

Part B

That Council resolves that Attachment 3 to this report be retained as a confidential item pursuant to section 3 (1) (f) of the *Local Government Act 2020* until consent has been obtained from all Committee Members for their names to be released.

4.5 (Cont.)

COUNCIL PLAN

This aligns with the Council Plan 2025-2029, in particular:

People: A safe, accessible, inclusive and engaged community that fosters our diverse culture, supporting health and wellbeing and a connected and compassionate society for all.

- Strategic Objective 2.2: An engaged and connected community.

Prosperity: Enabling balanced growth through innovation, empowering community groups and volunteers, and fostering a resilient, thriving and vibrant local economy.

- Strategic Objective 3.2: Valued partnerships and empowered community groups and volunteers.

GOVERNANCE PRINCIPLES

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles. This report aligns with principles D which is:

D. The municipal community is to be engaged in strategic planning and strategic decision making.

RELEVANT COUNCIL DECISIONS AND POLICIES

- CAG Terms of Reference 2023
- Committee Management Policy
- Council Plan 2025-2029

Council Meeting – 11 June 2019

1. That Council changes the name of the Foreshore Advisory Groups to Coastal Advisory Groups.

2. That Council adopts the Terms of Reference.

3. That Council undertakes an Expression of Interest process for a six-week period calling for members of the ten CAGs.

At subsequent meetings on 22 October 2019, 6 November 2019, 28 January 2020, 23 November 2020 and 24 August 2021 Council resolved to appoint members to the CAGs.

4.5 (Cont.)

Council Meeting – 4 October 2022

1. That Council resolves to extend the current term for 10 CAGs from 31 October 2022 (Mount Eliza, Mornington, Mount Martha, Safety Beach, Rye, Sorrento, Portsea, Hastings) and 31 January 2023 (Rosebud, Flinders) until 30 June 2023.

2. At the end of the extended term (30 June 2023), Shire officers bring to Council a review of the purpose, structure and membership of the CAGs, in order to ensure the continuation of these Advisory Groups, as per the Terms of Reference 10.1, the review to be presented to Council in March 2023.

3. That a report is brought to Council as part of the review outlining outcomes and actions directly attributed to each of the 10 CAGs since their inception, excluding community consultation exercises.

Council Meeting – 11 July 2023

Defer the Shire officer Recommendation for a further in-person workshop between Shire officers and members of the CAGs, to gain a more constructive outcome in the Terms of Reference that accommodates and supports the future work of the CAGs, and to bring the Results report back to Council before the end of October 2023.

Council Meeting - 17 October 2023:

1. Cease the current model of CAGs and establishes five area-based Coastal Advisory Groups as follows:

    A. Northern Port Phillip: Mount Eliza, Mornington, Mount Martha

    B. Central Port Phillip: Safety Beach, Rosebud, McCrae

    C. Southern Port Phillip: Rye, Sorrento, Portsea

    D. Northern Western Port: Bittern, Hastings, Somerville

    E. Southern Western Port: Somers, Flinders.

2. Adopts the new Draft Terms of Reference (Attachment 2).

3. That this is for a trial period of up to two years.

4.5 (Cont.)

DISCUSSION

Purpose

The purpose of this report is to present the findings of a review of the CAGs and recommend an updated community advisory model for strategic coastal planning matters.

Background

Council established five geographical CAGs in October 2023 following a review of the previous ten township-based groups. The review found that while members strongly valued local representation and local knowledge, there was a lack of clarity regarding the purpose of the groups and there were opportunities to improve their effectiveness. Council subsequently adopted revised Terms of Reference and reduced the number of groups from ten to five.

Under the current Terms of Reference (Attachment 1), the purpose of the CAGs is to provide advice during the development of strategic coastal planning documents, including Coastal Adaptation Plans, Coastal and Marine Management Plans and Masterplans, and the implementation of associated actions. The groups also provide local knowledge, assist Council to communicate coastal initiatives and act as a connection between Council and the broader community.

The current membership term commenced in November 2024 with 45 community members appointed across five groups. Since commencement, 13 members have resigned, and a further 4 have stood down due to conflicts resulting from a change in employment, representing a total reduction of 38% from the original membership. Of 21 scheduled meetings, 16 have proceeded, with five unable to reach quorum. Three of the five groups are currently operating at the minimum membership (five) required under the Terms of Reference.

A member survey undertaken in November 2025 identified varying experiences across the groups. While many members reported positive group dynamics and wished to continue participating, recurring themes included concerns regarding quorum, communication, clarity of purpose, governance arrangements and the extent to which member advice was influencing Council decision-making. 42% of respondents indicated they did not believe the group's input and advice was valued by Council. Further information is available in the ‘Engagement’ section of this report and Attachment 4.

In June 2026, Shire officers conducted a workshop with members from all five groups as part of engagement on the draft Coastal Strategy and to discuss the future of the CAGs. Feedback reinforced the value members place on local knowledge and local representation but also highlighted support for a more

strategic, project-focused engagement model, particularly when considering Peninsula-wide coastal planning matters. Further information is available in the 'Engagement' section of this report and Attachment 5.

Options for Consideration

The following options have been assessed against the purpose of the groups under the current Terms of Reference, member feedback, governance considerations and the effectiveness of the current model.

Option 1: Establish a single, ongoing Coastal Advisory Group

This option would replace the existing five CAGs with a single ongoing advisory group comprising between five and fifteen members selected from the current membership. The group would provide advice on strategic coastal planning matters across the municipality and operate under a new Terms of Reference.

Members who would like to do on-ground works would be encouraged and supported to join an existing Friends Group in their local area.

While this option would create a streamlined governance structure and enable ongoing strategic input, it would require a reduction in membership and may result in the loss of valuable local knowledge and community representation. It may also create periods of limited engagement when there are no major strategic coastal projects requiring advice. For these reasons, this option is not preferred.

Option 2: Establish a Coastal Strategy Advisory Committee (**Recommended**)

This option would establish a single Coastal Strategy Advisory Committee comprising current members of the five CAGs. The Committee would operate under a new Terms of Reference (Attachment 2) with a function to:

- to engage in the development of Council's Coastal Strategy,
- to provide advice on Coastal Strategy actions, and
- to advise on coastal issues being experienced by the Mornington Peninsula community.
- to advise on the best way for Council to continue to involve community throughout implementation of the Coastal Strategy

Members who would like to do on-ground works would be encouraged and supported to join an existing Friends Group in their local area.

This option is preferred as it is considered to provide a clear and defined purpose, retains the knowledge and expertise of existing members, aligns community engagement with a current strategic priority project and is consistent with contemporary advisory committee governance arrangements. It also responds to member feedback regarding the need for more meaningful strategic engagement and clearer direction. As part of this option, the Committee would also advise on the best way for Council to continue to involve community throughout implementation of the Coastal Strategy.

Option 3: Retain the existing Coastal Advisory Group structure

This option would retain the current five CAGs, update the Terms of Reference to align with Council's governance requirements and seek additional members through a public Expression of Interest process.

This option received the highest level of support in the 2026-member survey, reflecting the value members place on local representation and place-based knowledge. However, Shire officer observations and member feedback indicate that the current model continues to experience challenges including declining membership, difficulties achieving quorum, inconsistent participation between groups and uncertainty regarding the role of the groups in fulfilling their purpose under the Terms of Reference. Retaining the existing model would not adequately address these challenges and is therefore not preferred.

ENGAGEMENT

Engagement with CAG members has been undertaken to understand the effectiveness of the current model, member experiences and views on the future structure of the groups.

A combined CAG annual forum was held on 27 November 2025, followed by a member survey. The meeting and survey sought feedback on how members felt the groups were operating, whether their contributions were valued, their interest in continuing as members, and opportunities to improve the effectiveness of the groups. Key themes included requests for greater clarity regarding the role and purpose of the groups, improved communication, support to achieve quorum, stronger connections with Council and increased opportunities for collaboration between groups. A copy of survey responses is attached (Attachment 4).

A combined CAG workshop was subsequently held on 25 June 2026 in conjunction with engagement on the development of the Coastal Strategy. Following the workshop, members were invited to complete a survey seeking feedback on potential options for the future structure of the groups. The survey also sought to understand member preferences, perceived strengths and weaknesses of the

current model, and potential improvements to future community engagement arrangements. Twenty-one responses were received, representing a 75% response rate from current members. A copy of survey responses is attached (Attachment 5).

Feedback from both engagement processes has informed the options considered and the recommendation presented in this report. The review identified a strong value placed on local knowledge and community representation, together with a desire for clearer purpose, meaningful engagement opportunities and a more effective advisory model aligned with strategic coastal planning.

Each CAG was also given an opportunity to provide a consolidated group response in relation to the recommended option for Council to consider as part of their decision-making process. The Western Port South Coastal Advisory Group and the Southern Peninsula Coastal Advisory Group provided this feedback (Attachment 6 and 7).

COMMUNICATIONS PLAN

All current CAG members have been advised of the options in this report and that Council will be considering the options and making a decision on the future governance and structure of the CAGs. Following Council's decision, all current CAG members will be advised of the outcome and next steps.

LEGAL AND REGULATORY FRAMEWORK

Not applicable.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

Not applicable.

FINANCIAL CONSIDERATIONS

Not applicable.

OFFICER DECLARATION

No person involved in the preparation of this report has a General or Material interest requiring disclosure.

COMMUNITIES

4.6 Somerville Recreation Reserve Master Plan

Issued By	Manager - Community Spaces & Recreation
Authorised By	Director - Communities
Document ID	A14050633
Briefing Note Number	BN2107 – 30 September 2025
Attachment(s)	1. Somerville Recreation Reserve Master Plan ⇨ 2. Summary of Public Submissions ⇨

EXECUTIVE SUMMARY

The Somerville Recreation Reserve Master Plan has been prepared to set the future strategic direction for the long-term development of the reserve.

Public exhibition of the draft Somerville Recreation Reserve Master Plan and Associated Report was undertaken from 5 November 2025 to the 3 December 2025. One hundred and three submissions were received from the community, the majority of which supported the draft Master Plan.

As part of the finalisation of the Masterplan, the draft Master Plan and associated Report have been combined into one document, the Somerville Recreation Reserve Master Plan.

This report is seeking Council adoption of the Somerville Recreation Reserve Master Plan (Attachment 1) which has been finalised considering feedback from the community.

RECOMMENDATION

That Council adopts the Somerville Recreation Reserve Master Plan shown as (Attachment 1) to the report.

COUNCIL PLAN

This aligns with the Council Plan 2025-2029, in particular:

> People: A safe, accessible, inclusive and engaged community that fosters our diverse culture, supporting health and wellbeing and a connected and compassionate society for all.

- Strategic Objective 2.1: A safe, accessible, inclusive and healthy community.

GOVERNANCE PRINCIPLES

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles. This report aligns with principles B and D which are:

B. Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

D. The municipal community is to be engaged in strategic planning and strategic decision making.

RELEVANT COUNCIL DECISIONS AND POLICIES

Policies and Strategies

The following Council strategies informed the key directions of the draft master plan.

- Mornington Peninsula Shire Council Plan
- Sports Capacity Plan Volume 1 – Sports Fields 2019
- Sports Capacity Plan Volume 3 – Other Sports (not field based) 2025
- Playspace Strategy 2015-2020
- Open Space Strategy 2003.
- Pedestrian Access Strategy 2024-2034

Council Decisions

At the Council Meeting held on the 14 October 2025, Council endorsed placing the draft Somerville Recreation Reserve Master Plan and Associated Report on Public Exhibition from 5 November 2025 until 3 December 2025, to seek feedback from the community.

DISCUSSION

Purpose

- The purpose of this report is to seek Council's adoption of the Somerville Recreation Reserve Master Plan (Attachment 1).

Background

The Somerville sporting community share a strong, unified vision to strengthen community connection through sport. For many years, clubs have worked collaboratively with Mornington Peninsula Shire Council, State and Federal Governments to progress plans for a community sporting hub and upgrades to the reserve.

In 2023, the clubs secured $250,000 through the Local Community Sport and Recreation Projects Funding Program (Community Projects stream) to deliver new cricket nets and prepare a Master Plan for the reserve. The cricket nets were completed in August 2024, and the Master Plan commenced in January 2025.

Detailed research, site analysis, and consultation with user groups and the broader community were undertaken, with engagement activities including stakeholder meetings, pop-up sessions and an online survey.

In accordance with the 14 October 2025 Council resolution, the draft Master Plan and associated Report were placed on public exhibition for a four-week period.

In response to the community feedback received, the Master Plan (Attachment 1) has been updated.

Options for Consideration

Option 1 (recommended): Adopt the Somerville Recreation Reserve Master Plan

This option is recommended as it will provide a long-term strategic plan for the improvement of the Somerville Recreation Reserve to meet growing community needs. If Council adopts the Master Plan, the projects recommended in the Masterplan will be included in Council's Long Term Capital Works Plan and will be considered as part of Council's Budget process. External grant funding can be pursued, as having an agreed strategic position adds weight to external funding applications.

Option 2: Not to Adopt the Somerville Recreation Reserve Master Plan

If Council chooses not to adopt the Master Plan, there will be no overarching strategic plan for the reserve which means that projects will be considered in an ad hoc manner, and external funding opportunities will be more difficult to attract as there will be no strategic plan to support funding applications.

4.6 (Cont.)

ENGAGEMENT

Public exhibition of the draft Somerville Recreation Reserve Master Plan and Associated Report was undertaken from 5 November 2025 to the 3 December 2025.

The community were invited to view both documents and provide feedback via the following:

- Shire's 'Shape our Future' webpage advising the community of the drafts and inviting feedback, including through a survey or written submissions.
- A letter-drop distributed to all local residents advising them of the draft Master Plan/report and inviting feedback. In addition, emails were sent to all reserve stakeholders with clubs forwarding on to all members. Follow up sports club workshops were delivered at the reserve.
- Facebook posts on the Shire website inviting community to give feedback.
- Social media posts, on site signage at Somerville Recreation Reserve.
- Additional site meetings with Somerville Recreation Reserve Stakeholders.

One hundred and three submissions were received. Seventy-one submissions (69%) expressed their full support for the Master Plan, and thirty-two submissions (31%) expressed overall support with a few concerns.

Attachment 2 – Summary of public submissions, provides a summary of the feedback received, a Shire officer response to each item raised and a recommendation on whether the draft Master Plan be amended or remain unchanged.

The key items raised by the community were:

- Loss of netball courts and female amenities.
- Traffic congestion and parking concerns.
- Addition of the dog park.
- Removal of one of the playgrounds.

In response to the community feedback received, the Master Plan (Attachment 1) has been updated with the following changes:

1. Retain the third netball court. This will allow both junior and seniors to continue to train and play at the reserve and make use of the new facilities.

2. The Master Plan recommends sealing and formalising the parking around the oval which will increase capacity within the reserve. The additional exit on Clarinda Street to be only utilised on game days, will assist with end of day traffic congestion.

3. The Master Plan has been updated to remove the dog park. In further investigations it was determined that the size of the proposed dog park did not fit within Shire standards of a minimum of 3000 sq metres.

4. The Master Plan has been updated to highlight both playgrounds at the reserve are subject to the review and adoption of Councils Playspace Strategy (currently in draft form), with 'indicative' locations and number of future playgrounds subject to the recommendations of the strategy. The Playspace Strategy, will provide further recommendations regarding the appropriate level and location of playspace facilities, including fitness equipment, at all Shire Reserves.

COMMUNICATIONS PLAN

Following adoption, a copy of the final Somerville Recreation Reserve Master Plan will be available for the community to view on the Shire website under the Strategy and Plan Listing page. All reserve user groups will also be notified.

LEGAL AND REGULATORY FRAMEWORK

Not applicable.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

The Master Plan supports a sustainable approach for the future development of Somerville Recreation Reserve. The projects outlined in the report's Implementation Plan will consider a range of sustainability criteria, including but not limited to climate change, biodiversity and Environmentally Sustainable Design initiatives.

FINANCIAL CONSIDERATIONS

The Somerville Recreation Reserve Master Plan has been prepared to set the future strategic direction for the long-term development of the reserve.

As part of the Master Plan process an implementation plan has been prepared, which lists 29 separate, but interconnected projects for the reserve. Should the Master plan be adopted, funding of these projects would be subject to Councils annual budgeting process as well as being considered for relevant external funding opportunities.

It is also anticipated that local community groups will contribute by assisting with advocacy for projects and potentially delivering some projects through Council's Community Capital Infrastructure process.

OFFICER DECLARATION

No person involved in the preparation of this report has a General or Material interest requiring disclosure.

ASSETS & INFRASTRUCTURE

4.7 St Andrews Beach Recreation Club - Options for Maintenance and Management Support

Issued By	Manager, Assets, Building & Property
Authorised By	Director - Assets & Infrastructure
Document ID	A14048118
Briefing Note Number	BN2210 – 26 May 2026
Attachment(s)	Nil

EXECUTIVE SUMMARY

This report seeks Council's consideration of future maintenance and management arrangements for St Andrews Beach Recreation Club (Club) at 99 Bass Meadows Boulevard, St Andrews Beach (Land).

Council currently maintains the hall and open space under an expired Memorandum of Understanding, (MoU) while the Club has advised it lacks the capacity to manage the land and facilities independently.

Council currently incurs approximately $51,000 in annual maintenance costs and has funded around $121,000 in improvements over the past five years, while hall hire revenue and regular usage remain low.

The Report recommends Council and the Club enter into a three-year service agreement that maintains short term support while providing a pathway towards Club led management. This approach balances the objectives of maintaining community access, managing reputational risk and limiting Council's long term financial exposure, while supporting the Club to build capacity, capability and governance required to achieve an independent sustainable management model.

RECOMMENDATION

1. That Council approves Shire officers to negotiate a service agreement with the St Andrews Beach Recreation Club (Club) on the following conditions:

A. A term of three years.

B. Council will provide maintenance support on the current terms and conditions capped at $50,000 per annum.

C. The Club must provide a bi-annual status update report to Council outlining progress towards financial stability (including grant funding outcomes), membership numbers and community use of the facility and progress in developing the Club's capability to assume responsibility for maintenance functions currently undertaken by Council.

D. Annual review mechanisms and performance milestones.

E. Review and termination provisions should the Club fail to meet agreed objectives or reporting requirements.

F. The Club must work collaboratively with Council to develop and implement a transition plan that progressively builds the Club's capacity to assume responsibility for asset management and operational functions over the term of the agreement.

2. That Shire officers present a report to Council at the end of the first year of the service agreement on the status of the Club's progress towards achieving a sustainable operating model.

COUNCIL PLAN

This aligns with the Council Plan 2025-2029, in particular:

Performance: A transparent, accountable Council delivering measurable, community-centred services that are cost-effective, fit-for-purpose, future-proofed, and responsive to community needs.

- Strategic Objective 4.1: A financially sustainable, high-performing and well-governed Council.
- Strategic Objective 4.2: Community-centred, responsive, and fit-for-purpose services.

GOVERNANCE PRINCIPLES

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles. This report aligns with principles B, G and I which are:

B. Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

G. The ongoing financial viability of the Council is to be ensured.

I. The transparency of Council decisions, actions and information is to be ensured.

RELEVANT COUNCIL DECISIONS AND POLICIES

Council resolved on 6 December 2004 to adopt a role in the ongoing management of the Land for a period of 10 Years with a review after the first three years.

The management model was documented in a MoU between the parties which required Council to take on maintenance responsibilities whilst allowing the general public access to the open space and hall.

DISCUSSION

Purpose

To consider future operational and maintenance arrangements for the St Andrews Beach Recreation Club and determine Council's ongoing role in supporting the Club's transition towards a sustainable operating model.

Background

The Club is the freehold owner of approximately four hectares of land located at 99 Bass Meadows Boulevard, St Andrews Beach.

The land has a current Site Value of approximately $3,166,000. The Land is located within the Public Conservation and Resource Zone (PCRZ)/Residential 1 Zone, is held as a Lot on Plan and is not Crown land or public reserve.

The Land provides a wide range of recreational, social, and family friendly facilities including tennis courts, pétanque pistes, a hall, open play areas, toilets, BBQ spaces, a funded kindergarten and a playgroup. A summary of the Club, its role in the community, its financial sustainability, a site plan, photographs of the Land and a summary of internal Shire officer consultation is attached in Attachment 1.

In 2004, Council entered into an MoU with the Club whereby Council would maintain the hall building and associated grounds, in return for managing all bookings and retaining the associated revenue and allowing the general public access to the open space, playground and BBQ area. Access to the tennis courts and pétanque facilities remains restricted to Club members. Although this agreement expired in 2014, Council continues to maintain the hall building and the open space.

In 2022, termite damage was identified at the kindergarten and hall and Council carried out remediation works. In November 2023, Council closed the hall to complete termite treatment works at a cost of $51,000. Although repairs were

finalised in March 2024, Council has not resumed managing bookings of the hall and the Club advised that there had only been three bookings in 2025.

In 2021, the Club reached out to Council to discuss a new agreement and in November 2025, Property officers met onsite with representatives of the Club. During this meeting, the Club reiterated that it lacks the resources necessary to independently manage or maintain the Land without external assistance.

The Club advised that its membership base remains small and that it generates no significant revenue other than annual membership fees, tennis court bookings, and rental income from the kindergarten. As a result, the Club have indicated they are not in a position to assume responsibility for the maintenance of the building or the surrounding open space.

The Club has advised that, without a new agreement with Council, it would have no option but to restrict public access to the Land, including closing the gates to the general public. The Club has further advised that, without ongoing support from Council, it would be unable to sustain the management and operation of the Land.

While the Club's Constitution includes a winding up clause requiring any surplus assets to be transferred to an organisation with similar purposes, namely the provision of open space, environmental protection and biodiversity outcomes, this does not guarantee that Council would assume ownership or control of the Land or associated assets in the event that the Club is dissolved.

There remains uncertainty regarding the long-term ownership, management and maintenance of the land and improvements should the Club cease to operate.

Internal referrals and utilisation data indicate there is limited community, operational or strategic justification for Council to take on responsibility for the Land or facilities. Demand for the hall is low, alternative community venues are available nearby, the Land is not identified as required open space, and the buildings are not Council-owned assets eligible for renewal or upgrade investment under Council's Asset Management Plan.

Options for consideration:

- **Option 1:** Council enters into a new agreement with the Club on the same terms and conditions as the MoU.

  This option would see Council continue to maintain the hall and open space and manage hall hire bookings.

  This option provides continuity and maintains public access, but it is not considered financially or operationally sustainable. It would require Council

to continue funding and managing an ageing, low-use facility that is not demonstrating sufficient community demand and does not address the Club's underlying capacity and financial sustainability issues.

- **Option 2:** Council withdraws support entirely and has no further role with the Club.

  This option is the most financially efficient for Council and aligns with the assessment that the facility is not required for long-term service delivery.

  However, it presents community access and reputational risks if Implemented without a clear transition plan for the Club.

- **Option 3:** Provide an annual operational grant to the Club in lieu of Council maintenance.

  This option may maintain access and reduce direct Council involvement, but it does not provide a clear pathway to the Club becoming financially self-sufficient. It would continue Council support for a facility assessed as low demand and may create expectations for similar arrangements elsewhere.

- **Option 4:** Council consider acquisition or long-term lease of the Land.

  This option would provide the greatest level of Council control, but it carries significant financial, governance and asset management risks associated with acquiring, maintaining and managing assets, as well as ongoing operational and renewal costs. Any proposed acquisition will need to be reviewed against the draft Sale and Acquisition of Land Policy and the Acquisition Principles, including a demonstrated strategic current or future service need for Council ownership of the Land.

- **Option 5:** Council continues the current maintenance role for three years under a service agreement with a transition to Club led management thereafter **(Recommended).**

  Under this option, Council would continue to provide a three-year period of capped maintenance support of $50,000 per annum to allow the Club to transition maintenance arrangements, build capacity and progress toward financial sustainability. This support to include appropriate, strategic and operational guidance to assist the Club in establishing diversified revenue streams, strengthening governance, and preparing for independent asset management.

  A formal service agreement would be established to define responsibilities, transition milestones and reporting requirements to monitor the Club's progress towards financial sustainability and Club led asset management.

The agreement would include review of maintenance support and termination provisions should the Club fail to meet agreed objectives or reporting requirements. Council's maintenance support would cease at the conclusion of the three-year term.

The expectation of the agreement is that the Club will have developed the capability, governance structures and financial capacity necessary to independently manage the facility and associated asset management responsibilities.

This option is recommended as it balances ongoing support for the Club with a structured transition to independent management. It enables the Club to build capacity and financial sustainability while reducing Council's long-term obligations and exposure to future operational risks.

ENGAGEMENT

Shire officers have met with the Club, and they have advised that without ongoing support from Council, it would be unable to sustain the management and operation of the Land.

If a decision is made for Council to discontinue its ongoing maintenance role with the Club, Shire officers will work closely with the Club to assist them in developing a sustainable long-term management and maintenance model. This will include providing guidance on asset management planning, identifying potential funding and commercial revenue avenues and strengthening the Club's capacity to independently manage the Club. A transition plan should be developed jointly to outline responsibilities, timeframes, and support mechanisms.

COMMUNICATIONS PLAN

Not Applicable

LEGAL AND REGULATORY FRAMEWORK

Not Applicable

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

Council's Open Space Strategy prioritises conservation and sustainable land use. Continuing investment in a low demand facility in the long term may conflict with these principles.

FINANCIAL CONSIDERATIONS

In 2023, Council facilitated 35 hall bookings, averaging 2.1 hours per week, generating just under $4,000 in revenue. Since 2019, there have been no regular user group bookings.

Council's current annual cost to maintain the buildings, grounds and access roads are summarised as follows:

Team	Type of Maintenance	Annual Cost
Building Maintenance	Programmed maintenance	$15,600
Waste Services	Waste collection	$3,120
Insurance	Buildings & infrastructure only (public liability)	$3,500
Utilities	Electricity, water, etc.	$4,000
Open Space	Garden, grass and playground maintenance	$24,789
Total Annual Maintenance Cost		**$51,009**

In addition, over the last five years, Council has funded the following improvements.

Termite treatment, hall floor sanding, floor replacement, painting	$96,000
Additional gutter cleans & switchboard upgrade	$25,000
Total Improvements Cost	**$121,000**

OFFICER DECLARATION

No person involved in the preparation of this report has a General or Material interest requiring disclosure.

4.8 Community-Led Projects Policy - Public Exhibition

Issued By	Manager – Projects & Engineering Services
Authorised By	Director - Assets & Infrastructure
Document ID	A14050520
Briefing Note Number	BN2193 – 28 April 2026
Attachment(s)	1. Draft Community-Led Projects Policy ⇨ 2. Draft Community-Led Projects Guidelines ⇨ 3. Current List of Community-Led Projects ⇨

EXECUTIVE SUMMARY

The Community Capital Infrastructure Policy is due for review.

Shire officers have undertaken a comprehensive review of the existing policy and associated processes. This review identified opportunities to simplify the policy framework, provide clearer guidance to community stakeholders, and introduce a more flexible assessment and delivery model capable of supporting a broader range of community-led infrastructure projects.

The revised draft Community-Led Projects Policy, together with supporting framework and guideline documents, has been developed to improve transparency, strengthen community understanding of program requirements, and provide a clear and consistent process for project assessment and delivery.

Council approval is sought to place the draft Policy and supporting guidelines on public exhibition in September 2026, enabling community feedback to inform the final policy prior to adoption.

RECOMMENDATION

That Council approves the draft Community-Led Projects Policy, framework and guidelines document to be placed on public exhibition for a period of four weeks from 2 September to 30 September 2026.

COUNCIL PLAN

This aligns with the Council Plan 2025-2029, in particular:

Place: Celebrate, protect and enhance our unique blend of coast, hinterland, Green Wedge and connected villages and townships.

- Strategic Objective 1.2: Connected townships with integrated and accessible transport and well-maintained infrastructure.

Prosperity: Enabling balanced growth through innovation, empowering community groups and volunteers, and fostering a resilient, thriving and vibrant local economy.

- Strategic Objective 3.2: Valued partnerships and empowered community groups and volunteers.

Performance: A transparent, accountable Council delivering measurable, community-centred services that are cost-effective, fit-for-purpose, future-proofed, and responsive to community needs.

- Strategic Objective 4.1: A financially sustainable, high-performing and well-governed Council.

GOVERNANCE PRINCIPLES

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles. This report aligns with principles B, D and H which are:

B. Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

D. The municipal community is to be engaged in strategic planning and strategic decision making.

H. Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

RELEVANT COUNCIL DECISIONS AND POLICIES

- At the Council Meeting on 14 May 2024, the following Motion was adopted:

  That a report be prepared for Council consideration by early 2025, in order to review whether measures to do with the Community Capital Infrastructure Policy should be undertaken to improve procedures and outcomes that benefit our community.

  That a current list of Community Infrastructure Projects be listed.

- At the Council Briefing on 28 April 2026, a report was presented to Council with details of the work conducted on the review of the Community Capital Infrastructure Policy to date and plan for further improvements to benefit the

community. This was presented alongside a list of current Community Infrastructure Projects. An updated list is attached as of August 2026 (Attachment 3).

DISCUSSION

The purpose of this report is to seek Council approval to release the draft Community-Led Projects Policy (the Policy) (Attachment 1) and Guidelines (Attachment 2) documents for Public Exhibition.

Background

A full review of the Community Capital Infrastructure Project Policy has been undertaken including extensive benchmarking, research and analysis as well as preliminary stakeholder and community engagement.

Key themes and opportunities were identified, resulting in several recommendations and the expansion of eligible projects to encourage a partnership approach. These included:

- ***Awareness and access***: Improve communication, program visibility and support for community groups.
- ***Clearer process***: Simplify eligibility, funding opportunities, agreements and application requirements.
- ***Governance and risk***: Set clear roles, responsibilities, risk requirements and funding conditions.
- ***Community capability***: Provide early guidance and support to improve project readiness.
- ***Council coordination***: Align grants, capital works and community investment to support more project types.

The proposed draft policy seeks to transition to a clearer Community-Led Projects Policy, supported by practical guidelines, a simplified assessment framework, appropriate agreements and a staged implementation plan.

The updated Policy allows more projects to be considered and provides a clearer pathway for community groups to apply for project support. This can include community-funded, volunteer-led or partnership projects where Council will determine the appropriate level of resourcing required through the assessment process.

Projects will be assessed through a tiered, risk-based process, with the level of Council oversight matched to the scale, complexity, location and risk of the proposal. Simpler projects will proceed through the current assessment approach with more complex applications referred to a cross-organisational steering committee. The steering committee will consider strategic alignment, community benefit, landowner approvals, funding, risk, compliance and ongoing asset implications before a project progresses.

It is recommended that Council approves the draft Community-Led Projects Policy, frameworks and guidelines document to be placed on public exhibition for a period of four (4) weeks from 2nd to 30th September 2026.

This will allow for adoption of the policy by the end of the calendar year, and a strategic implementation plan is currently aiming to launch the updated Policy in early 2027 to maximise positive outcomes.

ENGAGEMENT

To inform the review, a combination of targeted stakeholder engagement and broader community consultation was undertaken. Engagement activities included interviews with seven community organisations and stakeholders who have direct experience delivering projects through the Community Capital Program, as well as public engagement through an online survey and community feedback process.

Key Findings

Feedback across all engagement streams was highly consistent and demonstrated strong support for more projects that improve local infrastructure, community facilities, public spaces and accessibility outcomes. Other key themes and opportunities emerged, including:

- ***Awareness of the program*:** Developing a strategic launch plan to engage internally and promote externally.
- ***Process complexity*:** Creating a clear but comprehensive guidelines document that is applicant-focused, and a simplified framework.
- ***Community capability*:** Strengthening pre-application support and capability-building initiatives for community organisations.
- ***Collaborative Council support*:** Expansion of eligible projects within the Policy to allow a partnership approach as well as strengthening internal relationship management for community organisations.

4.8 (Cont.)

COMMUNICATIONS PLAN

The aim of the comprehensive communications plan is to raise awareness, encourage community feedback and explain how the draft policy will create a clearer, fairer and more transparent process for community-led projects.

Key objectives are to:

- promote the draft policy and public exhibition period
- explain what has changed and why
- encourage informed feedback from community groups and stakeholders
- build understanding of Council's partnership approach
- reinforce transparency, collaboration and community benefit.

The core message is that Council is making it easier for the community to partner with Council to deliver projects that provide lasting benefits for the Mornington Peninsula.

Communications will be supported through:

- a Shape page as the main information and feedback hub
- Council website updates
- direct stakeholder and community database emails
- community newsletters
- social media posts, Facebook events for drop-in sessions and a project showcase Reel
- a media release
- internal staff communications
- Customer Experience briefing information
- drop-in sessions across the Peninsula.

Six drop-in sessions are proposed, including one online session and in-person sessions at Rosebud/YAWA, Mornington, Hastings, Sorrento and Somerville.

Overall, the plan provides a coordinated approach to promoting the draft policy, engaging key stakeholders and encouraging meaningful feedback before the policy is finalised.

LEGAL AND REGULATORY FRAMEWORK

Not Applicable

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

An internal framework and assessment process has been developed to support and guide Shire officers when applications are received. This includes a set of guiding principles that provide a consistent lens for assessing community-led project proposals. This ensure projects are considered not only for their community benefit and deliverability, but also for their long-term sustainability, resilience, environmental impact and alignment with Council priorities.

Within the considerations for the steering committee is the assessment of sustainability and ongoing management. This ensures there is consideration given to the environmental outcomes of projects and the lifecycle maintenance of the asset.

FINANCIAL CONSIDERATIONS

The strategic implementation plan will include a resourcing plan to consider the growth of the program and what additional resources may be required across the organisation and alignment with the expected increase in applications.

There will also be consideration of other funding opportunities and the potential for Council support based on return on Investment of the delivered community-led projects.

OFFICER DECLARATION

No person involved in the preparation of this report has a General or Material interest requiring disclosure.

4.9 Sale of Council land abutting 71 and 73-75 High Street Hastings

Issued By	Manager – Assets Buildings & Property
Authorised By	Director - Assets & Infrastructure
Document ID	A14048309
Briefing Note Number	BN2222 – 21 July 2026
Attachment(s)	1. Location Plan ⇨ 2. Picture of Site ⇨ 3. Plan of subdivision ⇨

EXECUTIVE SUMMARY

Council owns a small parcel of land (46.7 square metres) adjoining 71 and 73-75 High Street, Hastings (Land).

Following an application from the owner of 71 High Street, Hastings to purchase the adjoining Council land, internal consultation confirmed that the Land is not required for Council purposes and has no identified long term strategic need.

At the Council meeting on 14 April 2026, Council resolved to commence the statutory procedures to sell the Land in accordance with the *Local Government Act 2020*. Public notice was provided in accordance with Council's Community Engagement Policy and no submissions were received.

This report recommends that Council completes the sale of land process and sell the Land to the owners of 71 and 73-75 High Street, Hastings.

RECOMMENDATION

That Council:

1. **Notes the outcome of the community engagement process in accordance with section 114 of the *Local Government Act 2020* and Council's Community Engagement Policy.**

2. **Finalises the statutory procedures in accordance with the *Local Government Act 2020* to sell by private treaty the land known as:**

    A. **Lot 1 on PS931615 to the registered proprietor of 73-75 High Street, Hastings for $45,900 (plus GST).**

4.9 (Cont.)

B. Lot 2 on PS931615 to the registered proprietor of 71 High Street, Hastings for $39,420 (plus GST).

2. Authorises the Manager - Assets, Buildings and Property to take all necessary actions and sign all necessary documents to complete the sale of the Land.

COUNCIL PLAN

This aligns with the Council Plan 2025-2029, in particular:

Performance: A transparent, accountable Council delivering measurable, community-centred services that are cost-effective, fit-for-purpose, future-proofed, and responsive to community needs.

- Strategic Objective 4.1: A financially sustainable, high-performing and well-governed Council.

GOVERNANCE PRINCIPLES

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles. This report aligns with principles A, G and I which are:

A. Council decisions are to be made and actions taken in accordance with the relevant law.

G. The ongoing financial viability of the Council is to be ensured.

I. The transparency of Council decisions, actions and information is to be ensured.

RELEVANT COUNCIL DECISIONS AND POLICIES

At its meeting on 14 April 2026, Council resolved to carry out community engagement in relation to the proposal to sell the Council owned land adjoining 71 and 73-75 High Street Hastings.

DISCUSSION

Purpose

The purpose of this report is to:

- Update Council on the outcome of the statutory process for the proposed sale of land (46.7 square metres) adjoining 71 and 73-75 High Street, Hastings.

- Seek Council approval to sell the Land to the adjoining owners (the Proposal).

Background

Council owns a small parcel of land measuring approximately 46.7 square metres adjoining 71 and 73-75 High Street, Hastings (as shown in Attachments 1, 2 and 3) (Land). The Land is zoned as Commercial 1 under the Mornington Peninsula Planning Scheme, contains no services and is maintained by the adjoining owners at 71 and 73-75 High Street, Hastings.

In mid-2024, the owner of 71 High Street Hastings (Applicant) approached Council seeking to purchase the portion of the Land adjoining their property.

Shire officer's preliminary assessment of the Proposal indicates that the Land does not support current or future service delivery requirements, has no identified strategic significance to Council on a long-term basis and may be suitable for sale. Following completion of due diligence investigations, including an internal and external referral process, broad support for the Proposal has been received.

Subject to the completion of the statutory sale procedures, both the Applicant and the owner of 73–75 High Street have agreed to purchase the portions of land directly adjoining their respective properties at market value, as follows:

Land description	Land area	Market value
Lot 1 - Abutting 73-75 High Street	25.5 sqm	$45,900
Lot 2 - Abutting 71 High Street	21.2 sqm	$39,420

Options for consideration

Option 1 (Recommended)

Seek a Council resolution noting the outcomes of the community engagement process and authorising the sale of the Land to the adjoining owners at 71 and 73-75 High Street, Hastings in accordance with section 114 of the *Local Government Act 2020* (LGA).

Option 2 (Not recommended)

Resolve to not proceed with the Proposal, require the adjoining owners to remove all encroachments from the Land and Council to assume ongoing responsibility for the maintenance and management of the Land.

4.9 (Cont.)

ENGAGEMENT

Internal and external referral processes in relation to the Proposal were undertaken and no concerns have been raised.

Statutory and community consultation in relation to the Proposal has been carried out from 15 April to 13 May 2026 in accordance with section 114 of the *Local Government Act 2020* and Council's Community Engagement Policy. No submissions or feedback were received in relation to the Proposal.

COMMUNICATIONS PLAN

Notification letters were sent to the nearby property owners, including 67-95 High Street and 27-45 Windsor Lane, Hastings. Public notice of the Proposal was also published on Council's website and in the *Western Port News*, the local paper for the Hastings area. Community members were invited to provide feedback during the consultation period.

LEGAL AND REGULATORY FRAMEWORK

Pursuant to section 114(2) of the *Local Government Act 2020* and before selling the Land, Council must:

- at least 4 weeks prior to the sale, publish notice of intention to do so on the Council's Internet site
- undertake a community engagement process in accordance with its community engagement policy
- obtain from a person who holds the qualifications or experience specified under section 13 DA (2) of the *Valuation of Land Act 1960* a valuation of the land which is made not more than 6 months prior to the sale.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

There are no climate sustainability considerations arising from this Proposal.

FINANCIAL CONSIDERATIONS

The Applicant and the owner of 73-75 High Street have agreed to purchase the portions of land directly adjoining their respective properties for $85,320 (plus GST) and will pay all costs associated with the sale of the Land in line with Council's market valuation and the *Disposal of* Property Deemed 'Excess and or Inappropriate' Policy.

4.9 (Cont.)

OFFICER DECLARATION

No person involved in the preparation of this report has a General or Material interest requiring disclosure.

OFFICE OF THE CEO

4.10 Request to attend Portsea Top Tiny Tourism Town - National Awards - Councillor Cam Williams

Issued By	Manager – Governance & Risk
Authorised By	Chief Executive Officer
Document ID	A14050915
Briefing Note Number	Not Applicable
Attachment(s)	Nil

EXECUTIVE SUMMARY

This report seeks approval for Councillor Cam Williams (Cr Williams) to attend the National Top Tourism Town Awards 2026 to be held in Canberra, Australian Capital Territory on Monday 14 September to Tuesday 15 September 2026.

In accordance with section 5.2.2.2 of the *Councillor Expenses and Support Policy,* attendance at any Conference, Seminar or Event that is interstate must be approved by Council resolution.

The National Top Tourism Town Awards 2026 is priced at $165 for a full package registration (includes Monday evening Cocktail Party, Tuesday morning award ceremony).

In addition to the registration fee, return flights and one nights' accommodation will be required. The estimated cost for flights is $500, and accommodation is approximately $350 per night.

As the Victorian winner, of the Top Tiny Tourism Town in August 2026 the Mornington Peninsula has been invited to the National Top Tourism Town Awards 2026.

RECOMMENDATION

That Council approves the attendance of Councillor Cam Williams at the National Top Tourism Town Awards 2026, to be held in Canberra, Australian Capital Territory on Monday 14 September to Tuesday 15 September 2026, with the cost of registration, flights and accommodation to be met from Councillor Williams' Training, Conferences, Seminars and Events budget.

4.10 (Cont.)

COUNCIL PLAN

This aligns with the Council Plan 2025-2029, in particular:

Prosperity: Enabling balanced growth through innovation, empowering community groups and volunteers, and fostering a resilient, thriving and vibrant local economy.

- Strategic Objective 3.1: A vibrant, innovative and thriving local economy.

People: A safe, accessible, inclusive and engaged community that fosters our diverse culture, supporting health and wellbeing and a connected and compassionate society for all.

- Strategic Objective 2.1: A safe, accessible, inclusive and healthy community.

GOVERNANCE PRINCIPLES

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles. This report aligns with principles B, and F which are:

B. Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

F. Collaboration with other Councils and Governments and statutory bodies is to be sought.

RELEVANT COUNCIL DECISIONS AND POLICIES

Councillor Expenses and Support Policy.

DISCUSSION

Purpose

This report seeks approval for Cr Williams to attend the National Top Tourism Town Awards 2026 to be held in Canberra, Australian Capital Territory on Monday 14 September to Tuesday 15 September 2026.

Background

The Councillor Expenses and Support Policy allows $16,000 per Councillor for attendance at Training, Conferences, Seminars and Events.

As at 21 August 2026, Cr Williams has spent $11,901.24 of his budget therefore has a remaining balance of $4098.76.

4.10 (Cont.)

Portsea Top Tiny Tourism Town - National Awards

The Top Tourism Town Awards are conducted annually to recognise towns that deliver exceptional visitor experiences and demonstrate a strong commitment to tourism, community collaboration and destination promotion. Awards are presented across categories based on population size, including Top Tourism Town, Small Tourism Town and Tiny Tourism Town.

Mornington Peninsula Shire's Visitor Economy team led Portsea's nomination for the 2026 Victorian Top Tourism Town Awards, highlighting its coastal environment, heritage, visitor economy and events. Shire officers collaborated with local operators and stakeholders and promoted public voting throughout the process.

On 12 August 2026, Portsea was announced as the winner of the Victorian Top Tiny Tourism Town category securing its place as Victoria's representative in the national awards program.

The Australian Tourism Industry Council has subsequently invited representatives from all state-winning destinations to attend the National Top Tourism Town Awards announcement at Parliament House, Canberra, on 15 September 2026. The event will include a welcome function on 14 September and an awards breakfast where the national winners will be announced.

Attendance by a Councillor would provide an opportunity to represent and promote the Mornington Peninsula at a national level, support and recognise the community and Shire-led initiatives acknowledged as finalists and strengthen relationships with key stakeholders in sustainability and environmental leadership.

ENGAGEMENT

Not applicable.

COMMUNICATIONS PLAN

Not applicable.

LEGAL AND REGULATORY FRAMEWORK

Not applicable.

CLIMATE AND SUSTAINABILITY CONSIDERATIONS

Not applicable.

FINANCIAL CONSIDERATIONS

The anticipated total cost to attend this event is approximately $1015.

4.10 (Cont.)

OFFICER DIRECT OR INDIRECT INTEREST

No person involved in the preparation of this report has a direct or indirect interest requiring disclosure.

5 NOTICES OF MOTION

Nil.

6 URGENT BUSINESS

Under Council's Governance Rules, no business may be admitted as urgent business unless it:

1. Relates to a matter which has arisen since distribution of the Agenda.
2. Cannot because of its urgency, be reasonably listed in the Agenda of the next Council Meeting.
3. Councillors by a majority vote, vote in favour of a matter being dealt with as urgent business.

7 CONFIDENTIAL ITEMS

Advice to the Public

All reports, information and recommendations contained in 'Section 7 – Confidential Items' of this Agenda have been designated by the Chief Executive Officer as confidential pursuant to section 66 (2) (a) of the *Local Government Act 2020*.

MEETING CLOSED TO THE PUBLIC

The Council may resolve that the meeting be closed to members of the public in accordance with section 66 (5) (a) of the *Local Government Act 2020* if the meeting is discussing any of the following:

(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

(b) Security information, being information that if released is likely to endanger the security of Council property or the safety of any person.

(c) Land use planning information, being information that if prematurely released is likely to encourage speculation in land values.

(d) Law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person.

(e) Legal privileged information, being information to which legal professional privilege or client legal privilege applies.

(f) Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

(g) Private commercial information, being information provided by a business, commercial or financial undertaking that:

  (i) Relates to trade secrets.

  (ii) If released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

(h) Confidential meeting information, being the records of meetings closed to the public under section 66 (2) (a).

(i) Internal arbitration information, being information specified in section 145.

(j) Councillor Conduct Panel confidential information, being information specified in section 169.

(k) Information prescribed by the regulations to be confidential information for the purposes of this definition.

(l) Information that was confidential information for the purposes of section 77 of the *Local Government Act 1989*.

RECOMMENDATION

That Council considers the confidential report listed below in a meeting closed to the public in accordance with section 66 (2) (a) of the *Local Government Act 2020*:

7.1 Contract Overexpenditure - CN2881 TechnologyOne Application Managed Services

This matter is considered to be confidential under Section 3 (1) g (ii) of the *Local Government Act 2020* as it It contains private commercial information, being information provided by a business, commercial or financial undertaking that (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.